

# Ministry of Social Services

## Adoption Services Manual



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**0.0 Revisions**

**April 2015**

**2.3** (Practice Guidelines) – additional information on cultural planning and connection to sessions 5 & 7 of PRIDE Pre-service Training and the Saskatchewan Aboriginal Culture Component. Also added is Appendix 2B – PRIDE Connection/Action Plan for Cultural Planning for Aboriginal children.

**2.4** (Procedures) – clarified the ‘MFA Update’ template can only be used when an MFA has been previously completed (cannot be used to update any other type of assessment). Also added when foster parents are being assessed for adoption, they must have updated CPIC and Linkin/ACI checks, and two references (or a suitable alternative approved by the supervisor) must be re-interviewed. A medical is completed *only* where there has been a significant change in the applicant’s health status.

**2.9** (Procedures) – added statement regarding documentation in Linkin. Identifying information regarding prospective adoptive parents is not to be recorded in Linkin. If the child’s name is changed prior to the Order of Adoption being granted, the child’s new name is not recorded on the file in Linkin, either.

**4.2** (Procedures) – process for approval of Assisted Adoption Annual Review amended. Approval of the review is only required by the supervisor, and payment approvals are as per FYAP approvals and procedures.

**April 2016**

**4.2** (Procedures) - the requirement for a home visit to complete the annual review in all cases is removed; instead, certain criteria will be used to determine the need to complete a home visit. Options for completing the annual review now include via mail, email or phone. The assisted adoption annual review form is updated to reflect this.

**January 2017**

**6.1, 6.2, 6.3** These sections were revised to align policy with the *The Adoption (Birth Registration Information) Regulations, 2016* which became effective January 1, 2017. Changes are as follows:

- Adult adoptees and birth parents named on a birth registration will no longer be required to consent to the release of the birth registration information.
- Adult adoptees and birth parent(s) may submit a veto for adoptions granted prior to January 1, 2017.
- Adult adoptees and birth parents may register a contact preference that places conditions for contact from either the adult adoptee or the birth parent(s).

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- When an adult adoptee or birth parent(s) is deceased, their children, with proof of death, may apply for release of the adoptee’s birth registration information.

The revisions also change policy sections specific to access and disclosure as responsibility for management of information requests was re-allocated to the Ministry’s Legislation and Information Management (Access and Privacy) unit.

**July 2017**

**1.2 Overview of Adoption Services in Saskatchewan**

Updated the language including replacement of the term ‘crown’ ward with ‘permanent’ ward.

**1.3 Definitions**

Updated to align with the new adoption legislation and regulations.

**2.8 Adoption Selection - Renamed to “Adoption Planning and Selection”**

- Revisions include information on voluntary committal process which was previously only included in the Children’s Services Manual.

**2.8.1 Dispensing with a Birth Parent’s Signature – New section**

- Provides Policy, Standards and Procedures to follow in dispensing with birth parent signature to a voluntary committal.

**2.9 Placement**

Added the following contact standards:

- When an adoption placement does not occur in the adoptive home and/or when the primary adoption worker cannot be available at time of placement, contact with the child will be made in the adoptive home by the primary adoption worker within 48 hours or two business days.
- Once the Responsibility for Care and Supervision and the Certificate of Placement has been signed, and after the initial placement, the adoption worker will have contact with the child within two weeks, then once a month for two months.

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# ***Ministry of Social Services***

## **Adoption Services Manual**

### **Revisions**

- At the end of the two months, contact with the child and adoptive family will occur every six weeks until the adoption is finalized.
- For specific adoptions, contact with the child will occur every six weeks after placement of the child for the purpose of adoption

Clarified procedures of the adoption placement process including roles of the child care and adoption worker.

### **October 2017**

#### **2.6 Simultaneous Registration**

Updated to reflect current language; changing “crown ward” to “permanent ward”. The references to observing a twelve month wait time between child placements has been clarified with a recommendation to accept a second application for a prospective child at six months.

#### **2.10 Finalization of Crown Ward:**

Changed language – “crown ward” to “permanent ward”. Other updates include modernization of language, updating position titles and references to service areas.

##### **2.10.1 Crown Ward Adoption Outside of Province:**

Changed language “crown ward” to “permanent ward”. Updated language and clarified roles for adoption finalizations outside of the province.

#### **6.0 Post Adoption**

Updated entire chapter to reflect current practice and to align and reinforce the change that came into effect on January 1, 2017 regarding access to Registration of Live Birth.

Clarified definitions and language throughout policy.

6.2 - Removed the requirement of ‘automatically’ providing the adoption order when the birth registration is requested.

6.2.2 - Information was updated and enhanced to include process on conducting searches for birth fathers; further clarified the process for when a birth father is deceased.

Added a bullet to require the birth father to sign a release of confidential information form when the birth father’s identity has been verified and before identifying information is released.

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**December 2017**

**Ch. 1.4 Determination of a Child’s Best Interest**

Changes reflect the amendments made to the Adoption Act, 2017 that determine the best interests of a child. The changes include updating language and sentence structure.

**2.3. Parent Resources for Information, Development & Education (PRIDE), Mutual Family Assessment & Family Profile**

Updated procedures when adoptive applicants are released from waitlist  
 Updated information on Pride training and adoption worker’s role in training  
 Added a new requirement of fingerprints for background checks

**New document:** Criminal Record Check Information for Adoptive Applicants

**Ch. 2.8. Adoption Selection**

Changed revocation from 14 days to 21 days. Increasing the revocation period will provide birth parents additional time to consider their difficult decision of placing their child for adoption.

**2.10 Finalization of Crown Ward:**

Changed wording in title of chapter from Crown Ward to Permanent Ward  
 Added section regarding child’s voice in adoption: A requirement to hearing the child’s wishes and understanding of adoption in a written report to the court.  
 The new section outlines who may complete the report and the requirements of the report if it is requested by the court.

**2.11 Placement & Adoption Disruption**

Procedures: removed the requirement for adoption workers to cancel health coverage in the event of an adoption disruption prior to finalization.  
 Updated Language- changed Crown Ward to Permanent Ward

**Ch. 3.3 Step-parent Adoption**

Changed revocation period from 14 days to 21 days revocation. Increasing the revocation period will align with other provinces.  
 Updated language and sentence structure

**Ch. 4.1 Assisted Adoption**

Added provision of the Minister to enter into assisted adoption agreements with a subsequent legal guardian caring for a former permanent ward and whose adoptive parent’s passed away.

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**6.0 Post Adoption**

Clarified definitions and language throughout policy.  
Added definition of Legal Guardian

**Ch. 6.2 Voluntary Communication**

Added 'guardian of a minor birth sibling' to the list of people who are eligible to place their names on the voluntary contact/communication list to have communication with their adopted minor siblings.

**Ch. 6.2.2 Special Searches**

Added a search provision for adoptive parents to request a search with respect to siblings who are minors and were not adopted.

**March 2018**

**Ch.2.2 - Chapter 2.2 Inquiry, Intake, Application & Waitlist for Release**

- Added Canadian Citizenship or Permanent Residency requirement
- Process for applicants who already have permanent resident status were clarified and if the applicants are able to provide a Criminal Record Check from their country of origin, a Note to File would be completed

**Ch. 2.3 Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment (MFA) and Family Profile**

- Applicants who have lived out of country will be required to complete a Child Welfare Record Declaration to declare if any prior child welfare history exists (pending completion of a records check by the other jurisdiction).
- Process for applicants to supply proof of citizenships when applying to the adoption program.
- In circumstances where a criminal record exists, the applicant will complete a memo to manager describing circumstance of the record and steps to address the concern.

**Ch. 4.1.1 Assisted Adoption Overpayments**

- A sub chapter was to align with information provided in the Children's Service manual regarding overpayments. There will be a standardized process in place for recovering and tracking overpayments made to assisted adoption families in error or when they were not entitled to receive such payment that will be consistent across the province

**December 2018**

**Ch. 2.1 Introduction**

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Provided information on values in adoption that should guide practice.

#### **Ch. 2.3.1 Expiry of an MFA**

- Added clarity in process when an MFA is due to expire.
- Included the requirement of a home safety check at the time of a two-year update for an MFA.

#### **Ch. 2.3.2 Changes in Circumstances**

- Provided additional information on early experiences of a child and the potential impacts of change for a child and family.
- Updated procedures for when an adoption file is placed in abeyance.
- Defined process of when circumstance may require a file to be closed.
- Updated language and formatting.

#### **Ch. 2.12 File Closure After Adoption**

- Updated procedural section to provide more clarity and information on processes when closing files and which documents are to be included in each file.
- Update checklist for Permanent Wards to reflect changes in policy.

#### **Ch. 4.1. Assisted Adoption**

- Updated standard of responsibility for adoptive parents in meeting a child's needs.
- Updated process for when amendments to benefits are being considered to seek and identify if special needs benefits are being provided by another funding source.
- Clarified information on the approval of benefits for adoptees 18-21 years.

### **August 2019**

#### **Chapter 2.2 Inquiry, Intake, Application and Waitlist for Release**

- Provided information on process for applicants who meet eligibility requirements to adopt;
- Updated procedures for documents that are accepted for proof of residency.

#### **Chapter 2.2.1 Child Welfare Checks**

- Removed child welfare information from chapter 2.2 and created new chapter that includes information on International Social Services;
- Information to obtain child welfare checks will be more transparent and clear.

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**Chapter 3.1 Independent Adoption**

- Independent Practitioners and adoptive applicants are required to undergo PRIDE on-line training to accompany the Mutual Family Assessment process;
- Training for IPs will consist of one day MFA training for Practitioners.

**Chapter 3.1.2 Independent Placements from Out of Province**

- Divisional titles were updated.

**Chapter 5 Intercountry Adoption**

- Mutual Family Assessment will replace the previous home study format
- Updated information on process for background assessments completed by International Social Services;
- Updated Immigration Canada title to reflect the changes made by the Federal Government title.

**Chapter 7 Independent Practitioners**

- Identified process for Independent Practitioners to be trained in PRIDE and complete MFA writing seminar and certification;
- Updated process for applicant suitability.

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<b>1.1: Manual Structure</b>	

**1.0 INTRODUCTION**  
**1.1 Manual Structure**

This manual contains policies that guide the practice of adoption in Saskatchewan. Direction is provided to facilitate the assessment and decision-making processes as they relate to the role of the Adoption Worker.

The manual is arranged in the following format:

- **Chapter 0 – Revisions & Updates**
- **Chapter 1 – Introduction**
- **Chapter 2 – Application, Assessment and Finalization:** describes the processes involved with the initial application, assessment of applicants through the Mutual Family Assessment and attendance at Parent Resources for Information, Development & Education (PRIDE) Pre-service Training and the Saskatchewan Aboriginal Culture Component. It also provides policies and procedures related to placement, finalization of a Crown ward adoption and file closure.
- **Chapter 3 – Non-ward Adoptions:** describes the Ministry’s role with respect to independent adoptions, adult adoptions and stepparent adoptions.
- **Chapter 4 – Assisted Adoption:** describes the processes involved with the Assisted Adoption Program including the Assisted Adoption Agreement, approval of benefits and the annual review.
- **Chapter 5 – Intercountry Adoption:** describes the processes involved with an intercountry adoption including the Ministry’s role, application and applicant requirements, approval of case plans, home study requirements & guidelines and child referrals.
- **Chapter 6 – Post Adoption Services:** describes the processes involved with disclosure of adoption file information to adoptees and their birth families, as well as the services provided by the Post Adoption Registry.
- **Chapter 7 – Independent Practitioners:** describes the role and authority of Independent Practitioners in completing adoption-related reports for intercountry, independent and stepparent (when requested by the court) adoptions.

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**1.2: Overview of Adoption Services in Saskatchewan**

**1.0 INTRODUCTION**

**1.2 Overview of Adoption Services in Saskatchewan**

Adoption processes in Saskatchewan are governed by:

- *The Adoption Act, 1998*
- The Adoption Regulations (2003)
- *The Intercountry Adoption (Hague Convention) Implementation Act, 1997*
- Relevant sections of *The Child and Family Services Act*

When a child is in care of the Minister, the Ministry is responsible for ensuring the child's basic, developmental and individual needs are met. This responsibility includes not only meeting the child's immediate needs, but also planning for the child's future. Every effort is made to involve all individuals who have a significant role in the child's life, including the child when developmentally able, in the planning process.

A permanent ward is a child under the permanent, legal guardianship of the Minister. A child becomes a permanent ward either through a voluntary committal process undertaken by the birth parents or through a court process where a judge rules on permanent wardship in a child's best interests. Although all permanent wards are eligible for adoption, not all become adopted. Adoption is considered as an avenue when options with extended family do not exist.

Adoption is part of the child welfare services offered through the Ministry of Social Services, Child and Family Programs. As such, it must meet the goals and principles of the division, as well as the legislated requirements. Adoption policies and procedures are intended to:

- put children's rights and interests first;
- promote cooperation and collaboration between the Ministry and community stakeholders/partners;
- broaden knowledge about adoption; and
- promote understanding of adoption issues

## 1.3: Definitions

## 1.0 INTRODUCTION

## 1.3 Definitions

The following are terms found in legislation that are referenced throughout this manual.

- **Adopted Adult** – means a person who is 18 years of age or more who was:
  - adopted pursuant to *The Adoption Act, 1998*, or any former *Act*, or
  - was a permanent ward at the time of his/her adoption in another jurisdiction.
- **Adopted Child** – means a person who is under 18 years of age who was:
  - adopted pursuant to *The Adoption Act, 1998*, or any former *Act*, or
  - was a permanent ward at the time of his/her adoption in another jurisdiction.
- **Adoptive Parent** – a person who adopts a child pursuant to *The Adoption Act, 1998*, or any *Act* that precedes it.
- **Agency** – an incorporated body approved by the Minister pursuant to Section 37 of the *Act* to provide services respecting the adoption of children.
- **Applicant** – any person who is eligible to apply to adopt. In Saskatchewan, applicants must be 18 years of age or older, and must be residents of Saskatchewan.
- **Application for Adoption** – an application for an order of adoption of a child pursuant to sections 16 or 23 of *The Adoption Act, 1998*, or an application for an order of adoption of an adult made pursuant to section 24 of *The Adoption Act, 1998*.
- **Assisted Adoption** – financial assistance in the form of monthly maintenance and/or special needs payments that may be provided to permanent wards adopted through the Domestic Adoption Program.
- **Birth Father/Birth Mother:**
  - in the case of a child not previously adopted, the biological parent of the child; or
  - in the case of a child previously adopted, a person who is the parent of the child by virtue of an adoption order.
- **Birth Parent** – either the birth mother or the birth father.
- **Certificate of Counselling** – every consent to adoption is to accompany, a certificate of counselling mentioned in clause 4(4)(a) of *The Adoption Act, 1998*.

## 1.3: Definitions

- **Certificate of Independent Advice** – every consent to adoption is to accompany a Certificate of Independent Advice mentioned in clause 4(4)(a)(b) and (c) of *The Adoption Act, 1998*.
- **Certificate of Non-Revocation** – a certificate signed by the Director indicating that the required consent to adoption has not been withdrawn.
- **Certificate of Placement** – a certificate signed by the Director or designate indicating placement of a child in an adoptive home pursuant to subsection 14(1) of *The Adoption Act, 1998* (legal requirement).
- **Child** – a person who is under 18 years of age and who has never been married.
- **Consent to Adoption** – consent of a birth parent(s) or a stepparent adoption mentioned in subsection 4(1)(a) and a child 12 years of age or more mentioned in subsection 4(1)(b) of *The Adoption Act, 1998*.
- **Director** – a person appointed pursuant to section 38 of *The Adoption Act, 1998* and, in the absence of any appointment, the Minister.
- **Domestic Adoption** – refers to the adoption of a child permanently in care of the Minister.
- **Ecomap** – a tool used in PRIDE to assist in the Mutual Family Assessment (MFA) process that documents family relationship to outside systems.
- **Foster Home** – means a foster home approved pursuant to *The Child and Family Services Act*.
- **Genogram** – a tool used in PRIDE to assist in the Mutual Family Assessment (MFA) process that is used as a visual guide to show family relationships, roles and patterns over time.
- **Identifying Information** – information that leads, or is likely to lead (directly or indirectly) to the identity of an individual.
- **Independent Adoption** – sometimes referred to as a ‘private adoption’; an adoption where a birth parent places a child for adoption on their own (does not voluntarily commit the child to the Minister).
- **Independent Practitioner** – individuals approved by the Minister to complete written reports for intercountry, independent and, when requested by the court, stepparent adoptions.

## 1.3: Definitions

- **Intercountry Adoption** – the adoption of a child who is not a resident of Canada by an applicant from Saskatchewan.
- **Legal Guardian** – a person, over 18 years, named in a will or by court order; having all the rights and responsibilities of a parent.
- **Mutual Family Assessment (MFA)** – formerly the ‘home study; is a consolidation of information gathered with the applicants through joint in-home consultations that includes information gathered from the completion of PRIDE training and PRIDE Caring for Aboriginal Children.
- **Non-identifying Information** – information that does not lead, or is not likely to lead (directly or indirectly) to the identity of the individual.
- **Permanent ward** – a child permanently committed to the Minister pursuant to *The Child and Family Services Act*.
- **Post-Adoption Registry** – where provincial adoption records are maintained, or services provided, pursuant to section 30 of *The Adoption Act, 1998*. Post-Adoption Services is the only Ministry of Social Services organization with the responsibility for disclosure of information following legal adoptions that were finalized in Saskatchewan.
- **Registrar** – the local registrar of the Court of Queen’s Bench or the registrar of the Court of Appeal.
- **Responsibility for Care and Supervision (Domestic Adoption)** – form provided to adoptive parents at time of placement that allows them to assume care and responsibility for the child (not a legal document or requirement to finalize an adoption).
- **Spouse** – legally married spouse or individual with whom someone is cohabiting (e.g. common law).
- **Statement of Fees** – statement of fees, expenses and disbursements related to an adoption mentioned in subsection 16(13) of *The Adoption Act, 1998*.
- **Status Indian:**
  - registered Indian pursuant to *The Indian Act (Canada)*; or
  - a person entitled to be registered as an Indian pursuant to *The Indian Act (Canada)*.
- **Stepparent Adoption** – adoption by the spouse of a custodial birth parent (pursuant to section 23 of *The Adoption Act, 1998*).

**1.3: Definitions**

- **Voluntary Committal** – means a voluntary committal pursuant to section 46 of *The Child and Family Services Act* or any other previous former *Act*.

**1.4: Determination of a Child’s Best Interests**

**1.0 INTRODUCTION**

**1.4 Determination of a Child’s Best Interests**

Determining Best Interests

When making a determination of a permanency plan for a child, paramount consideration must be given to every aspect of a child’s best interests as defined in section 4 of *The Child and Family Services Act* and section 3 of *The Adoption Act, 1998*. All relevant factors taken into account include:

- the child’s safety;
- the child’s physical and emotional needs and level of development;
- the importance of continuity in a child’s care;
- the importance to the child’s development of having positive relationships with a parent and a secure member of a family;
- the quality of relationship the child has with a birth parent or other meaningful individual (e.g. extended family or foster parent) and maintaining that relationship;
- the child’s cultural, ethnic, linguistic and religious heritage;
- the child’s views;
- the effect on the child if there is delay in making a decision; and
- the importance of preserving cultural identity.

If, pursuant to *The Adoption Act, 1998*, a person or the court is required to determine the best interests of a child, the person or the court shall take the following into consideration:

- The child’s mental, emotional, physical and educational needs, and the care or treatment required to meet those needs;
- The child’s cultural and spiritual heritage and upbringing;
- The quality of the relationship the child has with a parent or caregiver and the effect of maintaining that relationship;

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**1.4: Determination of a Child’s Best Interests**

- The child’s wishes, having regard to the child’s age and the level of the child’s development;
- The importance of continuity in the child’s care and the possible effects on the child of disruption of that continuity;
- The effect on the child of making or of not making the order;
- In the case of a stepparent adoption, the effect an order may have on the relationship the child has or may have with the parent who is not the spouse of the applicant; and
- Any other fact or circumstance that the person or the court considers appropriate or relevant.

Consulting with a Child

Children who are 12 years of age or more are required to consent to an adoption. A child has the right to:

- be interviewed in private, without influence;
- be provided with assistance if there are language or developmental barriers, or if they would like to consult with others such as Elders;
- be provided with as much information on adoption as they need to make an informed decision; and
- understand their rights, including the right to maintain their family or birth name, as well as the right to not consent to the adoption.

**1.5: General Roles & Responsibilities**

**1.0 INTRODUCTION**

**1.5 General Roles & Responsibilities**

The Minister of Social Services has parental rights and responsibilities for children in care, which includes responsibility for planning. There are numerous circumstances under which children cannot be returned to or placed with family, which may lead to the court making a decision on a permanent order as being in their best interests. For these permanent wards, adoption planning may be an option.

Consideration for children who are placed for adoption must be given to their physical, emotional, cultural, social and spiritual needs. Adoption Workers must:

- research information and become knowledgeable about the impacts of adoption on the child as well as the birth family;
- understand the intent of Parent Resources for Information, Development & Education (PRIDE) Pre-service Training and its role in educating prospective adoptive parents about loss, attachment, parenting and the needs of children;
- provide prospective adoptive parents with relevant information about adoption, or information and resources relevant to parenting children who may have a variety of needs including the need to maintain connections to family and culture;
- ensure placements are appropriately supported, and that children are able to express their views openly and honestly; and
- appropriately assess the needs of the child with the adoptive family and, where appropriate, the child with respect to counselling or other supports.

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<p><b>2.1: Introduction</b></p>	

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.1 Introduction**

**Introduction**

The Domestic Adoption Program applies to the adoption of children who are permanent wards of the Minister. A child becomes a permanent ward either through a court process where a judge makes a decision that a permanent order is in a child’s best interest or through a voluntary committal where birth parents commit their child to the Minister for the purposes of adoption planning.

Adoption Workers have primary responsibility for assessing and preparing prospective adoptive parents for adoption, ensuring a child’s needs are being met throughout placement, facilitating the finalization of the adoption, completing and reviewing the *Assisted Adoption Agreement* with the adoptive parents, and completing annual reviews.

Adoption provides the opportunity for a child to become a permanent member of a new family. Through adoption, the prospective adoptive parent(s) are legally securing their relationship with their child and providing stability for their new family. Adoption practices are child focused and motivated by factors that support the child’s best interests.

The following are values that guide adoption practices for children who are legally available for adoption:

- Children require permanence, safety and stability for their well-being;
- Adoption practices are child-centered and in understanding the child’s needs and working in their best interest;
- Every child should have a permanent legal family; adoption must be carefully considered for every child who has received a permanent committal order;
- Services are inclusive and practiced with integrity: all families are treated fairly, honestly and with understanding the rights of all parties;
- Children, birth parents, prospective adoptive parent(s) and caregivers should be provided with the knowledge of the lifelong implications of adoption, including information to assist them in making informed decisions;

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- Openness in adoption enables members of the adoption triad to maintain family and cultural connections and build relationships that assist the child in developing a strong, healthy identity.

# Ministry of Social Services

## Adoption Services Manual

### 2.2: Inquiry, Intake, Application & Waitlist for Release

## 2.0 APPLICATION, ASSESSMENT & FINALIZATION

### 2.2 Inquiry, Intake, Application & Waitlist for Release

#### Definitions

**Specific adoption** – an adoption where applicants adopt a specifically-identified child, such as in the case of an extended family member or foster parent adopting a child residing with them, and the plan is supported by the Ministry.

**Non-specific (general) adoption** – an adoption where a child in care of the Minister is matched to an adoptive applicant(s) approved by the Ministry.

#### Legislative Authority

Section 16(2) and Section 16(3) of *The Adoption Act, 1998*.  
Section 16 (1)(a) of *The Adoption Regulations, 2003*

#### Policy

Residents of Saskatchewan must be at least 18 years of age to apply to adopt. This includes married adults jointly, common law couples, single adults, or any other individual the court may allow, having regard for the best interests of the child.

#### Procedures

##### Residents of Saskatchewan

Adoption applicant(s) must be a Saskatchewan resident to apply to the Domestic Adoption Program. Applicant(s) are required to provide two pieces of original identification (ID) and an additional two pieces of ID that confirm residency. Residency documents will include a civic address. The following documents will be accepted:

- Saskatchewan health card;
- Mortgage, lease or rental document;
- Household bill, employment verification;
- Income tax document/Notice of Assessment; and/or
- Canadian Citizenship and/or Permanent Residency documents

The adoption worker will make a copy of the documents to place on the file and provide the originals back to the applicant(s).

**2.2: Inquiry, Intake, Application & Waitlist for Release**

**Inquiry**

1. Individuals with an interest in the Domestic Adoption Program will be directed to contact the Adoption Support Centre of Saskatchewan (ASCS) to complete an education & orientation process prior to completing the intake and application with the Ministry. Applicant(s) are required to pay a program fee to the ASCS office. The fee includes a one-year membership for access to resources and services related to adoption.
  - Note - foster parents adopting a specifically-named child (i.e. a child in their home) or individuals who have previously adopted through the Domestic Adoption program are not required to complete the orientation process, but can be referred directly to the Ministry to complete the intake and application.
2. The ASCS will review the eligibility criteria with the prospective applicant(s) for the Domestic Adoption Program:
  - Be a resident of Saskatchewan;
  - Be at least 18 years of age;
  - Be physically and emotionally capable of parenting an adoptive child;
  - Be financially stable to raise a child/family; and
  - Have domestic stability.
3. Upon completing the orientation, the ASCS will forward the referral to the appropriate Adoption Supervisor who will assign it to an Adoption Worker. The applicant(s) will be contacted within 15 working days.
4. The adoption worker will contact the applicants by phone and confirm their interest in the domestic adoption program. The adoption worker will review:
  - The intake process with ASCS; was the information provided helpful?
  - Motivation to adopt; and if applicable, is this a shared decision?
  - Range of acceptance;
  - Background checks; criminal record checks; criminal history (see Chapter 2.2.1) and;
  - Applicants readiness to undertake a lengthy and intrusive process.
5. A face to face meeting will occur to review the Adoption Application. The Adoption Application Reference guide may be used to assist prospective applicant's in completing the application. The guide can be accessed at <http://publications.gov.sk.ca/documents/17/80255-Adoption-Application-Reference-Guide-ADO-4.pdf>.

**2.2: Inquiry, Intake, Application & Waitlist for Release**

Intake & Application

1. When meeting with the prospective adoptive applicant(s) for the first time, the adoption worker will provide an overview of the program and review the following with the applicants:
  - Consent to check for past or current child welfare involvement(s), (Note – without consent, ACI/LINKIN cannot be checked for history);
  - Any past or current criminal charges or convictions;
  - Proof of Saskatchewan residency;
  - Proof of Canadian citizenship or permanent residency;
  - Interest and motivation;
  - Requirements for PRIDE Pre-service, the Saskatchewan Caring for Aboriginal Children Component and the Mutual Family Assessment (MFA);
  - Process of matching a child to the skills and abilities of prospective adoptive parent(s);
  - Information on how children become available for adoption and the needs of children available for adoption;
  - Legal requirements for adoption and adoption process;
  - Openness in adoption and communication expectations;
  - Cultural connections and planning (Individuals interested in adoption must be willing to maintain a child’s culture and connections to family and/or significant others). Ministry requirements with respect to changes in circumstances (see chapter 2.3.3 and 2.3.4); and
  - Provincial foster care program as a means to provide short-term support to children in care.
  
2. During the intake meeting, the adoption worker will review the application and discuss any questions/concerns with the applicants. The Adoption worker will obtain signed approval from the supervisor and a copy of the application will be sent to Central Adoption Registry (CAR), where it will be registered and assigned a non-identifying registration number.
  
3. The applicants will be notified in writing when their application has been accepted and registered with Central Adoption Registry (CAR).
  
4. Collaboration between CAR and the Adoption Supervisor will occur to determine when an applicant is released to undertake PRIDE training and begin the MFA (see Practice Guidelines). Applicant(s) who are placed on the waitlist will be advised of their waitlist status by the Adoption Worker, and the case is registered on ACI as ‘ADIL’ (waitlist).

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**2.2: Inquiry, Intake, Application & Waitlist for Release**

5. At a minimum of every two years, applicant(s) will be contacted to provide an update of their current status, and given an opportunity to review their range of acceptance.
6. In the event applicant(s) remain on the waitlist after five (5) years, they will be contacted to review any changes in circumstances (e.g. change in residence, employment, relationship status, etc.), and to discuss their continued interest in the program. Applicant(s) may wish to amend their range of acceptance or may choose to close their file. For those who want to continue in the program, consideration should be given to prioritize their release to begin PRIDE and the MFA process.

**Practice Guidelines**

**Intake**

1. Information obtained from the applicant(s) during the intake process will be chronicled on a file recording (word document). When applicant(s) are released from the waitlist to begin the adoption process, the adoption worker will begin a new file recording.
2. If applicants are current or former foster parents, their foster home file should be reviewed for quality of care issues (out of home care worker may also be consulted). Any concerns should be discussed openly with applicants, documented in adoption file and the Supervisor consulted about next steps.
3. ACI/Linkin is reviewed for recent and/or historical information on the applicant(s) and any individuals who reside in the home over 18 years of age. If the adoption worker and supervisor determine that the adoptive applicant(s) or other resident(s) history is concerning, the applicant is interviewed and a decision is made whether to proceed with the application or deny and counsel the applicants out of the program.

**Waitlist for Release**

- Waitlists for the Domestic Adoption Program are managed jointly by the Central Adoption Registry (CAR) and the Service Area supervisors;
- Applicants remain on the waitlist until it is determined that they are eligible for 'release' to begin PRIDE Pre-service On-line Training and to undertake the MFA process;
- Release from the waitlist may vary depending on the types and volume of applications.

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**2.2: Inquiry, Intake, Application & Waitlist for Release**

Upon releasing an applicant from the waitlist, the Supervisor will assign the file to an Adoption Worker. The Adoption Worker will contact the applicants to review their continued interest and to determine if anything about their circumstances has changed (see 2.3.2, Changes in Circumstances). CAR must be notified of any changes in circumstances. The adoption worker will update ACI/SWIN to 'ADHS' (home study).

Release should be based on the following:

1. Applicants who have been previously approved to adopt a specifically-named child (e.g. foster parent adopting a child in their care) should be released immediately.
2. First Nation and Métis applicants receive priority and should be released as soon as possible, regardless of their range of acceptance.
3. Individuals who are open to adopting older children (at least 5 years of age or more), who are part of sibling groups and/or who have multiple or complex needs should receive priority and be released accordingly; and
4. Individuals who are open to adopting younger children (e.g. under 2 years of age) or mild special needs will be released according to application date.

**Risk Factors**

Prior to an adoption, it is important to obtain as much health information as possible on the child. There are potential risks associated with adoption, such as the prenatal substance exposure that may not be fully known or there may be an incomplete history or background. In addition, reliable and complete family and medical information may not be available and not known by the Ministry. Applicants are encouraged to carefully consider the potential support needs the child may have in order that they may assist the child discover their full potential.

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**2.2.1 Child Welfare Record Checks/Criminal Record Checks**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.2.1 Child Welfare Record Checks/Criminal Record Checks**

**Procedures**

Early in the intake and application process, the adoption worker will request signed consent (form 2376) from the applicant(s) to determine whether child welfare and/or criminal concerns exists. The Adoption Worker should take the following into consideration:

1. If applicants have prior child welfare involvement in Saskatchewan or another jurisdiction, consider:
  - type and length of involvement, and whether it was recurring;
  - circumstances of any abuse or neglect;
  - period of time that has elapsed since involvement; and
  - treatment or change in circumstances that have occurred since the involvement.
2. If applicants disclose any criminal charges or convictions, the following should be taken into account:
  - the nature of the offence and its relevance to the care of children. Serious consideration should be given to any convictions involving violent/physical aggression, drugs/alcohol or offences of a violent nature;
  - when the offence occurred, the number of convictions and the amount of time between convictions and recurrences; and
  - steps the applicant has taken toward rehabilitation (e.g. counseling or therapy);
  - Applicant(s) who have been convicted of an offense against a child, will be counselled out of the program.
3. Applicants who have permanent resident status have been vetted and approved by Canadian Immigration laws, including criminal record checks from their previous country of origin. If applicants are able to provide a Criminal Record Check from their country of origin, a Note to File is completed.
4. Those applicants and other adults over 18 years of age living in the applicant's home and who have lived out of country as adults, will provide consent to request services from International Social Services (ISS).
5. As inter-jurisdictional child welfare record checks can take some time to be completed, the applicant(s) will complete a Child Welfare Record Declaration

**2.2.1 Child Welfare Record Checks/Criminal Record Checks**

form (see Children Services Manual, Chapter 12.35) as an interim measure and exceptional approval may be sought.

6. The Interprovincial coordinator must be consulted for completion of all Child Welfare Record Checks and to coordinate referrals to ISS.
  - The adoption worker will advise the applicant(s) to complete the referral form) to request services from ISS;
  - The completed form will be sent to the Interprovincial Coordinator for review and in consultation with ISS, will determine whether the services requested can be adequately provided;
  - If the country in question has a formal system in place for child welfare checks, the Interprovincial coordinator will forward the form to ISS to initiate services and accept billing (MSS pays);
  - Any questions from ISS will be directed to the Interprovincial desk;
  - Information gathered from ISS will be shared with the adoption worker to document on the MFA assessment/update and in Linkin;
  - The adoption worker will seek final approval from the Director, Adoption Services or Designate to proceed with the application when the child welfare record information has been reviewed.
  
7. In circumstances where a child welfare record check cannot be completed (no formal system in place), and all efforts have been made to obtain the information, the form will be returned to the adoption worker who initiated the request. A decision regarding final approval will be made based on the applicant's Child Welfare Record Declaration and/or other supporting documents.
  
8. The Interprovincial coordinator will advise the caseworker why the services could not be completed which will be documented in the MFA and Linkin.

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**2.3 Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment (MFA) and Family Profile**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.3 Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment (MFA) and Family Profile**

**Legislative Authority**

Section 8 (2) (4) of *The Adoption Act, 1998*

Section 16 18 (2) of *The Adoption Regulations, 2003*

**Policy**

Applicants must successfully complete Parent Resources for Information, Development & Education (PRIDE) Pre-Service On-Line Training and Caring for Aboriginal Children. The applicants must participate in the completion of the Mutual Family Assessment (MFA) prior to being approved to adopt.

Approval of any person wishing to adopt must be based on the ability to meet the needs of a child and provide care, as assessed according to the following five Core competency categories identified in PRIDE:

- Protecting and nurturing children;
- Meeting children’s developmental needs and addressing developmental delay;
- Supporting relationships between children and their families;
- Connecting children to safe, nurturing relationships intended to last a lifetime; and
- Working as members of a professional team.

The Adoption Worker will participate in the Content Review session after all eight sessions of on-line training are complete.

**Standards**

- The following are required for approval of the Mutual Family Assessment:
  - Completion of all PRIDE Pre-service Training Sessions and the Caring for Aboriginal Children module;
  - ACI/Linkin check for involvement in Saskatchewan and child welfare background checks in jurisdictions applicants have resided in outside Saskatchewan. These are required for each applicant residing in the home 18 years of age or older;

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- Criminal Record Check for each applicant, including finger prints for every individual residing in the home 18 years of age or older;
- Reference Checks (2022) from five (5) individuals (maximum 2 immediate family members);
- *Physician’s Report for an Adoptive Applicant (2024)* for each applicant (no medical required for children in their care);
- *Home Safety Check (2009)*;
- Marriage Certificate or Divorce Decree (as applicable), or Birth Certificate if single or for common law partners; Copy of Permanent Residency Card (if applicable);
- *Family Profile (2266)* for non-specific adoptions only; and
- Agreement by applicants that physical punishment will not be undertaken as a form of discipline. Ministry requirements with respect to discipline are met through Session 6 of PRIDE Training, *Meeting Developmental Needs: Discipline*.

The time to complete the MFA may vary from 4-8 months. Where an MFA will take longer than 8 months to complete, the Supervisor will discuss the circumstances with the Adoption Worker and determine next steps.

**Procedures**

Release from Waitlist and Interviews

When an applicant has been released from the waitlist, the following is to occur:

1. ACI/SWIN is updated to ‘ADHS’ (understudy).
2. The applicants are notified of their release from the waitlist and are asked to confirm their continued interest in the program. The adoption worker will schedule time to complete the initial in-home consultation to review program requirements, processes and to answer any questions the applicants may have. The following documents will be provided to the applicants to complete and submit to the adoption worker on an agreed upon time:
  - *Reference Check Form (2102)*
  - *Physician’s Report for Adoptive Applicant (2024)*
  - *Family Profile Guidelines (2266)*
3. Applicants are provided information on how to register for PRIDE Pre-service, including in-class training dates, times and locations.

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4. The Adoption MFA (2104) is completed as applicants' progress through PRIDE training. A minimum of four interviews will occur that involve joint meetings, individual interviews and where applicable, interview with others who may reside in the home (e.g children, extended family).
5. The Adoption Worker and family complete a Genogram, Ecomap and Loss-History Chart if not already completed, to provide information on family relationships, roles, rules, hierarchy, flexibility, stressors and supports as part of the MFA process. The Adoption Worker also requests copies of the applicant's *PRIDE Connections* and consults with PRIDE facilitators if any questions or concerns arise.

Background Checks

1. Applicants and individuals residing in the home over the age of 18 are advised to complete a Criminal Record and finger print checks from their local police or RCMP. A *Note to File* (3370,) is completed and placed on the file.
  - o If there is a record, the caseworker will complete a memo explaining the criminal record and the steps taken to address the concern. The memo and documents will be forwarded to the Manager, Adoption Services for review and consultation regarding how to proceed (see Practice Guidelines). The original documents are returned to the applicant(s).
2. ACI/Linkin is reviewed for the applicants and individuals over the age of 18 who reside in the home. Applicants and other adults in the home and who previously resided outside Saskatchewan are required to have child welfare checks completed in every jurisdiction they resided where over the age of 18. If there is history of concern, the Manager, Adoption Services is consulted.
3. If the applicants and other individuals residing in the home have previously lived outside of Canada as adults, a child welfare record check must be requested through International Social Services Canada (ISS). As the process to complete the check may take some time, the applicants may complete a **Child Welfare Record Declaration** form (Chapter 12.35) and exceptional approval to continue may be sought. Once the child welfare record check is received, applicants will be notified of the recommendation.
4. For those requests where no record is available from the applicants' country of residence or origin and all efforts have been made to obtain that information, a decision regarding final approval will be made based on the family's **Child Welfare Record Declaration** (Chapter 12.35). All attempts must be documented.

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**2.3 Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment (MFA) and Family Profile**

5. When the *Reference Check Form (2102)* is returned, references are provided an electronic version or mailed a copy of *Reference for an Adoptive Applicant form (2022)* and asked to return the completed reference to the Adoption Worker within a specified time.

- References can be joint (made on a couple, where applicable), and only two (2) references can be from immediate family. If immediate family are not available, alternate references can be accepted with approval of the Supervisor.
- At least two (2) references must be interviewed in person or by phone. Information from the reference check is recorded in the MFA in a non-identifying manner, and prospective adoptive applicants are not permitted to receive copies of the reference checks.
- Global references may be contacted to verify information and obtain unbiased assessment of a family’s strengths and/or challenges.

Home Safety

During one of the in-home consultations, the Adoption Worker will review Chapter 4.4.3, Building Health and Safety, in the Children’s Services Manual with the applicants and complete the *Adoption Home Safety Checklist (2009)*. Applicants must meet all requirements, as applicable on the checklist. The Adoption Worker will ensure applicants are aware of the home safety procedures prior to placing a child into the home.

Family Profile

The Adoption Worker will provide a copy of the *Family Profile Guidelines (2266)* and assist in completion where required. The *Guidelines* include instructions on how the profile is to be completed (e.g. no photo albums or coil-bound pages).

Approvals & Appeal

1. Following completion of PRIDE training, Caring for Aboriginal Children and the MFA, the Adoption Worker and adoptive applicant make a determination regarding ‘selection into’ the program (part 6 of the MFA). The decisions are:
  - **Mutual decision to ‘select into’ the program** – there is mutual agreement between the Ministry and applicants that the applicants have the skills, ability, willingness and/or supports to adopt. The family is then invited to ‘select in’.

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- **Mutual decision to ‘select out’ of the program** – there is mutual agreement between the Ministry and applicants that the applicants do not have the skills, ability, willingness and/or supports to adopt. It is a joint decision for the family to ‘select out’.
  - **Self-selecting out of the program** – although the Ministry invites applicant into the program, the applicant is no longer interested in or willing to adopt at this time. The family’s decision to self ‘select out’ is respected.
  - **Counseling out of the program** – the Ministry determines through assessment the applicants’ competencies and interests do not fit with the adoption program. The applicant is not invited by the Ministry to ‘select in’, and is instead counseled out of the program.
2. A decision to counsel applicants out of the program is based on inability to meet PRIDE core competencies or program requirements. The Adoption Worker will notify the prospective adoptive parents in writing of the decision, advising of the rationale for the decision and option to appeal. An applicant may appeal a decision to the Manager, Adoption Services. The Director, Adoption Services is consulted where necessary. The Ministry responds, in writing, within 30 days.
  3. Once the MFA is completed, the Adoption Worker will provide the MFA and *Family Profile* to the Supervisor for review and feedback. The MFA will then be reviewed with applicants, who sign if they are in agreement.
  4. The Adoption Worker submits the MFA to the Supervisor for final approval, ensuring all required documents are attached (according to the MFA checklist). An MFA cannot be approved without all required documents.
  5. The Adoption Worker forwards a copy of the MFA and a color copy of the *Family Profile* to CAR for registration. No other documents are required.

**Practice Guidelines**

Assessing Applicant Skills and Abilities

The assessment of applicants through the MFA approval process is both an educational and mutual decision-making process. It provides applicants an opportunity to learn about the needs of children available for adoption, and assists them in making an informed decision about adopting. At the same time, it provides the Adoption Worker an assessment of the family systems and functioning.

Situations may arise where references, record checks or collateral information obtained during PRIDE training or the MFA process present concerns about the skills or

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**2.3 Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment (MFA) and Family Profile**

suitability of the applicants. The following are guidelines to assist in assessing potentially difficult areas.

Background Checks

1. If there is a criminal record, consider:
  - the nature of the offence and its relevance to the care of children. Serious consideration should be given to offences involving physical abuse/aggression and drug/alcohol offences;
  - when the offence occurred, the number of convictions and amount of time between recurrences; and
  - steps applicant has taken towards rehabilitation.
  
2. If there is child welfare involvement, consider:
  - nature and circumstances of involvement;
  - when involvement occurred and whether or not there was recurrent involvement; and
  - applicant was able to follow case plan and maintain outcome.
  
3. With respect to reference checks, consider:
  - obvious ‘red flags’, such as statement of frequent use of alcohol/substances or use of physical discipline;
  - subtle indicators PRIDE considers ‘Yellow Blinking Lights’ (e.g. “good parent when not under stress”, or “knows what he wants and gets it.”) The Adoption Worker should explore what the stressors are, or how an individual has handled stress that may not be apparent through the interview process.

Home Safety Guidelines

The *Home Safety Checklist* (2009), completed as part of the MFA process, is intended to provide applicants with guidelines around creating a safe, healthy environment for children. It also allows the Adoption Worker and applicants to openly discuss any safety or health concerns prior to placing a child. See chapter 4.4.3, Building/Health/Safety Requirements, Children’s Services Manual, for further information on guidelines as they relate to the *Adoption Home Safety Checklist* and the types of safety procedures or practices that can be discussed.

Motivating Factors

Adoption requires consideration of the needs of the child and how an adoptive applicant can meet those needs. Applicants should explore their own motivating factors, and

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should address issues of grief and loss prior to adopting. Some suggested topics regarding motivating factors include:

- What is the reason for adopting a child?
- How did they reach the decision to adopt?
- What does adoption mean to each member of the family?
- As a couple do they have the same commitment to the adoption?
- If infertility is involved, how have applicants dealt with the associated loss?

*Motivating factors likely to have a positive outcome for the child include:*

- Wanting to provide stability and permanence to a child in need;
- Willing to support a child’s needs by learning what the child requires and striving to meet those needs;
- Being conscious of a child’s culture and history, committing to a cultural plan and making efforts to openly connect a child to birth family or community; and
- To experience another aspect of life by undertaking parental responsibilities.

Medical Health Problems

The impact health problems have on an individual’s ability to parent should be taken into consideration. If a health problem is potentially life-threatening, then consideration should be given to the future care of the child.

A medical report is not required for the children of adoptive applicants. The Adoption Worker should discuss any health-related issues an applicant’s child has and how this may impact their ability to undertake an adoption plan.

Psychiatric and Emotional Difficulties

If an applicant or others in the home currently have, or have a history of, psychiatric or emotional difficulties:

- Determine the nature and cause of the difficulty and steps taken to address the difficulty;
- Request the individual’s consent to obtain reports from the doctor or agency involved regarding diagnosis and treatment of the condition; evaluate any reports in relation to the present situation;
- Determine if treatment is ongoing and if prescribed treatment is being followed; and
- Request an updated assessment, *if necessary*, to determine the applicant’s current level of functioning and capacity to parent.

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Physical/Mental Disability

If applicants have either physical/mental disability:

- Determine the nature and extent of the disability, prognosis, limitations and the individual's acceptance and adjustment to the disability;
- Request signed consent to consult with the family physician, psychiatrist or other specialist and obtain a written report, if necessary;
- Determine the availability and quality of disability supports the individual has within the community (e.g. in-home support, respite);
- Assess the extent to which the disability limits the capacity of the applicant to care for a child; and
- Determine what compensating factors exist (e.g. availability and ability of spouse/partner to provide assistance).

Use of Alcohol and Drugs

If an applicant or others in the home currently have, or have a history of, issues with substance abuse;

- Address the issue openly with the individual concerned;
- Assess how the family copes with the issue;
- Determine if treatment was sought and request signed consent to consult with the family physician or other professional who is able to comment on the treatment;
- Determine the length of time since abstinence or sobriety was achieved;
- Determine what adjustments the family has made (e.g. is there ongoing involvement with support systems, what is the family's degree of understanding and acceptance, etc.); and
- Assess how any addiction issues may impact on the family's ability to provide care to children.

Marital/Relationship Instability

If applicants currently have, or have a history of, marital/relationship instability:

- Address the issue openly;
- Determine if counseling has been sought; request signed consent to consult with the counselor;
- Request current assessment from the counselor if deemed necessary; and
- Discuss the additional stress that adopting may place on the marriage and family.

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Family Profile**

Significance of Culture & Cultural Planning

Applicants should make a commitment to cultural planning in order to assist a child in maintaining cultural connections, developing a sense of identity and understanding their origins. Planning should occur regardless of a child’s ethnic background, heritage or faith/spirituality, and the child, where appropriate, should be encouraged to participate.

Cultural considerations are included throughout PRIDE Pre-service Training. Session 5 reviews strengthening family relationships to enhance child development, while session 7 includes information on cultural issues in permanency and cross-cultural considerations in assisting a child develop a sense of identity. The work applicants undertake in these sessions should be assessed to determine understanding and level of commitment.

Considerations for cultural planning specific to First Nations and Métis children are discussed in the Caring for Aboriginal Children Component. Through this session, applicants develop a plan to assist Aboriginal children remain culturally connected (See Appendix 2-B, PRIDE Connection/Action Plan). This plan should guide discussions with applicants about culture and cultural planning, and assist in the development of a plan specific to the child.

A cultural plan may include:

- identified goals (e.g. attendance at culturally relevant events, participating in culturally relevant activities such as dance or language classes, etc.);
- information on who the participants are, and who will support the plan and identified goals; and
- what is required to support the plan (e.g. special needs funding through the Assisted Adoption Program);
- family connections/visitation’ frequency and duration of contact;
- who will be responsible for transportation if applicable.

# Ministry of Social Services

## Adoption Services Manual

### 2.3.1: Expiry of an MFA

## 2.0 APPLICATION, ASSESSMENT & FINALIZATION

### 2.3.1 Expiry of an MFA

#### Policy

An MFA expires and becomes due for an update every two (2) years from the date it was last approved and registered with Central Adoption Registry. The MFA will remain valid for the purposes of selection up to (6) months after expiry.

#### Procedures

1. Central Adoption Registry (CAR) provides quarterly reports regarding MFA activity to Adoption Supervisors to distribute to assigned adoption worker.
2. When a MFA is near expiry:
  - CAR will advise the adoption worker when an MFA becomes due for an update and again at six months;
  - CAR will remove applicants from active selections, and/or place their file into abeyance, six (6) months after the first day the update is due;
  - CAR will close the applicant's file and return all file information to the adoption worker 12 months after the first day the update is due if no update has been received and rationale has not been provided.
3. The Adoption Worker will notify adoptive applicants of the required update three (3) months prior to the expiration of their MFA. New Criminal Record Check (fingerprints not required for update) and Ministry (ACI/Linkin) checks are required. An update to the *Physicians Report for an Adoptive Applicant* is *not* necessary unless applicant(s) disclose a change in health status that could impact their ability to undertake an adoption plan.
4. A new home safety assessment will be required to ensure safety standards are upheld within the home and any concerns are discussed with the adoptive applicant(s).
5. Original references may be re-contacted. If original references are not available, the applicant(s) will be asked to provide, at minimum, three new references. References will be asked to complete and submit Form 2022, Reference for an Adoptive Applicant, to the adoption worker. Two references will be contacted by phone, in writing or in person.
6. The Adoption Worker will update applicable sections on the original MFA, which is reviewed and signed by the applicants, and approved by the Supervisor. The Adoption Worker will forward a copy of the approved version to CAR, advising of the sections of the MFA that have been updated.

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2.3.2: Changes in Circumstances

2.0 APPLICATION, ASSESSMENT & FINALIZATION

2.3.2 Changes in Circumstances

Information

Children’s early experiences shape who they are which can affect their health, learning and development. Any significant and enduring change or instability, and the family stress that may come with it, can have lasting impacts on children’s physical, emotional, and cognitive development. These changes can also impact the adult’s ability to assist a child feeling safe and in forming attachments. When a parent is provided with time to manage change and establish continuity, they will be better able to support a child coming into their home. Abeyance or wait times are meant to encourage stability, promote attachment and adjustment, and enable adoptive parents to focus attention on the support needs of the child.

Policy

The Ministry observes a twelve (12) month wait time between placements of children for adoption when there is an addition to the home through birth, alternate adoption plan or some form of guardianship arrangement. This period may be waived when applicant(s) intend to adopt a sibling of a child they have already received through placement.

Other changes in circumstances are subject to a period of abeyance or closure, pending review by the Ministry. Changes include, but are not limited to relationship status, health, employment and residence.

An update to the MFA is required when there has been a change in circumstances.

Procedures

1. When a decision is made by the Ministry and/or adoptive applicant(s) to place the adoption file into abeyance or close the file, the adoption worker will document the decision in the file and provide the rationale, in writing to the applicants.
2. Where an MFA has been completed and the file information has been in abeyance for a period of no more than two (2) years, an update will be required on the MFA. Adoption worker will reassess applicants and document the information, including changes in circumstances in the update.
3. An MFA, that has not been completed, may be placed in abeyance when there is likelihood that the situation/problem will be resolved. Examples may include:
  - o Change in circumstances re: health, income, separation

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**2.3.2: Changes in Circumstances**

- A pregnancy where outcome is uncertain
  - Applicants are not currently available to complete adoption process
4. Where an update is required, the Adoption Worker will update applicable sections on the original MFA, which are reviewed and signed by the applicants, and approved by the Supervisor. The Adoption Worker will forward a copy of the approved, updated version to CAR.
  5. Circumstances where a file will be closed and a new MFA will be required:
    - When MFA has been in abeyance for a period of 24 months and circumstances cannot be resolved. Applicants will be required to reapply;
    - When prospective adoptive applicant(s) have an addition to their family by way of birth or through an adoption placement. A new assessment would be required to reflect changes to the family.
  6. A foster family who has been on the active domestic adoption list, and later learns that a child in their care becomes available for adoption, may choose to submit a new application to reflect a specific adoption. The child must reside in their home for one year prior to application.
  7. Supervisors and managers from child care, out of home care and adoption must support the child's permanency plans for the specific adoption. A memo will be signed and placed on the child's file.
  8. The Adoption Worker will notify Central Adoption Registry (CAR) to change the involvement status and remove the MFA from active selections. An update to the MFA is required to reflect the specific adoption.
  9. The Adoption Worker will notify Central Adoption Registry (CAR) of any change that affects an individual's application status, including a file being placed in abeyance or closed. CAR will immediately remove applicants from active selections and/or place a file in abeyance until further notice from the Adoption Worker. Copies of updates to the MFA will be sent to CAR. If the file is closed, CAR will forward all file documents to the adoption worker.
  10. Applicants may appeal a decision to close a file in writing to the Manager, Adoption Services. The Director, Adoption Services is consulted where necessary. Any decision is communicated in writing to the prospective adoptive parent(s) within 30 days.

**2.3.2: Changes in Circumstances**

**Practice Guidelines**

Reassessment

When reassessing, the following should be taken into consideration depending on what changes have occurred:

- Assess how the family is adjusting to the change of circumstances and how the changes may affect the applicant’s ability to parent and for other family relationships;
- What support services is the family accessing?
- How might the change impact a child coming into the home? Does the family require any supports to help a child attach and adjust?
- Document changes and note the information in relevant sections of the MFA;
- If change has occurred with the prospective adoptive parent(s) relationship ( ie. Separation), a new application will be completed and sent to CAR.

Placement of a Sibling

Within the 12-month wait period, Service Areas may consider placing the sibling of a ward already adopted, or placed for the purposes of adoption, with the same adoptive family. This should be based on the best interests of siblings being placed together, and on the ability of the adoptive parent(s) to meet their needs. The decision should also take into account other children in the home.

Note: siblings may be defined as two or more children who grow up in the same home for an extended time and who will be registered together for the purpose of adoption.

**2.4: Fostering and Adoption**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.4 Fostering and Adoption**

**Legislative Authority**

Section 52 (1) of *The Child & Family Services Act*

Section 4 (1) (a) (ii) of *The Adoption Act, 1998*

**Policy**

Foster parents may apply to adopt a child in their care if that child has resided with them for a period of one year. In exceptional circumstances, this period may be waived with the approval of the Director, Service Delivery. Foster parents will observe the same wait times and processes as applicants from the Domestic Adoption Registry. All aspects of the assessment process must be completed prior to determining the approval of an adoption placement.

Foster families may continue to foster while registered with the Domestic Adoption Program.

Foster families who have an adoption placement may have another child placed for the purposes of adoption after a twelve month (12) time period or within twelve (12) months from the date of the last placement if they are adopting siblings or related children of their adopted children.

**Procedures**

1. Foster parents who are interested in adopting a child from the domestic adoption registry and have not previously adopted will follow the same processes as applicants applying to the Domestic Adoption Registry (see 2.2, *Inquiry, Intake, Application and Waitlist for Release*).
2. Adoptive applicants interested in foster care are referred to the Saskatchewan Foster Families Association (SFFA) for information and to initiate the application process. The Adoption Worker will document the referral on the file.
3. Where a foster family is adopting a specifically-identified child already in their care and a Mutual Family Assessment (MFA) has been previously completed, the Adoption Worker will complete an update for the purposes of adoption utilizing the *Mutual Family Assessment Update (2279)*. The CPIC and Linkin/ACI checks must be updated, and two (2) of their original references must be re-interviewed (alternates may be substituted with the approval of the supervisor). A

**2.4: Fostering and Adoption**

medical is not required unless the applicants have significant health concerns that may impact their ability to adopt. The update is reviewed and signed by the applicants, and reviewed and approved by the Supervisor. It is attached to the original MFA when submitting to CAR, and when making an application to court for the Order of Adoption.

Note: *The Mutual Family Assessment Update (2279)* may not be used wherean alternate type of assessment (e.g. homestudy, alternate care assessment) has been completed. Foster parents/Domestic adoption applicants who were approved under another type of assessment (i.e. alternate care) will be required to work with the adoption worker to complete all of the Mutual Family Assessment requirements.

**2.5: Persons Married But Separated Who Wish to Adopt**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.5 Persons Married But Separated Who Wish to Adopt**

**Legislative Authority**

Section 16.2 & 16.3 of *The Adoption Act, 1998*

**Procedures**

1. A prospective adoptive applicant who is legally married but wishes to adopt is advised to seek legal counsel about proceeding with adoption and the impacts, if any, it may have for them or their former spouse.
2. Where a marital status has not been resolved, the Manager, Service Delivery is consulted on how to proceed. If the decision is to proceed, the following are taken into consideration and addressed in the Report for the Court (2251):
  - whether the child or children are already residing with the applicant;
  - whether a stable situation exists and the duration of that situation;
  - whether a biological relationship exists between the applicant and the child or children; and
  - whether other alternatives have been explored (e.g. if divorce is contemplated, could the applicant apply as a single person upon decree).

**2.6: Simultaneous Registration**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.6 Simultaneous Registration**

**Legislative Authority**

Section 16(2), 16(3) and 27 of *The Adoption Act, 1998*

**Policy**

Individuals may be simultaneously registered in the Domestic and Intercountry Adoption Programs. Eligibility and approval for either program are subject to the requirements for each, and individuals will be assessed for each program accordingly.

**Procedures**

1. When a child proposal is reviewed and accepted by adoptive applicants in either the domestic or intercountry program area, the worker will notify the other program area as well as Central Adoption Registry of the acceptance. The alternate adoption file will be placed on hold for a minimum of six months prior to resuming active status. Applicants are advised in writing of the status of their registration
2. To be eligible for another child placement, an update to the MFA must occur to reflect any significant changes in the family/home.
3. The Ministry will observe a 12 month wait time between placements.
4. Wait times may be reduced when a sibling or related child is being proposed for subsequent placement with the adoptive applicant(s).

**Practice Guidelines**

The length of time between child placements is dependent on many factors. The Ministry caseworker will assess the applicant's capacity to receive new adoption placements when there is a change in the home such as birth of a child, alternate adoption plan or some form of guardianship arrangement.

Observing reasonable wait times between child placements is recommended as this allows for attachment and bonding to occur between adoptive family and child.

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**2.7: Adoptive Applicants Who Move**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.7 Adoptive Applicants Who Move**

**Legislative Authority**

Section 16(2) and 16(3) of *The Adoption Act, 1998*

**Policy**

Applicants who move to Saskatchewan from another province/territory will be registered effective the confirmed date of application from the other province/territory. Status on the waitlist in Saskatchewan is determined by Service Area.

Applicants who temporarily move from Saskatchewan can remain in abeyance if they will return within two (2) years; otherwise, their file will be closed.

Applicants must take PRIDE Pre-service unless they have taken it in the other jurisdiction. All applicants must take the Saskatchewan Aboriginal Culture Component.

An MFA is required.

**Procedures**

Moving TO Saskatchewan

1. Applicants complete and return the *Saskatchewan Adoption Application* to the Adoption Worker. The requirements for approval are reviewed, and applicants sign a release so the Ministry can request their file information from the other jurisdiction. A letter is prepared for the signature of the Manager, Service Delivery, requesting a copy of the application and home study (if available) and relevant information pertaining to each.
2. Upon reviewing the application and materials, the following apply:
  - Application stage – according to provisions for waitlist and release, the Supervisor determines the status of the applicants. The Adoption Worker will communicate to the applicants, in writing, the Supervisor’s decision; and
  - Home study (MFA) completed - the Adoption Worker will discuss the applicants’ range of acceptance with them and review it with the Supervisor. The Supervisor determines, according to the applicant’s range of acceptance, whether or not they can be placed in active selection, or if they should be placed on the waitlist. Applicants are advised in writing of the decision.

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**2.7: Adoptive Applicants Who Move**

3. An MFA is completed; all requirements for the completion of an MFA must be met (See 2.3, Parent Resource for Information, Development and Education (PRIDE), Mutual Family Assessment and Family Profile)

Moving FROM Saskatchewan

1. When adoptive applicants advise they are moving from Saskatchewan, but will return within two (2) years, the Adoption Worker will:
  - advise them in writing their application will remain registered with CAR, but in abeyance until they return to Saskatchewan;
  - record the applicants' forwarding address/contact information in the file; and
  - advise CAR and request the file be placed in abeyance for two (2) years. Status reason on ACI/SWIN is updated to abeyance.
2. When adoptive applicants advise they are moving from Saskatchewan and will not return within two (2) years, the adoption services worker will:
  - advise them they may apply in the new jurisdiction, which will have its own requirements for waitlist and release;
  - forward requested file information to the new jurisdiction upon receipt of a signed release of information. An applicant's file information, with the exception of their MFA, may be released to the applicant or to the social service organization/agency (the MFA must be sent directly by MSS to the service organization/agency);
  - advise CAR of the applicants' move and request closure and return of all materials; and
  - close the file on ACI/SWIN and send to deadwood.

**2.8: Adoption Selection**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.8 Adoption Planning and Selection**

**Legislative Authority**

*The Child and Family Services Act – Section 46*  
*The Adoption Act, 1998 – Sections 8, 14*

**Policy**

Birth parents may voluntarily commit their child to the Minister for the purposes of adoption planning. Birth parents may participate in the selection of adoptive parents for their child.

**Procedures**

**Voluntary Committals**

- All contact with birth parents is documented in Linkin. Refer to the Linkin Training Manual to create the ongoing case.
- Birth parent counseling typically occurs over the course of several visits between the caseworker and the birth parent(s).
- The caseworker will provide birth parent(s) with information on community services that may support their decision to parent (e.g. housing) or to place for adoption (e.g. grief counseling).
- If required, the following services and payments can be approved to support birth parents in their decision-making:
  - counseling services (e.g. grief counseling);
  - travel or accommodation for birth parents who need to travel to meet with the caseworker; and
  - DNA testing when there is question about paternity (see Children’s Services Manual, Ch. 5.2.2 Dispensing With a Birth Parent Signature on a Voluntary Committal, Practice Guidelines, Paternity Issues.).
- A birth parent who signs a voluntary committal must be notified, in writing, of the:
  - date and time that they have to revoke their consent;

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**2.8: Adoption Selection**

- process for providing a written notice to the Director, Adoption Services (or designate) to revoke; and
- complete address and/or alternate means of contact to send a notice to revoke.
- The revocation period for a voluntary committal is 21 consecutive calendar days from the time the Director, Adoption Services (or designate) has signed the committal document. The Director, Adoption Services (or designate) is required to sign the voluntary committal as soon as possible upon obtaining the birth parents' signatures.
- The 21 calendar days excludes the day of signature, and includes the last day. If the last day ends on a weekend or statutory holiday, the revocation period is extended to midnight the next business day.
- When a birth parent signs a Voluntary Committal (2001), the caseworker ensures:
  - the birth parent understands that he/she has the right to seek independent, third-party advice and they are encouraged to seek independent legal advice;
  - the voluntary committal represents the true and informed wishes of the birth parent;
  - the birth parent understands their right and the process to revoke, as well as the revocation period;
  - the birth parent understands the effects of the adoption order;
  - the birth parent understands he/she has the right to ask the Director, Adoption Services at any time if the child has been placed for adoption; and
  - the birth parent is aware of the Post-Adoption Registry and the services provided to birth parents and adoptees.
- Where a birth parent is Aboriginal and does not want to consult with their Band, an Elder or a First Nations Child and Family Services Agency, and the birth parent requests confidentiality, the caseworker completes the *Affidavit Where Birth Parent Has Treaty Status* (Form 2269).

**2.8: Adoption Selection**

- Prior to registering the child for adoption, the caseworker will determine, if applicable, which band(s) the birth parents are registered with (or eligible to be registered with) and ensure this information is documented.
- The child is added to the integrated, ongoing case in Linkin. Refer to Linkin Training Manual for information.

**2.8.1: Legislative Authority**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.8.1 Legislative Authority**

*Section 49(2) of The Child and Family Services Act*

*Section 14(4)(b) of The Adoption Act*

**Policy**

Where in the opinion of the Director, Adoption Services (or designate) it is in the best interests of the child to dispense with a birth parent’s signature to a voluntary committal, the Ministry may prepare an affidavit to file with the court to dispense with the birth parent’s signature.

**Standards**

- The requirement for dispensing with a birth parent signature is undertaken through a separate application to court prior to proceeding with adoption planning (see Procedures).

**Procedures**

Before a decision is made to file an application to dispense with a birth parent’s signature, the Director, Adoption Services (or designate) must ensure that:

- A decision to make application to dispense will be *preceded* by documented efforts to contact the birth parent to explore their plan for the child. The Ministry will make all reasonable attempts at contact, and all attempts at contact must be clearly documented within the Pregnancy Counseling case in Linkin (see Practice Guidelines for information on establishing contact).
- If one of the birth parents chooses not to participate in a voluntary committal, and he/she does not have any child protection concerns, the birth parents will be encouraged to work out a parenting arrangement on their own. The birth parents may also be advised to seek independent legal advice. The Ministry does not become involved in custody matters.
- If a birth parent refuses to participate in a voluntary committal and there are parenting concerns, then he/she will be advised to seek independent legal advice. The caseworker may consult with child protection intake regarding options.
- Birth parents who do not agree on adoption planning are advised to seek legal advice and may be required to apply for a custody hearing. If the birth parent who opposes the voluntary committal does not make an application to the court

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**2.8.1: Legislative Authority**

within 15 working days of being advised to do so, an application may be made to dispense with the birth parent’s consent. **An application to dispense made by the Ministry does not prevent the other birth parent from making an application for custody under *The Children’s Law Act*.**

- Where the Ministry applies to dispense with signature on the Voluntary Committal, the following will be noted in the application:
  - Any consultation with the Director, Adoption Services (or designate) and Ministry legal counsel; and
  - Evidence a dispensation order for the purposes of adoption planning would be in the best interests of the child (e.g. there are protection concerns, the birth parent showed no willingness or ability to parent, etc.).
  - Documented attempts at contact will help support an application for an order of dispensation. **When speaking with third parties, it is important not to disclose the nature of the call in order to maintain confidentiality.**
- The Ministry makes arrangements to discuss the option of a dispensation order with Ministry legal counsel, who will advise the caseworker of the requirements. The court determines, based on the evidence provided, if it is in the child’s best interests to grant the dispensation order.
- If a dispensation order is granted, there is a **30 day (calendar days) appeal period from the date of the order** in which the birth parent who was dispensed with may seek to appeal. Throughout this 30-day appeal period, the birth parent who signed the voluntary committal may also revoke consent.
- Once the 30-day appeal period has expired and no appeal has been granted or consent has not been revoked, the child becomes eligible for adoption (see Practice Guidelines).
- If the court refuses to grant a dispensation order, the court will make an order with recommendations on how to proceed with next steps regarding the child.

**Voluntary Committal Selection**

Selection of prospective adoptive parents may occur prior to a child’s birth or after the child is born. The child’s caseworker follows the same procedures in either situation.

1. CAR utilizes information in the child’s registration package, including the *Birth Parent Social History* (2212) and any other supporting documentation to pre-identify potential prospective adoptive parents.

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**2.8.1: Legislative Authority**

2. CAR forwards identified prospective adoptive parent MFAs and Family Profiles, along with the *Adoption Placement Selection* form (2264) to the child’s caseworker, who screens them prior to reviewing them with the birth parent(s). If the birth parent does not select any of the prospective adoptive families, the caseworker notifies CAR and requests additional MFAs and Family Profiles. The child’s caseworker completes the applicable sections on the *Adoption Placement Selection* (2264) and returns it to CAR.
  
3. If the birth parent selects a prospective adoptive family, the caseworker will notify CAR of the selection, and CAR will notify the Adoption Worker assigned to the applicant(s). The CAR coordinator sends the child’s registration package to the Adoption Worker to review.
  
4. Prospective adoptive parents are invited by the Adoption Worker to review the child’s redacted information in the office. The Adoption Worker completes the top portion of the *Disclosure of Information to Adoptive Applicants* (2238) and reviews the conditions of releasing the information specified on the disclosure form. The prospective adoptive parents will sign Section One acknowledging their understanding before taking the child’s redacted information off premises. **Prospective adoptive parents may not make copies of any of the documents contained in the file.**
  - If prospective adoptive parents wish to review the child’s information with professionals such as physicians or psychologists able to comment on the child’s health or development, these individuals must be added to the disclosure form. **File information may not be shared with non-professionals, such as family, extended family, friends, etc.**
  
5. Where applicable, the Adoption Worker will discuss the Assisted Adoption Program and eligibility requirements.
  
6. If the decision is to proceed, the prospective adoptive parent(s) signs the bottom portion of the *Disclosure of Information to Adoptive Applicants* (2238) form with the adoption worker. The adoptive parents are permitted to retain the redacted file, ensuring confidentiality of information. A copy of the *Disclosure* form is sent by the Adoption Worker to the child’s caseworker, and a copy is provided to the prospective adoptive parent(s).
  
7. If the decision is not to proceed, the prospective adoptive parents complete the bottom portion of the *Disclosure of Information to Adoptive Applicants* (2238) form and return the file information (binder) to the adoption worker. CAR is notified of the decision, who will then notify the child’s caseworker. The child’s caseworker requests further selections from CAR.

**2.8.1: Legislative Authority**

Refer to section 5.3 in Children’s Services Manual, Registering Children for Adoption, for information on the child registration process.

**Ward (non-Voluntary Committal) Selection**

1. CAR utilizes the information contained in the *Child Adoption Registration Summary* (2256) and any supporting documentation to identify potential families from the Registry.
2. CAR forwards selections, along with the *Adoption Placement Selection* (2264) to the child’s caseworker. The child’s worker reviews the selections and may arrange a meeting with the foster parents to assist the worker in the selection of a family that can best meet the needs of the child. If a selection cannot be made, the child’s caseworker may request further selections. The caseworker completes the applicable sections on the *Adoption Placement Selection* (2264) and returns it to CAR.
3. When an adoptive family is chosen, CAR notifies the Adoption Worker and sends the redacted copy of the child’s registration package (binder) for the Adoption Worker to review. The adoption worker and child’s case worker consult on the current development of the child.
4. Prospective adoptive parents are invited by the Adoption Worker to review the child’s redacted information in the office. The Adoption Worker completes the top portion of the *Disclosure of Information to Adoptive Applicants* (2238) form and allows the adoptive applicants to take the information off premises according to the conditions specified on the disclosure form. **Applicants are not permitted to make copies of documents contained in the file.**
  - If applicants wish to review the information with professionals able to comment on the child’s health or development, such as physicians or psychologists, these individuals must be added to the disclosure form. **File information may not be shared with non-professionals, such as family, extended family, friends, etc.**
5. Where applicable, the Adoption Worker will discuss the Assisted Adoption Program as it relates to supporting the child or youth and eligibility requirements.
6. If the decision is to proceed, the prospective adoptive parent(s) acknowledge their acceptance and sign the bottom portion of the *Disclosure of Information to Adoptive Applicants* (2238) form. The applicants are permitted to retain the redacted file, ensuring confidentiality of information. A copy of the disclosure form is sent to the child’s caseworker, and a copy is provided to the prospective adoptive parent.

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**2.8.1: Legislative Authority**

7. If the decision is not to proceed, the applicants complete the bottom portion of the *Disclosure* form and returns the file information (binder) to the Adoption worker. CAR will be advised of the decision and the child's information (binder) will be returned to CAR. CAR will notify the child's caseworker and a request will be made for further selections.

<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 2: Application, Assessment &amp; Finalization</b> <a href="#">[Back to table of contents]</a>
<b>2.9: Placement</b>	

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.9 Placement**

**Legislative Authority**

*The Adoption Act, 1998* – Sections 14, 15 & 16  
*The Adoption Regulations (2003)* – Section 14

**Definitions**

- **Direct Placement** – placement of an infant directly from the hospital or during the time in which a birth parent may revoke consent
- **Indirect Placement** – placement of an infant from foster care after the period during which a birth parent may revoke consent has expired

**Policy**

A child will be deemed to be placed for the purposes of adoption after the prospective adoptive parent(s) have received and accepted information on the child and where:

- the voluntary committal is signed by each birth parent and the time for revocation has expired; **or**
- the court has dispensed with the necessity for either birth parent’s signature on the voluntary committal and the order is no longer subject to the rules for appeal; **or**
- a permanent committal order is made by the court and is no longer subject to appeal; **and**
- the child resides with the adoptive parents; **and**
- care and supervision has been given to the adoptive parents.

**Contact Standards**

Children who are permanent wards must be seen by their caseworkers according to minimum contact standards. The unique needs of the child as well as the adjustment of the child in a new environment will determine the frequency of contact beyond the minimum standards. The interaction and adjustment of the adoptive family and child will be assessed.

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2.9: Placement

Standards

- When an adoption placement does not occur in the adoptive home and/or when the primary adoption worker cannot be available at time of placement, contact with the child will be made in the adoptive home by the primary adoption worker within 48 hours or two business days.
- Once the Responsibility for Care and Supervision and the Certificate of Placement has been signed, and after the initial placement, the adoption worker will have contact with the child within two weeks, then once a month for two months.
- At the end of the two months, contact with the child and adoptive family will occur every six weeks until the adoption is finalized.
- For specific adoptions, contact with the child will occur every six weeks after placement of the child for the purpose of adoption

Note: The primary worker will maintain contact standards although an alternate worker may have contact with the child within the three-month minimum standard. Child contact must be made in the home every three months minimum.

Procedures

Refer to Chapter 5, Adoption Planning, in the Children’s Services Manual.

**Note: When documenting in Linkin, do not include identifying information on the prospective adoptive parents. This refers to information that would lead them to be identified, including full names, complete addresses, specific occupations and work locations and names of family members (including children).**

**The child’s new name is not recorded in Linkin if a name change is made prior to the adoption being finalized.**

1. Voluntary Committal Placements

Following the selection process, the Children’s Services and Adoption Workers discuss placement and when it is expected to occur. Each worker is to be present at the time of placement. If a caseworker is not able to be present, the Supervisor will arrange for a designate to attend. Placement can occur in the hospital, a foster home, the Service

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**2.9: Placement**

Area office, or any place mutually agreed upon by the birth and adoptive parents and the Ministry.

Note: some procedures described below may occur in a different order or simultaneously.

<b>Children’s Services Worker Responsibilities</b>	<b>Adoption Worker Responsibilities</b>
<ul style="list-style-type: none"> <li>• Arrange for adoptive parents to discuss questions regarding health with the infant’s doctor, if requested</li> <li>• Prepare <i>Checklist for Confirmation of Non-Revocation</i> (2241) and send to CAR to complete revocation search once revocation expires</li> <li>• If there has been no revocation, prepare <i>Certificate of Non-Revocation</i>, which is signed by Manager, Service Delivery</li> <li>• Prepare the <i>Certificate of Placement</i> (2236), which is signed by Manager, Service Delivery, when all revocation periods or periods to appeal an order have expired and the <i>Certificate of Non-Revocation</i> has been completed.</li> <li>• Complete <i>Notice of Placement</i> (2257), ensuring a copy is sent to CAR</li> <li>• Complete <i>Agreement for Communication</i> (2228) with birth parents (and with extended family members, where applicable) and forward a copy to CAR (see Practice Guidelines). <i>Note the option to check ‘no agreement being completed’</i></li> <li>• Maintain health coverage</li> </ul>	<ul style="list-style-type: none"> <li>• Complete four (4) original copies of <i>Responsibility for Care and Supervision Pending Adoption</i> form (2234), which is signed by Manager, Adoption Services and adoptive parents. Two copies are placed on file, and the rest are provided to the adoptive parents</li> <li>• Inform adoptive parents of their responsibility to:                         <ul style="list-style-type: none"> <li>○ make medical appointments;</li> <li>○ request visits or support from Public Health Nurse; and</li> <li>○ apply for Child Tax Credit and Employment Insurance Benefits.</li> </ul> </li> <li>• Discuss and complete <i>Assisted Adoption Agreement</i>.</li> <li>• Complete the <i>Agreement for Communication</i> (2228) with adoptive parents, if applicable, and forward a copy to CAR; <i>Note the option to check ‘no agreement being completed’</i></li> <li>• Once placement occurs, maintain contact standards for a permanent ward. Refer to Chapter 2.6, Contact Standards, in the Children’s Services Manual.</li> </ul>

**2.9: Placement**

- Cancel foster care payments and Children’s Special Allowances (where applicable)
- After placement, send child care file to Adoption Worker **within 21 days**, ensuring:
  - The CADP is updated in Linkin in a non-identifying manner to ensure confidentiality;
  - *Child Care Checklist (2240)* is completed; and
  - Linkin is updated.

2. Ward Placement (non-Voluntary Committal)

Note that some procedures described below may occur in a different order or simultaneously.

<b>Children’s Services Worker Responsibilities</b>	<b>Adoption Worker Responsibilities</b>
<ul style="list-style-type: none"> <li>• For children twelve (12) years of age and over, and prior to completing <i>Certificate of Placement</i>:                             <ul style="list-style-type: none"> <li>○ review with the child and have them sign the <i>Consent of Child Over 12 Years of Age (2203)</i>, which includes the <i>Affidavit of Execution (2203)</i> signed by the caseworker;</li> <li>○ arrange legal counsel for the child to complete the <i>Certificate of Independent Advice</i></li> </ul> </li> <li>• Prepare the <i>Certificate of Placement (2236)</i>, which is signed by Manager, Service Delivery, when all revocation periods or periods to appeal an order have expired and the <i>Certificate of Non-Revocation</i> has been completed</li> </ul>	<ul style="list-style-type: none"> <li>• Complete four (4) original copies of <i>Responsibility for Care and Supervision Pending Adoption</i> form (2234), which is signed by Manager, Adoption Services and adoptive parents. Two copies are placed on file, and the rest are provided to the adoptive parents. This can be completed prior to <i>Certificate of Placement</i> being issued.</li> <li>• Inform adoptive parents of their responsibility to:                             <ul style="list-style-type: none"> <li>○ make medical or other appointments;</li> <li>○ request visits or support from Public Health Nurse; and</li> <li>○ apply for Child Tax Credit and Employment Insurance Benefits.</li> </ul> </li> </ul>

Original Date:

Sept 15, 1990

Revised/Approved:

October 2017

2.9: Placement

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Complete the <i>Notice of Placement (2257)</i> and send a copy to CAR (attach <i>Agreement for Communication</i> if it has been completed)</li> <li>• Complete the <i>Agreement for Communication (2228)</i> with birth parents (and extended family members, where applicable), and forward a copy to CAR; <i>Note the option to check 'no agreement being completed'</i></li> <li>• Maintain health coverage.</li> <li>• Cancel foster care payments and Children's Special Allowances (where applicable)</li> <li>• After placement, send Children's Services file to Adoption Worker <b>within 21 days</b>, ensuring:             <ul style="list-style-type: none"> <li>○ The CADP is updated in Linkin in a non-identifying manner to ensure confidentiality;</li> <li>○ Records placed on the file (e.g. school, medical/dental, etc.) are updated with adoptive name;</li> <li>○ Permanent Wardship Order is on file; and</li> <li>○ Child Care Checklist (2240) is completed.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Discuss and complete <i>Assisted Adoption Agreement</i>.</li> <li>• Complete the <i>Agreement for Communication (2228)</i> with adoptive parents, if applicable, and forward a copy to CAR; <i>Note the option to check 'no agreement being completed'</i></li> <li>• Once placement occurs, maintain contact standards for a permanent ward. Refer to Chapter 2.6, Contact Standards, in the Children's Services Manual.</li> </ul> |
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**2.10: Finalization of Permanent Ward Adoption**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.10 Finalization of Permanent Ward Adoption**

**Legislative Authority**

*The Adoption Act, 1998* – Sections 14 & 16

The Adoption Regulations (2003) – Sections 13, 14, 16-18, 29, 30

**Policy**

All requirements for an adoption must be met prior to making application for an Order of Adoption in court.

An application to finalize will be made within one year of placement. An extension beyond one year may be approved by the Director, Adoption Services.

**Procedures**

**Note:** A separate and complete set of documents is submitted for all children/youth being adopted whether or not they are being adopted as part of a sibling group.

Report for the Court

1. Prior to making application to court for the Order of Adoption, the Adoption Worker will begin completing the *Report for the Court (2251)* to assess the period of adjustment and address:
  - Circumstances resulting in the child being placed for adoption;
  - Child’s health and development throughout the placement period including social adjustment and relationships;
  - Adjustment by the adoptive parents;
  - Level of openness; and
  - Recommendation of Adoption Worker.
  
2. The Adoption Worker and Supervisor review the completed report and ensure all areas are adequately assessed. After the Supervisor signs it is reviewed and signed by the Manager, Adoption Services.

Finalization & Checklist

1. Refer to ‘Table A’, *Checklist for a Permanent Ward Adoption* (next page), for documentation required when making an application for an Order of Adoption.
2. When reviewing documents, ensure:

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**2.10: Finalization of Permanent Ward Adoption**

- full legal names of adoptive parents are used, and spelling of names is the same on all documents;
  - birth name of the child is the same as it is on the Registration of Live Birth;
  - birth dates are accurate and consistent on all documents; and
  - if any names or birthdates are inaccurate or different, an affidavit to advise the court of the differences is completed and included with the court documents.
3. Once the documents for court are complete, include a cover letter to the Court Registrar for the signature of the Manager, Adoption Services. The Supervisor will review the package prior to it being submitted to court for accuracy of spellings and information.
4. Should the court require an impartial report of the child’s understanding and wishes regarding adoption after reviewing the finalization package, the court may order a report for any child seven years of age or older.

The following persons are authorized to conduct the interviews and write the report:

- a. Registered social worker
- b. Registered psychologist; or
- c. Any other individual appointed by the court.

The adoption worker will make arrangements for the report to be completed according to the court’s request.

For the purpose of the report, the person must interview the child with respect to the following:

- a. The child’s wishes regarding placement with the adoptive parents (relationship with others, maintaining identity etc);
- b. The child’s understanding of what adoption means;
- c. If the child is 12 years of age or older, their wishes with respect to keeping his/her birth name;
- d. Any other information required by the court.

The person completing the report shall include:

- Name and occupation;
- Date and location of interview;
- Information regarding the child and adoptive family (i.e. relationships, interactions, siblings).
- Assessment and confirmation of child’s wishes and understanding of adoption;
- Confirmation the child was able to speak freely; and

**2.10: Finalization of Permanent Ward Adoption**

- o Signature on the report.

The completed report and service invoice will be submitted to the assigned adoption worker.

*Table A – Permanent Ward Adoption Checklist/Requirements for Application- template numbers are provided in brackets*

<b>Requirements</b>	<b>Information</b>
Director's approval to extend the time for making an application for adoption (2213), where applicable	If one year has elapsed since placement, prepared for signature of Director, Adoption Services and include as part of documentation for court
Permanent Wardship Order (can be notarized photocopy) or Voluntary Committal Documents of Birth Mother and Birth Father, where applicable	
Order of Dispensation (voluntary committal)	
Child's History	
Certified Copy of Birth Registration for the Child	If this is not on file, an application is made to eHealth for a certified copy
Report for the Court (2251) with MFA and Assessment of Child Understanding (if applicable).	
Consent of a Child over 12 years of age with Certificate of Independent Advice (2203)	
Information for Registrar Pursuant to <i>The Indian Act</i> (2248)	Completed for all children who are First Nations
Consent of the Minister to Adoption (2206)	
Certified Copy of Marriage Registration or Birth Certificate for common-law relationship or a single applicant	
Divorce Decree or Death Certificate, where applicable	
Certificate of Placement (2236)	
Application for Adoption (2201)	
Particulars of Adoption (2218)	
Statement of Fees in Adoption (2250)	
Notice of Fiat or Decision (2245)	
Order of Adoption (2210)	

**2.10.1: Permanent Ward Adoption Completed Out of Province**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.10.1 Permanent Ward Adoption Completed Out of Province**

**Legislative Authority**

*The Adoption Act, 1998* – Section 16(3) & (5)

**Policy**

When a permanent ward is placed for adoption outside the province of Saskatchewan, the adoption occurs according to the legislation where the child will reside.

In exceptional circumstances where a child is placed for adoption in Saskatchewan but the family moves prior to finalization, the court may be asked to waive the residency requirement pursuant to subsection 16(5) of *The Adoption Act, 1998*, so the adoption may be finalized in Saskatchewan.

The Ministry maintains responsibility for the case planning and for the provision of Assisted Adoption benefits to a child who was a permanent ward of Saskatchewan and subsequently adopted outside the province.

**Procedures**

When an adoptive family notifies their caseworker they are moving out of province prior to finalization of the adoption, the following apply:

1. If the adoption is close to finalization (i.e. after *Certificate of Placement* is issued and an assessment can be made on family functioning), the remaining court documents will be signed and a request will be made to the court to waive the residency requirement based on the circumstances.

If a child and caregiver(s) move prior to the child being placed for the purpose of adoption, the Children’s Services Worker will notify the receiving province/territory and request courtesy supervision to assess the placement and facilitate the finalization of the adoption. (See Children’s Service Manual Chapter 11.13 Provincial/Territorial Protocol on Children, Youth and Families Moving between Provinces and Territories: Section 10 – Adoption and Post Adoption Services).

2. The child will be registered in Saskatchewan and a copy of the registration will be sent to the receiving province, along with the Disclosure of Information for Adoptive Applicants (2238). The Ministry will provide all other

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**2.10.1: Permanent Ward Adoption Completed Out of  
Province**

documentation that the other province requires for adoption finalization (see Chapter 5.4.2, Children’s Services Manual for further information).

3. If applicable, the Adoption Worker will discuss the Assisted Adoption Program and open the assisted adoption file (see Chapter 4, Assisted Adoption) for a child placed out of province.

**2.10.2: Finalization of Crown Ward Adoption of Another  
Province or Territory**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.10.2 Finalization of Permanent Ward Adoption of another Province or Territory**

**Policy**

Adoption planning for a ward of another province/territory, and any financial assistance the child and family may be eligible to receive, are the responsibility of the originating province/territory.

If a ward of another province or territory is placed for the purposes of adoption in Saskatchewan and the child is residing in the province at the time of finalization, the adoption occurs pursuant to the legislation of Saskatchewan.

**Procedures**

When a ward of another province/territory moves to this province and the intent is for the child to be adopted by his or her caregivers, the following will occur:

1. The originating province/territory will provide direction as to the case planning for the child. The child is **not** registered for adoption with Central Adoption Registry (registration of the child remains with the originating jurisdiction). See Children’s Services Manual Chapter 11.13, Provincial/Territorial Protocol on Children, Youth and Families Moving between Provinces and Territories: Section 10 – Adoption and Post Adoption Services.
2. If the child is placed prior to a Mutual Family Assessment (MFA) being completed, or if an assessment is requested by the originating province/territory prior to the child being placed, the Ministry will complete this as per requirements in Section 2.3. All provincial requirements for the completion of an MFA must be met.
3. The Ministry provides courtesy supervision for the placement until the adoption is finalized according to Saskatchewan legislation and requirements. The Ministry will require the child’s Registration of Live Birth, committal orders and all other documents that are required to finalize an adoption in Saskatchewan (see the permanent ward checklist (2240) for the required documents).

**2.11: Placement & Adoption Disruption**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.11 Placement and Adoption Disruption**

**Information**

If a placement disrupts prior to the Order of Adoption being granted, the child will come back into care and consideration can be made for placement by the Ministry into another Ministry approved resource.

Once a child is adopted, the adoptive parents have the option of signing a voluntary committal, which has the effect of making the child a Permanent ward and eligible to be re-registered for adoption. Other options include enhanced support through the Assisted Adoption Program to maintain the placement, or for youth, where eligible, to enter the 16/17 year old program.

With any disruption, paramount concern is for the best interests of the child or youth.

**Policy**

The Ministry will retain legal responsibility for a child, as well as responsibility for the child's planning until the order of adoption is granted in court.

After the Order of Adoption is granted, adoptive parents retain legal responsibility for the child and the child's planning unless the Ministry determines protection concerns exist, or if the adoptive parents sign a voluntary committal.

**Procedures**

**Prior to Finalization**

1. The Adoption Worker will:
  - advise the previous Children's Services Worker of the disruption. Consideration should be made to return the child to the former foster home;
  - consult with the Supervisor regarding whether to inform the birth parents; and
  - close the Assisted Adoption file and end payments.

**After Finalization**

1. The Adoption Worker will:
  - discuss with the adoptive parents out-of-home options that exist for the child, as well as options for alternate planning including voluntary committal (and its effects); and

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**2.11: Placement & Adoption Disruption**

- discuss the issues with the Supervisor to determine whether or not to continue supporting the placement, or to discuss option to voluntarily commit the child to the Minister.
2. If the adoptive family wishes to sign a voluntary committal, the Adoption Worker will:
- work with the Children’s Services or Child Protection Worker to move the child to an alternate placement; and
  - close the Assisted Adoption file and cancel payments once child comes into care of the Ministry. Health is notified; the child retains adoptive name with Health.

**2.12: File Closure After Adoption**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**

**2.12 File Closure after Adoption**

**Legislative Authority**

Section 29.4 of *The Adoption Act, 1998*

Section 19 and 21 of *The Adoption Regulations (2003)*

**Policy**

The Ministry will maintain a confidential record of each Order of Adoption, which includes all legal materials relating to the adoption that are required for post-adoption services.

The Post-Adoption Registry will maintain storage of all provincial adoption records and will have oversight for release of adoption records in accordance with legislation.

**Procedures**

When the Order of Adoption is received from the Provincial Registrar (court), the following should occur within 30 days:

1. Using the Checklist for Child Care/Adoption Files (2240), the adoption worker will ensure that all required documents are on file(s).
2. The adoption worker will retrieve a 'file folder' from the filing room to separate the legal adoption files from the child care information. The applicable forms listed on the Legal Adoption Folder section of the checklist (2240) are to be placed in the file folder in the order as outlined in the letter to the court. The remaining documents should be placed in chronological order in the file.
3. The new legal adoption file folder will become a 'volume' of the child care file with a separate legal envelope at the back. There should not be any duplication of documents.
4. The adoption worker will complete the Paper File and Documentation Request Form, and check the box requesting 'add volume' and 'child care'. The worker will also note to cancel the child's health benefits.
5. The adoption worker will send the CC file and folder to Admin services to create a volume identifier to the Legal adoption folder.

**2.12: File Closure After Adoption**

6. The Checklist for Child Care/Adoption Files (2240) will be placed inside the Legal Adoption file folder and the Paper File and the Documentation Request Form will be attached to the front of the file folder. A copy of the Checklist will be attached to the inside of the Child Care file.
7. In Linkin, the child care file and any volumes will be discharged as 'adoption finalized' and made inactive. Provide a comment for each file/volume to explain the location of the paper file (i.e. transferred to vault; crown storage) and add any additional information.
8. The child care paper file will be sent to crown storage by admin services and the adoptive parent's file is sent to 'deadwood'. The adoption worker will close the Adoptive parent's file information in ACI.
9. Central Office admin services will confirm on Linkin that they have received the file/volume. The date the file was received will be entered in Linkin.
10. Refer to Linkin manual for further information on case closure documentation in Linkin. The adoption folder is placed in a sealed envelope/box marked 'Confidential' and sent to the Post-Adoption Registry via trace mail.
11. Adoptees can access the adoption information six months after their 18<sup>th</sup> birthday through the Post Adoption Registry. For information prior to the adoption, requests can be made to Legislation and Information Management (LIM) by filling out Child and Family Programs "Access to Information Request" form.

**Appendix 2A: What is PRIDE?**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**  
**Appendix 2A – What is PRIDE?**



**What is PRIDE?**

- PRIDE is a licensed model of practice for the development and support of foster and adoptive families.
- PRIDE was designed with the help of foster and adoptive parents to strengthen the quality of care to children.
- PRIDE provides a standardized, structured framework for
  - recruiting
  - selecting
  - preparing
  - supporting foster and adoptive families
- PRIDE provides Pre-service and In-service training as well as ongoing professional development.
- PRIDE is **not** just a training program, but a model of practice.
- PRIDE contains PRIDEbooks, Training Manuals, and Assessment Tools.

**PRIDE is based on the following five competencies**

1. Protecting and nurturing children
2. Meeting children's developmental needs and addressing developmental delays
3. Supporting relationships between children and their families
4. Connecting children to safe, nurturing relationships intended to last a lifetime
5. Working as a member of a professional team.

**PRIDE consists of "Pre-Service", "Core" (In-service), "Advanced" and "Specialized" Training Modules**

**PRIDE Pre-Service**

- The curriculum consists of nine three-hour sessions of group training.
- This training prepares prospective foster and adoptive families by combining a series of at-home consultation meetings with group training sessions. A mutual assessment/homestudy for readiness to foster or adopt is then completed.
- Pre-service competencies are essential before a child is placed and are addressed in the Pre-service training (i.e. foster and adoptive parents must know the importance of promoting a child's positive sense of identity, history, culture and values to help develop self-esteem).
- A mandatory three-hour Saskatchewan Aboriginal Culture component is also required training as part of the approval process.

(over)

**Appendix 2A: What is PRIDE?**



**PRIDE Core (In-service)**

- There are 12 Core (In-service) training modules (approximately 100 hours).
- These training sessions provide ongoing support and professional development for all approved foster families. (Core modules are not required training for adoptive families, however they may be provided upon request.)
- During the annual review process, foster parents and their resource worker will work together to complete a *Family Development Plan* which is designed to assess a family's strengths and identify needs for support and training in relation to the five competency categories.
- The five competency categories must be understood by **all** members of the professional team (i.e. "Supporting relationships between children and their families" - foster parents and child welfare workers must work together to support family contact and visits which are appropriate to each individual child and family situation).

**PRIDE Advanced**

- More experienced foster families require advanced competencies (i.e. foster parents learn the Ministry's approved methods to de-escalate aggressive behaviour and can apply them appropriately).
- These modules include knowledge and skills that refine and enhance their performance as members of a professional team.

**PRIDE Specialized**

- Through PRIDE Specialized training modules, the most experienced foster families will acquire the knowledge and skills to work in a particular area of expertise (i.e. working with teen parents, or caring for medically fragile infants).

**Progression of Learning (Pre-Service to Advanced and Specialized)**

1. Awareness
2. Knowledge/Understanding
3. Understanding how knowledge and skills apply to caregiving
4. Skill Acquisition

For more information call: **1-800-667-7002**

FAM-15  
Updated: 06/13

**Appendix 2B- Pride Connection/Action Plan**

**2.0 APPLICATION, ASSESSMENT & FINALIZATION**  
**Appendix 2B – Pride Connection/Action Plan**

**Appendix 2B - PRIDE Connection / Action Plan**

Based on your understanding of the importance of cultural identity for Aboriginal foster and adoptive children, what actions would you be willing to undertake on their behalf? Please record your responses below:

<b>Aboriginal Cultural Component</b>	<b>My commitment to Aboriginal foster and adoptive children</b>
<b>What I will do to protect and nurture children in harmony with Aboriginal culture and tradition.</b>	
<b>Ways I can create opportunities for children to maintain a harmonious and holistic balance – physically, emotionally, mentally and spiritually through all stages of life.</b>	
<b>How I will create opportunities for children to discover and connect with their birth family, ancestry, culture and their foster family.</b>	
<b>How I will support children to receive education and information on the history and diversity of Aboriginal people in Saskatchewan so as to assist them with the development of cultural identity.</b>	
<b>Ways that I can cooperate and collaborate with others in order to meet the needs of Aboriginal children and youth.</b>	
<b>Contacts and Resources to assist me.</b>	

**Name:**

**Date:**

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<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 2: Application, Assessment &amp; Finalization</b> <a href="#">(Back to table of contents)</a>
<b>3.1: Independent Adoption</b>	

**3.0 NON-WARD ADOPTIONS**  
**3.1 Independent Adoption**

**Introduction**

Independent Adoptions (also known as private adoptions) involve the placement of a child by the birth parent(s) directly with a person known to them. A lawyer retained by the adoptive applicant(s) compiles and submits documentation to court, while Independent Practitioners (IPs) complete the Mutual Family Assessment (MFA) home study.

The Ministry completes the pregnancy counseling (see Chapter 5, Adoption Planning, in the Children’s Services Manual, for information on *Certificate of Counseling* and *Certificate of Independent Advice*) and submits the required documentation to the adoptive applicants’ lawyer.

Individuals who are undertaking an Independent Adoption are required to take Parent Resources for Information, Development and Education (PRIDE) pre-service on-line training. The IP will arrange for the applicant(s) to be registered.

**Legislative Authority**

*The Adoption Act, 1998* – Sections 13, 16  
The Adoption Regulations (2003) – Sections 13-16, 18, 29 & 30

**Policy**

To finalize an Independent Adoption, applicants are required to file with the court a written MFA report, completed by a person approved by the Director, and required documentation as specified by legislation. If a child has no living birth parent, a legal guardian of the child may make placement.

**Procedures**

*Refer to Chapter 5 of the Children’s Services Manual, Adoption Planning, for information on Pregnancy Counseling.*

1. The adoptive parents are referred to a lawyer to seek legal counsel and assistance in submitting the documentation to court, and to choose an Independent Practitioner (IP) to complete the MFA home study. The MFA can be

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**3.1: Independent Adoption**

started prior to the birth of the child, but must be completed after the child is born so there is assessment of placement and adjustment.

2. An Independent Adoption file is opened on ACI with the child as the key player and in the child's birth name (PAPI on ACI/SWIN).
3. 30 days prior to making application to court, the adoptive applicants' lawyer submits the documentation, including a copy of the MFA home study, to the Ministry to review for completeness (see the Independent Adoption Checklist, Appendix 3-A, for required documentation).
  - If the time for revoking consent or appealing a dispensation by the birth parent(s) has elapsed and consents are valid (see Chapter 5.2 in the Children's Services Manual for information on revocation and appeal timelines), the adoption worker completes the *Search for Revocation* (2241) and sends it to Central Adoption Registry (CAR) to complete the revocation search;
  - If the documentation is complete, the Adoption Worker prepares the *Certificate of Non-Revocation* (2233) and *Acknowledgment of Application and Supporting Material for an Order of Adoption* (2215) for the Manager, Adoption Services to sign. The notifications of service and materials will be forwarded on to the lawyer;
  - If documentation is not complete, the Adoption Worker will advise the lawyer of what is required and ask him/her to submit changes. Whether or not documentation is complete, the *Certificate of Non-Revocation* (2233) and the *Acknowledgment of Supporting Material for an Order of Adoption* (2215) cannot be withheld by the Ministry beyond 30 days. The court is provided a courtesy copy of any correspondence the Ministry sends to the lawyer.
4. If an application for adoption is not made to the court within one year of the date on which the child was placed for adoption, the applicant must apply to the Director, Adoption Services for an extension. If no extension of time is granted, the original consent to adoption expires.
5. There may be exceptional circumstances where the Ministry completes the MFA home study (or arranges for an IP to complete it) and submits the documentation to court. Exceptions are approved by the Director, Adoption Services (see Practice Guidelines). The documentation required for court is outlined in the Independent Adoption Checklist.

### **3.1: Independent Adoption**

6. A Ministry MFA completed for the Domestic Adoption Program cannot be used to complete an Independent Adoption. Instead, adoptive applicants will be referred to an IP to undertake a new MFA home study. The Ministry, with approval of the Director, Adoption Services may release a copy of the domestic adoption MFA so the IP can review background information. The IP will not provide copies or use the MFA for any other purpose.
7. After the adoption is complete and the Adoption Worker receives a copy of the order, the file is sent to Post-Adoption Registry for storage.

## **Practice Guidelines**

### Reviewing Documentation

When reviewing documents, ensure:

- the cover letter is date-stamped to indicate the date it is received (do not stamp the documents);
- the documentation is cross-referenced with the appropriate checklist and that all specified documents have been included;
- all appropriate signatures have been included, and that spelling of names and dates of birth are consistent on all documents;
- the number of the Registration of Live Birth is the same on the *Particulars of Adoption* and *Order of Adoption*;
- MFA home study covers all applicable areas; if any omissions are found, the Independent Practitioner and lawyer should be notified by the Adoption Worker; and
- all times to revoke or appeal a decision have elapsed.

### Ministry Completed Mutual Family Assessment Home Studies

The Ministry may become involved in an Independent Adoption through completion of the MFA home study and submission of documents to court where:

- adoptive applicants lack the financial capacity to pay an IP and a lawyer. The submission of a financial statement by the applicants may assist the Director,

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<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 2: Application, Assessment &amp; Finalization</b> <a href="#">(Back to table of contents)</a>
<b>3.1: Independent Adoption</b>	

Adoption Services in determining the service area’s involvement in completing the MFA home study (or arranging for an IP to complete it), as well as processing the court documents; or

- there are compassionate, compelling or medical grounds to consider Ministry involvement.

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**3.1.2: Independent Placements From Out of Province**

**3.0 NON-WARD ADOPTIONS**

**3.1.2 Independent Placements From Out of Province**

**Legislation**

*The Adoption Act, 1998* – Sections 4(10) & 25

**Policy**

The Director, Adoption Services shall be served notice 30 days prior to an adoptive applicant bringing a child into the province for the purpose of an independent adoption. When a birth parent resides outside Saskatchewan, the process to consent to an adoption or dispense with the requirement is pursuant to the legislation where they reside.

**Procedures**

1. In an Independent Adoption, the 30-day notice served on the Director, Adoption Services is typically written by the lawyer acting on behalf of the adoptive applicants. Notice is served on the Director for the service area where the child will be residing.
2. CAR does not complete a revocation search in an Independent Adoption where birth parents reside outside Saskatchewan. In order to verify consents to adoption executed in another province, the Adoption Worker will prepare a letter for the signature of the Manager, Adoption Services asking that jurisdiction to confirm:
  - the process and requirements for consent or dispensation (or equivalent processes) in that jurisdiction, including time to revoke or withdraw consent or appeal an order to dispense;
  - how consent is taken and who is permitted to take it (i.e. whether lawyers or an agency can take it, or if it can be self-directed); and
  - whether the time to revoke or appeal has elapsed pursuant to the legislation of that jurisdiction, and if a revocation or appeal has occurred.

Once receiving documentation from the other jurisdiction regarding confirmation of consent and non-revocation, the Adoption Worker will prepare a letter for the signature of the Manager, Adoption Services that will be added to the documents provided to the adoptive applicants' lawyer.

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<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 3: Non-Ward Adoptions</b> <a href="#">(Back to table of contents)</a>
<b>3.2: Adult Adoption</b>	

**3.0 NON-WARD ADOPTIONS**  
**3.2 Adult Adoption**

**Legislation**

*The Adoption Act, 1998* – Section 24

**Policy**

An Adult Adoption pertains to the adoption of an individual who is 18 years of age or older.

**Procedures**

1. The application to court is undertaken by the applicants with the assistance of a lawyer. No home study is required.
2. The Adoption Worker will open a file on ACI/SWIN under the code PAAD (Private Adoption, Adult) and retain a copy of any documentation received by the applicant (or lawyer).
3. The adult being adopted provides consent and the court makes a decision on the reason for the application. If the person to be adopted is unable or unwilling to give or understand consent, the court may dispense with this requirement.
4. 30 days prior to making application to court, the lawyer submits the documentation to the Ministry to review for completeness (see the Adult Adoption Checklist, Appendix 3-B, for required documentation).
  - If the documentation is complete, the adoption worker prepares the *Acknowledgment of Application and Supporting Material for an Order of Adoption (2215)* for the Manager’s signature. They are sent, along with any notifications of service and materials, to the lawyer.
  - If documentation is not complete, the Adoption Worker will advise the lawyer of what is required and ask him/her to submit changes. Whether or not documentation is complete, the *Certificate of Non-Revocation (2233)* and the *Acknowledgment of Supporting Material for an Order of Adoption (2215)* cannot be withheld by the Ministry beyond 30 days. The court is provided a courtesy copy of any correspondence the Ministry sends to the lawyer.

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**3.2: Adult Adoption**

5. Upon receipt of the Order of Adoption, the Adoption Worker will close the involvement on ACI and send the file to Post-Adoption Registry for storage.

Note the following sections of the Act do not apply:

- Section 3, Determination of Child’s Best Interests
- Section 4, Consent to Adoption and Transfer of Guardianship
- Section 5, Dispensing with Consent
- Section 6, Minister’s Consent Required
- Section 7, Revocation of Consent or Transfer of Guardianship
- Section 27, International (Intercountry) Adoptions
- Section 28, Simple Adoption Order
- Section 30, Post-Adoption Registry
- Section 34, Unauthorized Placement

**Practice Guidelines**

Reviewing Documentation

When reviewing documents:

- Date stamp the cover letter (not the documents) to indicate the date documents are received;
- Use the appropriate checklist to cross-reference required documentation depending on the type of adoption;
- Ensure all applicable documents found on the checklist have been included in the applicant’s submission; and
- Ensure all appropriate signatures have been included, and that spellings of names and dates of birth are consistent on all documents.

<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 3: Non-Ward Adoptions</b> <a href="#">(Back to table of contents)</a>
<b>3.3: Stepparent Adoption</b>	

**3.0 NON-WARD ADOPTIONS**  
**3.3 Stepparent Adoption**

**Legislation**

*The Adoption Act, 1998 – Section 23*

**Policy**

A Stepparent Adoption pertains to the adoption of a child by the spouse/partner of the custodial birth parent.

**Procedures**

1. The application to court is undertaken by the adoptive applicant with the assistance of a lawyer. A home study is not required unless requested by the court. In the event a home study is requested, applicants are referred to an Independent Practitioner.
2. The Adoption Worker will open a file on ACI/SWIN under the code SPSP (Stepparent Adoption) and retain a copy of any documentation received by the applicant (or lawyer).
3. Consent to adoption is required in order to protect the rights of the non-custodial birth parent. With respect to consent, the following apply:
  - Each birth parent signs consent to adoption and Affidavit of Execution as defined in the *Act*. A Certificate of Independent Advice (form ‘G’) is required by the non-custodial birth parent in addition to his or her consent. Either birth parent may revoke consent within 21 days of the last birth parent signing, or within the 30-day appeal period once the dispensation order has been granted.
  - Where the non-custodial birth parent is not available to sign consent, or there are grounds to dispense, the lawyer acting on behalf of the adoptive applicant will make application for dispensation with the court.
  - If the non-custodial birth parent is deceased, the surviving birth parent will be required to submit a death certificate.
  - After all documents are signed and issued and the 30-day appeal period has elapsed, the Ministry will issue the *Certificate of Non Revocation to the lawyer*.

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**3.3: Stepparent Adoption**

4. Consent to Adoption by a Child 12 Years of Age or More and Certificate of Independent Advice & Affidavit of Execution are required and completed on the prescribed forms found in the Regulations. Each form is completed with a lawyer and the Certificate of Independent *Advice & Affidavit of Execution* should be completed by a lawyer who is not acting on behalf of the adoptive parent(s).
5. Thirty days prior to making application to court, the applicant's lawyer submits the documentation (including copy of home study if required by the court) to the Ministry for review (see the Stepparent Adoption Checklist, Appendix 3-C, for required documentation).
  - If the time for revoking consent or appealing a dispensation by the non-custodial birth parent has elapsed and consents are valid, the Adoption Worker completes the *Search for Revocation* (2241) and sends it to CAR to complete the revocation search.
  - When the documentation is complete, the caseworker prepares the *Certificate of Non-Revocation* (2233) and the *Acknowledgment of Application and Supporting Material for an Order of Adoption* (2215) for the Manager, Adoption Services to sign. It is forwarded, along with any notifications of service and materials, to the lawyer.
  - If the documentation is not complete, the lawyer will be advised and given the opportunity to submit changes. After the 30th day, the Ministry will send the *Certificate of Non-Revocation* (2233) and the *Acknowledgment of Supporting Material for an Order of Adoption* (2215) to the lawyer, indicating what materials from the package are incomplete.

*Note:* If consents are validly executed, the *Certificate of Non-Revocation* **cannot** be withheld beyond this time. A separate letter will be sent to the court outlining what documentation or material was incomplete.
6. The court, where it determines to be in the child's best interests, may issue a separate order for access on behalf of the non-custodial birth parent.
7. Upon receipt of the Order of Adoption, the Adoption Worker will close the involvement on ACI and send the file to Post-Adoption Registry for storage.

<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 3: Non-Ward Adoptions</b> <a href="#">(Back to table of contents)</a>
<b>3.3: Stepparent Adoption</b>	

**Guidelines**

Reviewing Documentation

When reviewing documents:

- Date stamp the cover letter (not the documents) on the date the documents are received;
- Use the appropriate checklist to cross-reference required documentation depending on the type of adoption;
- Ensure all applicable documents found on the checklist have been included in the applicant’s submission; and
- Ensure all appropriate signatures have been included, and that spelling of names and dates of birth are consistent on all documents.

**Note:** Stepparent adoptions pertain to the adoption of individuals under the age of 18 years. Once an individual turns 18, the requirements for an Adult Adoption must be met, regardless of the relationship between the adoptee and adoptive parent.

<b>Ministry of Social Services</b> <b>Adoption</b>	Chapter 3: Non-Ward Adoptions <a href="#">(Back to table of contents)</a>
<b>Appendix 3-A – Independent Adoption Checklist/Requirements for Application</b>	

### 3.0 NON-WARD ADOPTIONS

#### Appendix 3-A Independent Adoption Checklist/Requirements for Application

#### Appendix 3-A – Independent Adoption Checklist/Requirements for Application

Requirements	<i>The Adoption Act, 1998</i>	The Adoption Regulations, 2003	Template*
Documents served on Director where the applicants reside (30 day notice)	44(2)(a), 16(6)		
Extension beyond one year that the Director may allow (where applicable)	16(8)		
Application for Order of Adoption	16	Form A-1 3(a)	
Certified copy of the child's original Birth Registration (long form)		13(a)	
Certified copy of Marriage Registration or Certificate, where applicable (long form preferred)	16(2)(a)		
Divorce Decree, where applicable			
Death Certificate, where applicable	4(1)(a)(iv)		
Certificate of Counseling for birth father <u>and</u> birth mother, as applicable (must be completed by Director <i>prior</i> to consent being taken)	4(4)(a)(ii), 4(7)	Form F-8	2249
Consent of the Birth Parent by birth father <u>and</u> birth mother  <i>Revocation expires (date):</i> _____	4(1), (2), (4)	Form C-1 5(1)(a)	
Certificate of Independent Advice for birth father and birth mother (must be completed by Director <i>after</i> consent being taken) <b>OR</b> Dispensation Order – Notice regarding application to dispense with requirement of consent and supporting materials must be provided to the Director.  <i>Appeal period expires (date):</i> _____	4(4)(a)(iii), 4(7)  5(2)(1)	Form G-9	2244

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<b>Appendix 3-A – Independent Adoption Checklist/Requirements for Application</b>	

Consent of a Child who is 12 Years of Age or More and Acknowledgment	7(5)	Form C-5 5(3), 13(h), 14(4)	2203
Affidavit of Execution	4(1)(b)		
Accompanying Child's Consent is Certificate of Independent Advice	4(4)(b)(ii)	Form G 13(h), 14(3)	2244
Child's Social, Medical and Family History OR Request to waive requirement for birth parents		15(1)(b), 16(1), 18(1) 15(2) or 16(2)	
Report for the Court (Adoption Study Report)	13(3)	16(1), 18(2)	
Financial Statement		Form K 13(c)	
If applicable, information for the Registrar Pursuant to <i>The Indian Act</i> (Canada)	29.3(3)(c), 29.3(4)	Form M 13(g)	
Statement of Fees	16(13)	52(1), (2)	
Particulars of Adoption		Form L 13(f)	
Notice of Fiat or Decision	29.3(1)	Form H 10	
Order of Adoption	16(1)	Form I-1 11(a)	

*\*No Ministry templates or forms are to be provided to applicants or their lawyers to use; lawyers must create their own*

Ministry (Director) Handled Portion

- Ministry Records Check (completed by MSS)
- Registry Search for Revocation (Section 7 of *The Adoption Act, 1998*)
- Issue Certificate of Non-Revocation (Section 7 of *The Adoption Act, 1998*; confirms no revocation has been received from a birth parent eligible to revoke the adoption plan)
- Issue Acknowledgment of Application and Supporting Material for an Order of Adoption

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<b>Appendix 3-B – Adult Adoption Checklist/Requirements for Application</b>	

### 3.0 NON-WARD ADOPTIONS

#### Appendix 3-B Adoption Checklist/Requirements for Application

Requirements	<i>The Adoption Act, 1998</i>	The Adoption Regulations, 2003	Template*
Documents served on the Director where applicants reside	44(2)(a), 23(4)		
Application for adoption	24	Form A-3 3(c)	
Consent to adoption (by adoptee)	24(1)	Form C-7	
Statement of Fees	16(13)	52(1), (2)	
Notice of Fiat or Decision	29.3(1)	Form H 10	
Particulars of Adoption		Form L 13(f)	
Order of Adoption		Form I-3 11(c)	
Certified copy of Marriage Registration or Certificate where applicable (long form preferred)	16(2)(a)		
Divorce Decree where applicable			
Death Certificate where applicable	4(1)(a)(iv)		
Affidavits (statement by each part as to the reason for the adoption)			

*\*No Ministry templates or forms are to be provided to applicants or their lawyers to use; lawyers must create their own*

#### Ministry (Director) Handled Portion

- Ministry Records Check (completed by MSS)
- Issue Acknowledgment of Application and Supporting Material for an Order of Adoption

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<b>Ministry of Social Services</b> <b>Adoption</b>	Chapter 3: Non-Ward Adoptions <a href="#">(Back to table of contents)</a>
<b>Appendix 3-C – Stepparent Adoption Checklist/Requirements for Application</b>	

### 3.0 NON-WARD ADOPTIONS

#### Appendix 3-C Stepparent Adoption Checklist/Requirements for Application

Requirements	<i>The Adoption Act, 1998</i>	The Adoption Regulations, 2003	Template*
<input type="checkbox"/> Notice to Director and supporting materials served where applicants <u>reside</u>	44(2)(a), 23(4)		
Application for Adoption	23	Form A-2 3(b)	
Statement of Fees	16(13)	52(1), (2)	
Notice of Fiat or Decision	29.3(1)	Form H 10	
Particulars of Adoption		Form L 13(f)	
If applicable, information for the Registrar Pursuant to <i>The Indian Act (Canada)</i>	29.3(3)(c), 29.3(4)	Form M 13(g)	
Order of Adoption	16(1)	Form I-2 11(b)	
Certified copy of child's original Birth Registration (long form)		13(a)	
Certified copy of Marriage Registration or Certificate, where applicable (long form preferred)	16(2)(a)		
Divorce Decree, where applicable			
Death Certificate, where applicable	4(1)(a)(iv)		
Consent of Birth Parent who is the spouse of the applicant and Consent of Non-Custodial Birth Parent	4(4)(a)(i)(A) or (B) 23(14)	Form C-2 5(1)(b)(i)	
Affidavit of Execution			
Certificate of Independent Advice for non-custodial birth parent	4(4)(c)(ii)	Form G 9	
Dispensation Order (notice to dispense and supporting materials must be provided to the Director)	29.6(2)(a), 29.4(4), 29.3(2)(b)		
<i>Appeal period expires: _____</i>	5(2.1)		

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Proof that notice of the application was served on the other parent – note that signed consent of the birth parent who is not the spouse of the applicant <u>can</u> be considered as notice of the application	23(2), 5(2.1) or 5(2.2)  23(3)	13(d)	
Consent of a Child who is 12 Years of Age or More and Acknowledgment	7(5)	Form C-5 5(3), 13(h), 14(4)	
Affidavit of Execution	4(1)(b)		
Accompanying Child’s Consent is Certificate of Independent Advice	4(4)(b)(ii)	Form G 13(h), 14(3)	

*\*No Ministry templates or forms are to be provided to applicants or their lawyers to use; lawyers must create their own*

Ministry (Director) Handled Portion

- Ministry Records Check (completed by MSS)
- Registry Search for Revocation (Section 7 of *The Adoption Act, 1998*)
- Issue Certificate of Non-Revocation (Section 7 of *The Adoption Act, 1998*; confirms no revocation has been received from a birth parent eligible to revoke the adoption plan)
- Issue Acknowledgment of Application and Supporting Material for an Order of Adoption

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## **4.1: Assisted Adoption Agreement & Benefits**

### **4.0 ASSISTED ADOPTION**

#### **4.1 Assisted Adoption Agreement & Benefits**

#### **Legislative Authority**

*The Adoption Act, 1998*, Section 9  
The Adoption Regulations (2003), Sections 49-51

#### **Policy**

A child permanently committed to the Minister and subject to a plan for adoption may be eligible to receive Assisted Adoption benefits up to the age of 18 where there is a signed agreement between the Ministry and the adoptive parents. Assistance can be provided either before or after the order of adoption is granted. The Assisted Adoption Program does not apply to any other type of adoption.

Adoptive parents can defer all or part of any benefits pending future needs or support requirements.

In the event that both adoptive parents pass away, assisted adoption benefits may be provided to a subsequent legal guardian.

The *Assisted Adoption Agreement* can be amended at any time in order to reflect the changing needs of the child, or it can be terminated by the adoptive parents or the Ministry.

An extension of the agreement may be made until the youth reaches age 21 to address educational, vocational or other exceptional support needs.

Benefits do not continue if a child/youth returns to care.

#### **Standards**

The primary responsibility for meeting a child's daily needs rests with the adoptive parents, including financial responsibility for the child. Adoptive parents are expected to use their own private insurance and/or community supports prior to accessing assisted adoption benefits.

The *Assisted Adoption Agreement (2227)* is signed with the adoptive parents after the child is legally placed with them for the purposes of adoption (after it is signed).

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## **4.1: Assisted Adoption Agreement & Benefits**

Benefits may include:

- Monthly Maintenance equal to 90% of current foster care rate that is designed to help cover the cost of raising a child that include: food, shelter, clothing, recreation, and transportation by most economical methods.
- Special Needs Payments based on the assessed needs or support requirements of the child by a qualified, independent provider/physician.
- Supplementary Health Benefits. Once the adoption is finalized, the adoptive parent, or their doctor or pharmacist may request additional benefits under the health plan if required.

## **Procedures**

### Assisted Adoption File

1. The Assisted Adoption file, which is separate from the Children's Services file is opened in the child's adoptive name. References to the child's birth or family name(s) are removed or blacked out. The following are placed on the file as applicable:
  - signed *Assisted Adoption Agreement*;
  - all addendums or updates to the *Agreement*;
  - most recent assessment information from professionals, such as physicians, psychologists, etc., that support provision of benefits;
  - information from the adoptive parents that verifies payments made for services;
  - payment-related documents;
  - chronological and contact recordings; and
  - signed *Annual Review* documents.

### Assisted Adoption Agreement & Payment

1. The Adoption Worker discusses and completes the *Assisted Adoption Agreement* (2227) with the adoptive parents. A separate agreement is signed for each child within a sibling group. If an *Agreement* is signed after the Order of Adoption is granted, the Ministry receives supporting documentation from the adoptive parents.

**4.1: Assisted Adoption Agreement & Benefits**

2. The *Assisted Adoption Agreement* is provided to the Supervisor for review of the recommendations. The agreement is signed by the adoptive parents and the adoption worker and provided to the Manager, Adoption Services for final approval. A copy is placed on the Assisted Adoption file, and a copy is provided to the adoptive parent(s).
3. The Assisted Adoption file is registered on the Automated Client Index (ACI) utilizing the following codes:
  - AADB – deferred benefits
  - AAFB – use when any benefits are paid to the child (in province)
  - AAEH – Supplementary Health (used when child requires only extended health benefits)
  - AAOP – use when child resides out of province and is receiving benefits
4. Payment of special needs benefits are paid to the adoptive parents when services have been previously approved. Supporting documentation from a qualified, independent provider must accompany the request prior to approval. In rare circumstances, payment may be made to the service provider upon receipt of invoice.
5. Adoptive families are responsible for providing proof of expenses and payments made for services purchased.
6. Assisted adoption maintenance payments are paid in arrears and are provided by means of direct payment to the families who are eligible, either by direct deposit or through regular mail.

Amendments to Benefits

1. Requests for amendments (when made outside the *Annual Review*) are made on *Amendment to Assisted Adoption Benefits* form (2278) and provided to the Supervisor for review, and the Manager, Adoption Services for approval. A copy of the amendment is attached to the original *Agreement* and placed on the Assisted Adoption file, and a copy is provided to the adoptive parents.
2. Adoption assistance is to assist the family in meeting the on-going expenses of raising a child where the adoptive family is unable to financially meet the child's

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### **4.1: Assisted Adoption Agreement & Benefits**

needs. If the adoptive parent's circumstances change where they can support a child's need or particular service need, financial assistance may be varied or terminated.

3. If it is determined benefits are being placed on hold or changed, the Adoption Worker will notify the adoptive parents, in writing, of the decision to suspend payments.
4. If it is identified that a special need benefit or monthly benefit is being provided by any other funding source (Ministry or program area), a review of circumstances may be required to determine on-going eligibility. Assisted adoption benefits may be reduced, suspended or terminated.

#### Supplementary Health Nomination

1. Requests to register the child for Supplementary Health Benefits may be made through Health's automated registration website once an adoption has been finalized.
2. For information on what benefits a child receives under the plan, refer to, the Children's Services Manual, Chapter 7.16, Health Services.

#### **Approval of Benefits from Age 18-21**

1. Continuing financial support **is considered** when:
  - the adoptive parents have limited options to support a young adult who is committed to enrolling and completing an educational or vocational training program;
  - the adoptee is living with parents and continuing high school in order to complete a certain level; and/or
  - the adoptee is experiencing instability and a therapeutic plan is the focus of supporting a transition to independence (e.g. counseling or life skills teaching).

2. Continuing financial support **should not** be considered when:

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**4.1: Assisted Adoption Agreement & Benefits**

- the adoptee is not undertaking any educational, vocational or therapeutic plan to promote and support independence and the adoptee is not committed to undertaking any such plan;
  - the adoptee becomes gainfully employed and is self-sufficient;
  - the adoptee is no longer a dependant of the adoptive parent; has moved out of family home or who has applied for alternate assistance benefits on their own right (i.e. SAP, SAID etc.). Discussions with the applicable parties should occur to prevent duplication of benefits; or
  - the adoptee becomes disengaged from the family (e.g. moves away or becomes married).
3. When an extension of benefits is considered, the Assisted Adoption Worker will work with the family to explore private insurance coverage and/or available community resources to cover the cost of the service request. When all resources have been explored and are unavailable, the Assisted Adoption Worker completes the *Assisted Adoption Agreement and Special Needs Benefits Amendments* form (2278) with the adoptive parents. The original is placed on the file, and a copy is provided to the adoptive parents.
4. Payments continue to the adoptive parents. In exceptional circumstances, and with approval of the Director, Adoption Services, payments can be made to an adoptee (e.g. adoptee moves far away from home to attend school and payment is a matter of convenience).

**Note:** *Assisted Adoption Benefits are not intended to replace any other available funding; Special needs benefits are not intended to cover the cost of tuition or books.*

**Adoptive Parents Who Separate/Divorce**

When adoptive parents separate or divorce, the question of who continues to receive benefits may become a matter they privately settle under a custody agreement. Where necessary, the Adoption Worker will consult with the adoptive parents regarding changes in payee or vendor(s). An addendum to the original *Assisted Adoption Agreement* is completed, which updates the change in circumstances and payee

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**4.1: Assisted Adoption Agreement & Benefits**

information, and is signed by each adoptive parent (or the custodial parent if the other is not available to sign).

**Adoptive Parents Who Pass Away**

Adoptive parents, who signed an Assisted Adoption Agreement before their passing, may designate a subsequent legal guardian to provide care to their adoptive children who are under the age of 18 years.

In the event that the adoptive parents pass away without naming a subsequent caregiver and a person comes forward to care for the child(ren), the matter of custody may be privately settled. The adoption worker will meet with the caregiver in their home and discuss program requirements and objectives. Proof of guardianship will be provided to the adoption worker.

A new Assisted Adoption Agreement will be reviewed and completed with the changes in circumstances and payee information and is signed by the guardians and adoption worker.

**Subsequent Legal Guardian**

A person becomes a legal guardian by court order or under a will. The legal guardian will have all the rights and responsibilities of a parent. A child must be living in the home of the legal guardian to be eligible to receive benefits.

A person named in a will should seek legal advice regarding applications to court.

With proof of death of the adoptive parents of a former permanent ward, the minister may provide assistance to the subsequent legal guardian if:

- The child is under 18 or if benefits had been extended, to 21 years of age;
- The named guardian is over 18 years of age;
- The child was residing with the adoptive parents and will be living in the home with the legal guardian; and
- the adoptive parents were entitled to receive assisted adoption benefits prior to their passing.

**Appeals**

Appeals regarding approval of benefits or eligibility are made in writing to the Adoption Manager, and a response is provided within 30 days. The Director, Adoption Services is consulted where necessary.

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## **4.1: Assisted Adoption Agreement & Benefits**

### **Practice Guidelines**

#### Supporting Documentation

Documentation that supports a particular need can include reports from psychologists, physicians or other medical professionals that indicate a diagnosis or treatment. Information obtained from birth parent histories and the *Child Adoption Registration Summary* can also support the likelihood a future condition may exist (e.g. where a child is prenatally exposed to alcohol or other substances).

#### Approval of Special Needs Benefits

Special Needs Benefits can be one-time payments that support a particular need (e.g. home adaptations for children with physical disabilities), or they can be ongoing and time-limited payments for specialized services (e.g. counseling or therapy). They may also change over time as the child or youth develops and grows. In most cases, eligible special needs costs will be shared between the parents and the Ministry.

The types of specialized supports that can be considered include, but are not limited to:

- medical expenses;
- corrective dental and orthodontic treatment;
- home renovations/adaptations or equipment meant to accommodate a disability;
- therapy, including occupational, speech and hearing therapy;
- remedial education;
- rehabilitation training;
- daycare for remedial purposes; and
- transportation and accommodation expenses to support an exceptional service plan, such as extended stays for surgery or treatment that would cause hardship on the family;

A decision to support a request for a Special Need Benefit should take the following into consideration:

- The adoptive parents/guardians cannot financially meet the need on their own through private means (e.g. insurance), or the support or service cannot be

**4.1: Assisted Adoption Agreement & Benefits**

accessed through public or community services (e.g. Child & Youth Services, Kinsmen Children's Centre, Education, etc.);

- The need is exceptional in nature;
- The condition or need for support relates to the child's background or family history; and/or
- The placement may be negatively impacted if support is not provided.

Approval of Benefits from Age 18-21

Young adults between ages 18-21 typically transition from the family home and move towards supporting themselves independently. Transition plans for adoptees include anything that supports or promotes independence, such as educational, vocational or therapeutic plans. During this time, the focus of support may change several times.

## **4.1: Assisted Adoption Agreement & Benefits**

### **4.0 Assisted Adoption**

#### **4.1.1 Overpayments**

#### **Policy**

The Ministry will recover outstanding funds when an overpayment has occurred in amounts over \$25.00.

#### **Definition**

An overpayment occurs whenever an adoptive parent, legal guardian, youth or other caregiver is paid in error and has received funds they are not entitled to receive. The funds may include basic maintenance payments, special placement or service need payments or any other payment issued for a period of time when a child is not in the adoptive home, or in the event the caregiver was not entitled to receive the funds.

#### **Procedures**

When an overpayment is identified:

1. The assisted adoption worker will complete the fillable, Assisted Adoption Overpayment Calculation Sheet and send by email to Admin Financial Worker. Admin will verify the information for the recovery details.
2. Once the Admin Financial worker receives the email with the Overpayment Calculation sheet, the recovery amount and time frame of recovery will be entered onto a standard overpayment notification (deduction) letter.
3. The Admin Financial Worker will send a draft copy of the overpayment notification letter to the Assisted Adoption worker for review. The Assisted Adoption worker has seven calendar days to advise Admin of any changes to recovery details. After 7 days, Admin will send letter to adoptive parent/guardian and notify the Assisted Adoption worker by email when this is completed.
4. A copy of the Overpayment Calculation Sheet and the overpayment recovery letter will be printed and placed on Assisted Adoption file.
5. Within 30 days of receiving the overpayment notification letter, the adoptive parent/guardian may respond to their Assisted Adoption worker to renegotiate

### **4.1: Assisted Adoption Agreement & Benefits**

the terms of repayment. The Overpayment Recovery sheet will be updated to reflect the new payment details that will be sent to Admin Financial.

6. No response from the adoptive parent/guardian will be interpreted as agreement with the Ministry's proposed overpayment notification rate and recovery will begin after 30 days of sending the notification letter.
7. The entire overpayment amount may be recovered at once if the caregiver provides instruction to this effect.
8. Should the adoptive parent/guardian indicate that they are not in agreement with any terms of the repayment; the Assisted Adoption supervisor will be notified.
9. The Assisted Adoption supervisor will contact the adoptive parent/guardian to discuss terms of a payment recovery schedule.

In the event the adoptive caregiver does not agree to any terms for repayment, the supervisor will advise the caregiver that the matter may be referred to the Financial Services Branch to begin the collection process (as authorized in Assisted Adoption Agreement).

#### **Options for overpayment recovery:**

Standard Recovery for Assisted Adoption:

- For overpayments in monthly maintenance; 20% of total monthly maintenance payment will be recovered until repaid;
- For overpayments in special needs; 20% of total special needs payment will be recovered until repaid;

Should the standard deduction schedule pose a hardship, the rate of recovery may be adjusted based on the caregiver's ability to repay. The Ministry and caregiver must agree to the repayment amount.

Where an adoptive parent/guardian is no longer receiving monthly maintenance or the child/youth is no longer residing in the home:

- The Assisted Adoption worker or supervisor will send the standard Overpayment – Request Payment letter to the caregiver advising of an overpayment and their obligation to re-pay the amount owing.

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**4.1: Assisted Adoption Agreement & Benefits**

- Within 30 days from the date of the letter, if a recovery schedule cannot be negotiated, the Ministry will refer the matter for collection.
- A copy of this letter will be forwarded to Financial Services Branch and a copy placed on the Assisted Adoption file.
- Upon receipt of this letter, Financial Services Branch will invoke the collection process which includes reminder letters at 60 days and 90 days.
- In exceptional circumstances, waiving of the overpayment recovery process may be approved at the level of the Deputy Minister.

**Note:** In the event that overpayment is due to a third party billing, the company will be required to repay 100% of the amount owing for the special need/service.

See Linkin Training for "Process for Overpayment Recovery with Assisted Adoption Program".

<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 4: Assisted Adoption</b> <a href="#">(Back to table of contents)</a>
<b>4.2: Annual Review</b>	

**4.0 ASSISTED ADOPTION**  
**4.2 Annual Review**

**Legislative Authority**

*The Adoption Act, 1998* – Section 9(2)  
The Adoption Regulations (2003), Section 51(4)

**Policy**

The *Assisted Adoption Agreement* is to be reviewed through an annual review process, or at any time requested by the adoptive parent(s) or Minister. An annual review is required only if benefits have been paid in the previous year.

**Procedure**

1. Notification and a copy of the Annual Review document is sent to the family four (4) months prior to advise them when their Annual Review is due. If the Annual Review is not returned by the date specified, benefits may be suspended. The family is advised to ensure they have the necessary supporting documentation, including invoices for services provided or recommendations for new supports from an appropriate professional (e.g. physician, therapist, etc.).
2. The following options for completing the annual review apply:
  - Mail –the Annual Review (2200) may be completed by the family in writing, and returned to the worker (e.g. through mail or fax);.
  - Email – the Adoption Worker may forward the Annual Review (2200) to the family via email, and they may return it via email.
  - Phone interview/office visit – the family may complete the Annual Review via phone call or office visit. The Adoption Worker interviews the family, completes the Annual Review Document (2200) and sends the draft to them to sign and return.
  - Home Visit – if the family requests a home visit, the Adoption Worker should explore the reasons to determine the need. The Adoption Worker may also recommend a home visit if:

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**4.2: Annual Review**

- there is a request for a significant increase in Special Needs Benefits, or for a one-time Special Needs payment (e.g. if there is a request for home modifications, the Adoption Worker may need to meet the family in the home to review what modifications are required);
  - the family has deferred benefits for an extended period of time, and is now requesting support. The Adoption Worker should visit the home to review the circumstances and needs;
  - supporting documentation has not been provided. The Adoption Worker should visit the home to verify needs and circumstances.
3. When the Annual Review is returned, the Adoption Worker completes the recommendation portion, and forwards to the Supervisor for review and approval. The Adoption Worker will notify the family of any Special Needs Benefits that may be subject to approval by the Manager, Adoptions.
4. Payment approvals are as per Linkin Financials and Payment guidelines. The Adoption Worker advises the adoptive parents of Special Needs Benefits that have been approved and processed for payment. A signed copy of the *Annual Review* is provided to the adoptive parents, and the original is placed on the file.

**Practice Guidelines**

The intent of the *Annual Review* is to assess:

- how well the child’s developmental and cultural needs are being met and whether or not supports to these are required;
- what significant changes have occurred in the child’s life or within the family that impact the child’s development; and
- the family’s changing ability to support the child’s needs.

<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 4: Assisted Adoption</b> <a href="#">(Back to table of contents)</a>
<b>4.2: Annual Review</b>	

The Ministry, in reviewing approval of an ongoing benefit (or in recommending a new one), should take into consideration:

- In certain situations, an adoptive family may place a child in an alternate, non-Ministry resource and request financial support for payment. Consideration should be given to the type of alternate care (e.g. long-term care through Ministry of Health or alternate family care), the ability of the family to support the resource on their own, and the obligation of other systems (e.g. Ministry of Health) to cover the costs of the arrangement.
  
- If the adoptive family is receiving funding through the Assisted Adoption Program as well as an alternate source (e.g. through a charitable organization or private insurance), the alternate source should be considered the primary source and the payment of the benefit through Special Needs should be canceled.
  
- If adoptive parents do not comply with the requirements of the program (e.g. provide necessary documentation or participate in the annual review), a suspension of benefits may be considered.
  
- If an adoptee leaves the family home for a period of time and the adoptive parents are not providing support, a suspension of benefits pending return of the adoptee to the family home may be considered.

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**4.3: Adoptees Who Move Out of Province**

**4.0 ASSISTED ADOPTION**

**4.3 Adoptees Who Move Out of Province**

**Legislative Authority**

*The Adoption Act, 1998* – Section 9(2)  
The Adoption Regulations (2003), Section 51(4)

**Policy**

The Minister is responsible for providing adoption assistance to eligible wards and for maintaining management of the file when they move out of province. Assistance continues to be in the form of monthly maintenance and special needs benefits. Eligibility and approval requirements apply.

The child will be eligible for the provision of health services according to the legislation or regulations of the province/territory of the child's current residence. The Supplementary Health Program through Saskatchewan is not available when a child moves out of province.

**Procedures**

When adoptive parents move out of province and benefits are expected to continue, the following will occur:

1. The file is updated to reflect new address/location.
2. The family is directed to notify Saskatchewan Health of the move out of province, and to contact the health authority in the new jurisdiction/country regarding procedures to access health benefits.
3. An annual review is required if benefits have been provided in the previous year. The Adoption Worker can request an out-of-province agency to provide a courtesy visit, or if an agency is not available to complete the annual review, it can be completed via telephone or written submission.

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<b>4.4: File Closure</b>	

**4.0 ASSISTED ADOPTION**  
**4.4 File Closure**

**Legislative Authority**

*The Adoption Act, 1998* – Section 30  
The Adoption Regulations – Section 51(3)

**Policy**

The Minister shall keep any materials or records related to an adoption that are required for the provision of Post-Adoption services. Any such records are stored for an indefinite period of time by, and may be accessible to adoptees and their adoptive or birth families through, Post-Adoption Registry.

**Procedures**

1. Close payments and cancel Supplementary Health Program.
2. The Adoption Worker will maintain the Assisted Adoption file until the adoptee reaches the age or 21, unless the adoptee becomes no longer eligible for benefits (e.g. gets married or is living and working independently of family). Upon closure, the Adoption Worker will:
  - notify the adoptive parents, in writing, of the closure and that the file will be permanently stored with Post-Adoption Registry (PAR);
  - prepare the file for transfer to PAR by ensuring all documentation is included; and
  - transfer the file on ACI and send it to PAR to be stored with the legal adoption file. PAR will utilize the legal adoption number originally assigned.

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<b>5.1: Introduction</b>	

**5.0 INTERCOUNTRY ADOPTION**  
**5.1 Introduction**

**Information**

Intercountry Adoption refers to the adoption of a child under the age of 18 who is habitually resident outside Canada. It involves the transfer of parental rights and responsibilities from the birth parent and/or child’s country of origin to prospective adoptive parent(s) who reside in Canada.

The Intercountry Adoption Program is governed by *The Adoption Act, 1998*, *The Adoption Regulations (2003)* and *The Intercountry Adoption (Hague Convention) Implementation Act, 1997*.

The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (The Hague Convention) is a convention through which designated Central Authorities (in Saskatchewan, it is the Minister) seek to ensure intercountry adoptions are made in the best interests of a child and to prevent the abduction, sale of and/or trafficking of children. Saskatchewan became signatory to The Hague Convention in 1997.

The Ministry of Social Services is responsible for:

- Approving case plans of all prospective adoptive applicants and notifying when they are eligible to undertake the Mutual Family Assessment (MFA) home study process;
- Ensuring compliance and completeness of the MFA home study and supporting documentation (Dossier) before they are sent to the foreign authority or agency;
- Ensuring the proposed adoption is in accordance with the laws of Saskatchewan, as well as the laws of the child’s country of origin;
- Assessing whether an appropriate match has been made where the adoptive parents are capable of meeting the child’s needs;
- Reviewing and/or issuing the appropriate notifications and agreements;
- Providing information and assistance to prospective adoptive parents where necessary;

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<b>5.1: Introduction</b>	

- Training and certification of the Independent Practitioners; and
- Participating in the provincial/territorial teleconferences to maintain proficiency with the Intercountry program and The Hague Convention; to be apprised of changes and updates to the program.

The Ministry of Social Services cannot:

- Locate a child or children available for adoption in other jurisdictions or foreign countries;
- Become directly involved in the adoption process of another country;
- Order or influence that an adoption take place;
- Interfere with the approval processes undertaken by Immigration, Refugee and Citizenship Canada officials; and/or
- Adapt or conform any adoption that has occurred in another jurisdiction to meet Saskatchewan legislation.

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<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 5: Intercountry Adoption</b> <a href="#">(Back to table of contents)</a>
<b>5.2: Intake &amp; Application</b>	

**5.0 INTERCOUNTRY ADOPTION**  
**5.2 Intake and Application**

**Policy**

Applicants must be at least 18 years of age, be habitually resident of Saskatchewan and have either Canadian Citizenship or Permanent Resident Status. Applicants are subject to the laws, regulations and eligibility requirements of both Saskatchewan and the foreign authority as applicable.

Saskatchewan residents are not permitted to apply to adopt from more than one foreign country at a time, nor are they permitted to apply to adopt a pre-identified child except in the case of a relative adoption, or when applying to adopt the sibling of a child already adopted by the applicants.

The Ministry shall not become involved in, nor take a position on, guardianship cases where no legal adoption will occur in the child’s country of origin.

**Procedures**

**Inquiry & Application**

1. At the time of inquiry, the intercountry adoption worker provides information on the intercountry program and discusses the eligibility requirements with the applicant. A review of the criteria of the chosen country will be discussed along with the importance of using an agency. The intercountry worker will provide the Intercountry Adoption Application once all eligibility requirements have been met.
2. Where applicants indicate they wish to adopt a relative (intercountry relative adoption), information is gathered about on their relationship to the child as well as the child’s eligibility to be adopted. Relative adoptions must undergo the same process as other intercountry adoptions. The plan must be assessed to be in the best interests of the child and all options must first be exhausted in the child’s country of origin.
3. The completed application will be reviewed by the Intercountry worker and signed by the supervisor. Once approved, applicants will choose an Independent Practitioner (IP) to complete the MFA home study from the list provided to them.

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## **5.2: Intake & Application**

4. If an agency/lawyer is being used, the Ministry ensures the lawyer is aware of Saskatchewan's Intercountry Adoption requirements and requests a copy of their fee schedules and authority to practice (e.g. license).
5. In circumstances where an application cannot be approved, the Intercountry Adoption Worker provides the rationale in writing to the applicants. A formal request for review may be made, in writing to the Manager, Adoption Services. The Ministry will respond in writing within 30 days. The Director, Adoption Services is consulted where necessary.
6. Applicants are added to the Intercountry Adoption Database. A paper file, containing the following sections, is opened in the prospective adoptive applicants' names:
  - i. Application
  - ii. Reports
  - iii. Correspondence
  - iv. Dossier (home study documents)

### **Practice Guidelines**

#### **Choosing a Country**

Intercountry adoption includes risks for applicants that may be beyond the control or influence of the Ministry and the adoptive applicants. Such risks include changes to policies, regulations or procedures enacted by a foreign authority or agency that affects an individual's ability to continue with an adoption plan (e.g. eligibility requirements that may exclude an applicant).

The Ministry should ensure that applicants:

- Seek out information regarding potential risks that may be associated with intercountry adoption, including the possibility of not being able to complete an adoption with their chosen country;
- Have undertaken their own research regarding some of the processes or concerns that they may encounter with their chosen country (e.g. residency requirements, history of program changes, etc.);
- Can demonstrate how they meet the current requirements of a particular country and are prepared to accept those requirements, including the costs incurred;

## **5.2: Intake & Application**

- Can demonstrate knowledge of the child's culture and history and the cross-cultural issues in Intercountry Adoption;
- Have interviewed agencies, where applicable, and have acquired knowledge about agency processes and services provided; and
- Have the adoption plan approved by the Ministry prior to signing a contract with a agency.

### **Fees in Intercountry Adoption**

Every Intercountry Adoption includes various fees for which applicants are responsible. Typical fees include, but are not limited to, fees for MFA home studies and updates, post-placement reports, Criminal Record Checks/Fingerprints, use of agency, lawyer, translations, authentication/notarization, travel and accommodations, court costs, and Immigration, Refugee and Citizenship applications and services.

Applicants using the services of an agency or lawyer should be aware of how they utilize fees and for what purpose (e.g. are fees kept in trust to be used for specifically identified purposes). Applicants should also ask about what happens to their fees if they withdraw from the program (e.g. if there is a policy regarding refunds).

### **Countries that Do Not Observe Adoption**

Some foreign countries do not recognize legal adoptions for various reasons, and therefore do not require birth parents to consent to the adoption. Instead, guardianship orders may be granted in lieu of adoption orders. Guardianship orders do not transfer legal rights and do not sever parental rights. *The Hague Convention* does not apply in such cases and the Ministry would not become involved.

**5.2.2: Mutual Family Assessment Home Study & Dossier**

**5.0 INTERCOUNTRY ADOPTION**

**5.2.2 Mutual Family Assessment Home Study & Dossier**

**Legislative Authority**

*The Adoption Act, 1998* – Sections 27, 32 & 34

The Adoption Regulations (2003) – Section 16

**Policy**

An approved adoption Mutual Family Assessment (MFA) home study report is required for all Intercountry Adoptions where a child habitually outside Canada is being placed in Saskatchewan.

**Procedures**

The assessment of applicants through the MFA approval process is both an educational and mutual decision-making process. It is intended to assist the IP and the adoptive applicants in completing a thorough examination of their readiness and suitability to adopt a child from another country. Where appropriate, all individuals living in the home must be interviewed, including children.

The MFA process provides applicants an opportunity to discuss concerns, issues, and potential needs and supports that children from another country may have. At the same time, it provides the IP an assessment of the family systems and functioning and areas requiring support.

The MFA home study is a lengthy process that entails 4-6 interviews spanning over 4-6 months. There may be extenuating circumstances that can extend the length of the MFA process.

1. The Adoption MFA (2104) is completed through an assessment/interview process. Interviews will, include joint meetings, individual interviews and where applicable, interview with others who may reside in the home (e.g. children, extended family). Two interviews must occur in person and at least one interview must occur in the applicant's home.
2. All adults in the home will be required to complete a criminal record check utilizing fingerprints.

**5.2.2: Mutual Family Assessment Home Study & Dossier**

3. The IP and adoptive applicants complete a Genogram, Ecomap and Loss-History Chart if not already completed, to provide information regarding family relationships, roles, rules, hierarchy, flexibility, stressors and supports as part of the MFA process.

- The information that will be required to complete the MFA home study will include, but is not limited to: Motivation to adopt;
- Family background information, including any biological or adopted children already in the home;
- Physical and emotional/mental health status;
- Personal and interpersonal relationships;
- Financial situation;
- Personal and community supports;
- Ability of applicants to take on adoption plan; and
- Range of acceptance; knowledge of potential needs.

In addition to the above, the following documents will also be required to make up the MFA home study package;

- Certified copy of Child's Birth Registration for each prospective adoptive applicant;
- Application form from other country (if applicable);
- Copy of Marriage Certificate/Divorce decree;
- Physician's Medical Report;
- Criminal Record/Fingerprint check;
- Child welfare background checks;
- Reference check information from 5 individuals(couples).

Situations may arise where references, record checks or collateral information obtained during the MFA process present concerns about the skills or suitability of the applicants. The IP will discuss the concerns and in consultation with the Ministry, determine how to proceed.

**Background/Child Welfare Checks**

The Ministry's records (Linkin and ACI - Automated Client Index) are viewed for recent and/or historical information on every adult in the home.

Applicants or any other adult residing in the applicant's home who have lived outside of Saskatchewan are required to have a child welfare background check completed.

**5.2.2: Mutual Family Assessment Home Study & Dossier**

Applicants and other adults over 18 years of age living in the applicant’s home and who have **lived out of country** as adults, will provide consent for the IP to request services from International Social Services (ISS).

- Consult with the Interprovincial/intercountry coordinator to coordinate referral to ISS;
- Referral forms for ISS Canada must be requested in writing. The IP will advise the applicant(s) to complete the referral form. As this can take some time to receive, the applicants will complete a Child Welfare Record Declaration form (see Children Services manual, Chapter 12.35) as an interim measure and exceptional approval may be sought by the Director, Adoption Services;
- The completed form will be sent to the Interprovincial Coordinator for review and in consultation with ISS, will determine whether the services requested can be adequately provided;
- If the country in question has a formal system in place for child background checks, the Interprovincial coordinator will forward the form to ISS to request services;
- Any questions from ISS will be directed to Interprovincial desk;
- Any information gathered from ISS will be share between the IP and the Interprovincial Coordinator. The IP will document the information in the MFA assessment.

In circumstances where a service and/or child background check cannot be completed (no formal system in place), and all efforts have been made to obtain that information, the form will be returned to the IP/Interprovincial coordinator who initiated the request. A decision regarding final approval will be made based on the applicant’s Child Welfare Record Declaration form and/or other supporting documents.

The Interprovincial coordinator will discuss the reason why the services could not be completed with the IP who will document the rationale in the MFA.

If the IP has found that the adoptive applicant(s) or other resident(s) in the home have a history that is concerning, the applicant is interviewed and a decision is made, in consultation with the Intercountry worker/supervisor whether to proceed with the MFA process or to counsel the applicants out of the program.

**5.2.2: Mutual Family Assessment Home Study & Dossier**

**Dossier**

Although the MFA home study forms the basis for the adoption dossier, there may be other documents and/or support letters that will be required. These may include income tax returns or other similar documents the country requests, a letter from the Ministry of Social Services confirming approval for child placement; confirmation of willingness to provide post-placement reports and photos of applicants and their home and community.

It is up to the applicants to ensure that they are aware of the documents required to complete the adoption package/dossier. In addition, document preparation may include translation of documents, notarization, legalization and authentications by the provincial Lieutenant Governor and the foreign Embassy or Consulate.

All cost associated with completing the dossier are the responsibility of the applicants.

**Cultural Considerations**

Cross - Cultural adoptions can present many challenges to parents. Below are some helpful suggestions IPs may review with prospective families when adopting internationally:

- Child's adaptation will be slow; the child will feel loss, trauma and separation;
- Child may experience challenges forming racial identity and in establishing bonds with the adoptive parent;
- Child may be challenged by family dynamics and environmental stressors;
- English will be the child's second language; Canada will be their second culture;
- Child may experience emotional, social and developmental challenges, including special needs that may not be present at time of adoption;
- Adoptive parents should limit expectations of the child's behavior (e.g. child may want to eat with hands instead of using utensils);
- Assist the child with transitions and to help them feel some comfort about a new situation;
- Ensure positive supports are available in times of need;
- Be aware of implications for cross-racial adoption for child, friends, family and for the potential adoptive parents (other people may not support);
- Acknowledge the dynamics of attachment that can affect relationships between parent/child.

**5.2.2: Mutual Family Assessment Home Study & Dossier**

Adoptive applicants who are prepared, have educated themselves and have connected to support services are in a better position to manage the process of adoption and the placement of a child into their home. It is not uncommon for prospective adoptive parents to underestimate the adjustment for everyone in the family and the impacts of adoption. Ensuring the family has a support network will assist with the transitions and ease some of the internal and external challenges that may arise.

**See Chapter 7.2, Mutual Family Assessment Home Study for guidelines on writing an MFA home study.**

**5.2.3: Mutual Family Assessment Home Study Updates**

**5.0 INTERCOUNTRY ADOPTION**

**5.2.3 Mutual Family Assessment Home Study Updates**

**Policy**

A Mutual Family Assessment (MFA) home study update may be required by the foreign authority according to its requirements for completion. Where an update is required, the Independent Practitioner (IP) will update applicable sections in the MFA.

In cases where applicants were approved under another type of assessment, the applicants will be required to work with the IP to complete all of the MFA requirements.

**Procedures**

Applicants will work with their IP when an update is required; the costs for which are the responsibility of the applicant(s). A Criminal Record Check/Fingerprints may be requested by the foreign authority as part of this.

1. The IP will follow the requirements of the foreign authority for reference checks. In the absence of such a requirement, the IP will re-contact two (2) original references. If the original references are not available, the IP will request alternatives from the applicant(s). In some cases, the IP may request permission from the applicants to complete global reference checks. The reference check may be received by written, electronic submission or in person.
2. The update and required documents are reviewed by the Intercountry Adoption Worker, who will forward them to the agency/foreign authority.
3. Where an update is required as a result of *change in circumstances*, the Intercountry Adoption Worker will advise applicants to meet with their IP to complete the update. The IP will update the applicable areas on the original MFA home study, which will be reviewed and signed by the applicants. The Intercountry Adoption Worker will review the updated MFA home study, and forward a copy to the agency/foreign authority.

**5.2.4: Changes in Circumstances**

**5.0 INTERCOUNTRY ADOPTION**

**5.2.4 Changes in Circumstances**

**Policy**

The Ministry observes a twelve (12) month wait time between placements when there is an addition of a child to the home through birth, alternate adoption plan or some form of guardianship arrangement. This period may be waived by the Ministry when applicants intend to adopt a sibling of a child they have already adopted.

Other changes in circumstances are subject to a period of abeyance or closure, pending review by the Ministry. Changes include, but are not limited to relationship status, health, employment or financial ability and residence.

An update to the Mutual Family Assessment (MFA) home study is required by the Ministry when there has been a change in circumstances. Applicants will be responsible for any fees to complete the update.

**Procedures**

**Abeyance/Closure Requirements**

1. The adoption process may be placed on hold pending a discussion regarding the change in circumstances. If the change/issue cannot be resolved in two years, consideration should be given to close the file. A decision to place adoptive applicants in abeyance or to close their involvement will be communicated to them in writing and documented on their file.
2. Where the MFA process resumes, reassessment of the family's circumstances will be explored and how the change has/is impacting the family. Reassessment will be written in the applicable sections of the original MFA.
3. In the case of a closure, adoptive applicants will be notified in person and/or in writing. Adoptive applicant(s) may request a review of the decision in writing to the Intercountry Adoption Program Manager. A decision regarding the review by the Ministry is communicated, in writing, to the adoptive applicants within 30 days.

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<b>5.2.4: Changes in Circumstances</b>	

**Placement of a Sibling**

Within the 12-month wait period, the Ministry may consider placement of a sibling of a child already adopted, or placed for the purposes of adoption, with the same adoptive family. The decision to do so should be based on the best interests of the children being placed together and on the ability of the adoptive parent(s) to meet the needs of both children. An MFA home study update will be required to assess. In the event, that paternity cannot be identified or established, DNA testing may be explored. The child’s country of origin/foreign authority must also provide approval. Requirements for placement of a sibling are as per Chapter 5.3, Child Referrals, Placement and Finalization.

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**5.2.5: Simultaneous Registration**

**5.0 INTERCOUNTRY ADOPTION**  
**5.2.5 Simultaneous Registration**

**Legislative Authority**

Section 16(2) and 16(3) of *The Adoption Act, 1998*

**Policy**

Individuals may be simultaneously registered in the Domestic and Intercountry Adoption Programs. Eligibility and approval for either program are subject to the requirements for each, and individuals will be assessed for each program accordingly.

The Ministry observes a wait time of twelve (12) months between the placements of children when there is an addition to the home through birth, alternate adoption plan or some form of guardianship arrangement.

**Procedures**

1. When applicants receive and accept a child proposal in one program, their file with the other program will be placed on hold for a period of twelve (12) months from the time of placement, after which activity may resume. Applicants are advised in writing of this requirement and when they may resume activity.
2. The only exception to the twelve (12) month wait time is when a sibling or related child is being proposed for subsequent placement with the adoptive applicant(s).

The Intercountry and Domestic Adoption Workers will notify each other of the placement.

**5.2.6: Applicants Who Move**

**5.0 INTERCOUNTRY ADOPTION**  
**5.2.6 Applicants Who Move**

**Legislative Authority**

Section 16(2) and 16(3) of *The Adoption Act, 1998*

**Policy**

Applicants must be habitually resident in Saskatchewan to be registered with the Intercountry Adoption Program. Applicants who move to Saskatchewan from another province/territory within Canada and who were approved in the other jurisdiction will be registered effective the date of their application.

**Procedures**

**Residents of Saskatchewan**

Adoption applicant(s) must be a Saskatchewan resident to apply to the Intercountry Adoption Program. Applicant(s) are required to provide two pieces of original identification (ID) and an additional two pieces of ID that confirm residency. Residency documents will include a civic address. The following documents will be accepted:

- Saskatchewan health card;
- Mortgage, lease or rental document;
- Household bill, employment verification;
- Income tax document/Notice of Assessment; and/or
- Canadian Citizenship and/or Permanent Residency documents.

The intercountry worker will make a copy of the documents to place on file and the originals will be provided back to the applicant(s).

**Moving TO Saskatchewan**

1. The Intercountry Adoption Worker meets with applicants to review their adoption plan and to sign a confidential release (2376) in order to request their file information from the other jurisdiction. A copy of the application, home study and supporting documents, if available, are requested.

### **5.2.6: Applicants Who Move**

2. Where a Mutual Family Assessment (MFA) home study has been completed, an update is required to reflect the applicant's change in circumstances. Applicants are able to choose an IP from the list provided to them to complete the update. A copy of the approved update and MFA home study is provided to the agency or foreign authority, as applicable.
3. Applicants are responsible for notifying their intercountry adoption worker and agency of their change in circumstances and for ensuring they have updated all the necessary documents.
4. Applicant information is entered on the intercountry database.

#### **Moving FROM Saskatchewan**

1. The applicant file maybe placed in abeyance in Saskatchewan for a period of not more than two years if the intent of the applicant is to return to the province.
2. If applicants leave the province without an indication of when they will return, they may request a transfer of the file to an agency or child welfare/adoption authority where they will be residing or their adoption file may be closed.

#### **Expatriates Adopting Abroad**

Canadian citizens who are living abroad and who are former residents of Saskatchewan may consider adopting a child in their current country of residence or from another country. In circumstances when applicants are not living in the province, the Ministry does not have authority to become involved. A letter to Immigration may be provided when the family is able to demonstrate a close connection to the province.

**5.3: Child Referrals, Placement & Finalization**

**5.0 INTERCOUNTRY ADOPTION**

**5.3 Child Referrals, Placement and Finalization**

**Information**

Referrals of children are made through the agency licensed to work with the country or by the central authority- to the Ministry of Social Services. The referral is based on information found in the MFA, including the range of acceptance which specifies the applicants’ preferences with respect to gender, age, number of children and types of needs.

**Policy**

Placement of a child from a foreign country will be supported by the Ministry and approved to proceed when it is determined:

- The child’s country has deemed the child is eligible to be adopted and agrees to the adoption;
- Alternate placements within the child’s country have not been found and it is considered to be in the child’s best interests to be placed out of country;
- The prospective adoptive applicants have met the eligibility requirements of the intercountry program; and
- The child is likely to be authorized by Immigration, Refugee and Citizenship Canada (IRCC) to enter and permanently reside in Canada.

The requirements for agreement to the placement of a child apply to both non-relative and relative cases, as well as *Hague* and non-*Hague* cases.

**Procedures**

1. In accordance with *The Intercountry Adoption (Hague Convention) Implementation Act*, the Ministry receives and reviews all child referrals made by the foreign authority or agency to ensure it fits within the applicants’ range of acceptance.
2. A referral shall include:
  - child’s history and current circumstances;
  - child’s legal status (how the child became eligible for adoption); and

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**5.3: Child Referrals, Placement & Finalization**

- child’s medical information or status.
3. In non-convention countries, for purposes of providing a provincial statement, the Minister may request the following information from the child’s sponsor:
    - evidence that all persons who must consent to adoption in the child’s country have consented freely and understand and recognize the termination of parental rights;
    - the child’s birth registration or other documents that relate to the child’s birth;
    - circumstances of the child and reasons for adoption;
    - declaration from public authority, agency or person in child’s country of origin that the child was adopted according to the laws of that country;
    - a certified copy of the adoption order;
    - must be able to verify documents are authentic and legally binding; and
    - any other material that the Minister may require.
  4. When a referral proceeds, the Intercountry Adoption Worker forwards a copy to the applicants along with the *Child Acceptance* form (2369). If the agency or foreign authority has included an acceptance document or other procedures, the Intercountry Adoption Worker will ensure applicants complete and follow them.
  5. Applicants will be advised by the Intercountry Adoption Worker to contact Immigration, Refugee and Citizenship Canada (IRCC) about their application to determine next steps and procedures.
  6. The Intercountry Adoption Worker prepares the following for signature of the Supervisor, and issues the letter to IRCC when requested to do so:
    - **Letter of Agreement (LOA)** – in *Hague* cases where the Ministry agrees the applicant has met all the requirements, including the completion of a MFA home study, and agrees to the placement of the child. This includes relative adoptions.; and
    - **Letter of No-Objection (LONO)** – in non-*Hague* cases where the Ministry agrees the applicant has met all the requirements, including the completion of a MFA home study, and agrees to the placement of the child. This includes relative adoptions.

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**5.3: Child Referrals, Placement & Finalization**

7. The Ministry will notify IRCC, in writing, it takes no position where it has no knowledge of, or involvement with, a particular matter, or where a matter does not meet The Hague or Ministry requirements for an intercountry adoption.
8. If a period of assessment is required before an Order of Adoption is granted in the child's country of origin or in Saskatchewan, the assessment and recommendation is completed by an IP and reviewed by the Intercountry Adoption Worker.
9. Where an adoption is to occur in Saskatchewan, applicants will work with a lawyer to make an application to court for an Order of Adoption (the requirements are found in Chapter 3, Non-Ward Adoptions Appendix 3-A, *Checklist for an Independent Adoption*).
10. In cases where finalization will occur in Saskatchewan but a year has elapsed since the child arrived, the applicant shall apply to the Director, Adoption Services for an extension of time to make application for the Order of Adoption.
11. The child is registered on Automated Client Index (ACI) under code ICIT (to be adopted in the province) or ICNW (adopted in country of origin). A paper file on the child, which becomes the legal adoption file, is created with the following sections:
  - a. Child Proposal & Acceptance Documents (all referral documents including the child's social history and medical information are transferred from the applicant file to the child file);
  - b. Contact Records (including correspondence from IRCC);
  - c. Post-Placement Reports;
  - d. Mutual Family Assessment and Updates.

**Practice Guidelines**

**Child Referrals**

Should a referral fall outside an applicant's range of acceptance, the Ministry may make a decision to proceed based on how closely the child fits within the applicants range of acceptance. The Ministry may suggest the applicants meet with the IP to review their range of acceptance.

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<b>5.3: Child Referrals, Placement &amp; Finalization</b>	

**Immigration**

In an Intercountry Adoption, the province has authority and responsibility for the adoption process, while IRCC (federal government) has authority and responsibility for the immigration process. Applicants should seek advice on immigration processes from an appropriate IRCC official or a lawyer who specializes in immigration matters. Employees of the Ministry’s Intercountry Adoption Program do not have expertise on federal matters.

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<b>5.4: Post Placement Reports</b>	

**5.0 INTERCOUNTRY ADOPTION**  
**5.4 Post Placement Reports**

**Policy**

Adoptive applicants will participate in the completion of post-placement reports. The Intercountry Adoption Program requires three post-placement reports; however, the agency or foreign authority may have different requirements for submission. Prospective adoptive parents must agree to comply with requirements for submission

Post-Placement Report is a report completed by an IP that provides information to the child’s country of origin regarding the child and family’s adjustment and attachment.

Independent Practitioners (IP’s) will be required to write Post-Placement Reports when an adopted child is placed with the adoptive family. A report may also be required when the child has arrived in Saskatchewan and has been placed in the adoptive home prior to an adoption order.

**Practice Guidelines**

- The IP will receive guidelines for completing Post-Placement Reports (including how many signed originals are required) and submission timelines from the Intercountry Adoption Worker and adoptive family;
- In the absence of a formal outline from the agency, the following areas should be addressed:
  - Child and family’s attachment and adjustment;
  - How the family has met the needs of the child (developmental, medical, educational, social, language and culture);
  - How well the child is developing (physical, emotional, etc.);
  - Community supports or services the family has accessed in supporting the child;
  - Recent pictures of the child with the family and/or in the community; and
  - Completed reports must be signed by the family and consent obtained to share information prior to the IP sending to the Ministry.

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<b>5.4: Post Placement Reports</b>	

**Procedures**

1. Applicants meet with their IP to complete any required Post-Placement Reports. The cost to complete the reports are the responsibility of the applicants.
2. The Intercountry Adoption Worker reviews the Post-Placement Report and ensures it meets the requirements of the agency or foreign authority, and then forwards it to the appropriate agency/foreign authority. A copy is retained on the child’s file.
3. In cases where adoptive parents are required to self-report for an extended period of time (e.g. until the child turns 18), the Intercountry Adoption Worker advises them of their responsibility to continue providing yearly reports to the foreign authority or agency.

Note: In cases where an agency or program service has been interrupted or disbanded, the Intercountry Adoption Worker will help to facilitate this process.

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<b>5.5 Disruption</b>	

**5.0 INTERCOUNTRY ADOPTION**

**5.5 Disruption**

**Introduction**

Adoption disruption can be described as the unintentional failure or breakdown of an adoptive child’s placement. Disruptions may occur because families do not know or they underestimate the traumas children may experience.

- Children adopted from out of country may display a wide range of characteristics that may be dissimilar from those of the adoptive family. These may include differences in culture, language, health and development and other circumstances;
- Children who were orphaned or institutionalized may have additional challenges such as poor socializations, a lack of stimulating environments, adverse prenatal care, malnutrition and unknown medical health;
- Many children have resiliency to recover from poor early experiences when placed in a stable, loving and secure environment;
- While it is not common for an adoption placement to disrupt, it can happen if adoptive parents are not prepared for any challenges that may arise;
- Adoptive parents who are experiencing some challenges are encouraged to discuss their concerns with their IP or Intercountry Adoption Worker. The impacts to the family are not often realized until the child is in the home. Adoptive families can prepare and have supports in place to prevent possible breakdowns and to increase permanency.

If a child is in the province on a period of placement pending adoption and the placement disrupts, the child may return to his or her country of origin. If the adoption has already occurred, the child cannot return to their country of origin. Where the adoption has already occurred, procedures will be followed pursuant to The Child and Family Services Act. Consideration will be given to alternate options for placement, and subsequent, registration through the Domestic Adoption Program may be completed.

**See Chapter 2.11, *Adoption Disruption*.**

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<b>5.6: File Closure</b>	

**5.0 INTERCOUNTRY ADOPTION**  
**5.6 File Closure**

**Legislative Authority**

Article 30 of *The Intercountry Adoption (Hague Convention) Implementation Act*  
Section 30 (1)(a) of *The Adoption Act, 1998*

**Policy**

In accordance with *The Hague Convention*, the Minister will maintain a confidential record of each Intercountry Adoption, including information about the child’s origin, identity of parents and medical history.

The Post-Adoption Registry will maintain storage of, and have oversight for, Intercountry Adoption records. There is no provision in legislation to provide PAR related services to individuals adopted through the Intercountry Adoption Program with the exception of those where the adoption was finalized in Saskatchewan.

**Procedures**

When closing an Intercountry Adoption file:

1. The Intercountry Adoption Worker reviews the file to ensure all documents, including the Order of Adoption and citizenship documents are on the file.
2. A closure recording is placed on file, and the child’s file on Automated Client Index (ACI) is closed. A letter of closure is sent to the adoptive parents. The paper file is forwarded to Post-Adoption Registry (PAR) for permanent storage.

Note: In instances where a family is asked to continue self-reporting after the required reporting period, a decision can be made to close the active child care file as per the above procedures. The adoptive parents will be advised to send copies of their self-reports to the Ministry to be added to the legal adoption file.

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<b>Ministry of Social Services</b> <b>Adoption</b>	<b>Chapter 6: Post Adoption</b> <a href="#">(Back to table of contents)</a>
<b>6.1: Introduction</b>	

**6.0 POST ADOPTION**  
**6.1 Introduction**

The Post-Adoption Registry (PAR) provides information and support services to adoptees and their adoptive and birth families if the adoption was finalized in Saskatchewan.

Post-Adoption Services are governed by *The Adoption Act, 1998* and *The Adoption (Birth Registration Information) Regulations, 2016*.

There are no fees for services.

**Definitions**

1. **Adult Adoptee** – a person who is 18 years of age or more who:
  - a. is the subject of an adoption finalized in Saskatchewan pursuant to *The Adoption Act, 1998*, or any proceeding *Act*, or
  - b. was a permanent ward at the time of his or her adoption in another jurisdiction.
2. **Adopted Child** – a person who is under 18 years of age who:
  - a. is the subject of an adoption finalized in Saskatchewan pursuant to *The Adoption Act, 1998*, or any proceeding *Act*, or
  - b. was a permanent ward at the time of his or her adoption in another jurisdiction.
3. **Adoptive Parent** – a parent who finalized the adoption of a child in Saskatchewan pursuant to *The Adoption Act, 1998*, or any preceding *Act*.
4. **Birth Mother** – the biological mother of a child.
5. **Birth Father** – the biological father of a child.
6. **Birth Registration (otherwise referred to as Registration of Live Birth or Live Birth Registration)** – a copy of an original birth registration, or a certified copy of an original birth registration.
7. **Child of a Deceased Adult Adoptee** – the adult child of a deceased adult adoptee.
8. **Child of a Deceased Birth Parent** – the adult child of a deceased birth parent whose child was placed for adoption.

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**6.1: Introduction**

- 9. Consent** – written permission of a person who agrees to receive or for the release of identifying information. In cases requiring consent, services cannot be provided until appropriate consents from those involved are obtained.
- 10. Contact Preference** – a written statement from either a birth parent named on the adult adoptee's birth registration or an adult adoptee that states their preference for contact from the other party. A contact preference does not prohibit the release of identifying information from the birth registration, and can be submitted on any adoption except stepparent and adult adoptions.
- 11. Identifying information** – includes all identifying information contained on a birth registration which a person is eligible to receive.
- 12. Non-Identifying Information** - includes information that is not likely to directly or indirectly disclose the identity or location of an individual. The Minister may decide in what form non-identifying information shall be provided.
- 13. Veto** – a directive from either a birth parent named on the adult adoptee's birth registration or from an adult adoptee that prohibits the release of their identifying information on the birth registration. Vetoes submitted prior to January 1, 2017, will remain in effect until the person who placed the veto passes away. Persons adopted before April 1, 1997 and where a request was made not to have identifying information released, the minister may consider the request as having the same effect as any other veto.

**6.2: Services for Domestic and Independent Adoptions**

**6.0 POST ADOPTION**

**6.2 Services for Domestic and Independent Adoptions**

**Policy**

With respect to domestic or independent adoptions, services may be provided to:

- Adult Adoptees or, with proof of their death, their adult children;
- Birth parents or, with proof of their death, their adult children;
- Adoptive parents if the adopted person is under 18 years of age;
- Extended family; and
- Former caregivers.

Applications must be accompanied by a copy of a current, valid government-issued identification.

Proof of death, if required, includes a copy of a death certificate, death notice, funeral card or obituary.

**Procedures**

1. Individuals make application using the appropriate form below, which must be accompanied by a copy of a valid, government-issued identification. Applicable forms/documents include:

- *Adult Adoptee Application for Services*
- *Birth Parent Application for Services*
- *Contact Preference*
- *Veto*
- *Adult Child of Deceased Adult Adoptee or Deceased Birth Parent Application for Services*
- *Adoptive Parent/Legal Guardian Application for Services*
- *Application for Voluntary Contact*
- *Medical Search*

2. Applications received at Post Adoption Registry without a copy of identification will have 10 business days to submit proof of identification by means of mail, registered mail, fax, email (PDF). A new application for service will be required if the appropriate form and identification is not received within the specified time.

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**6.2: Services for Domestic and Independent Adoptions**

3. The identity of the applicant will be verified through identity related questions (i.e. birth name, date of birth, etc.)
4. Telephone contacts must be documented. Those requesting services or to place a veto or contact preference will have 10 business days from the date of telephone contact to send the appropriate form and identification to Post Adoption Registry. **No services or information may be provided based *only* on a telephone request.**
5. Applications for services, including veto and contact preferences are registered in chronological order on the post-adoption database.
6. Applications are processed in the order they are received. In the event that a veto and a request for a birth registration arrive at Post Adoption Services on the same day, the veto will be honored.
7. Applications received at Post Adoption for services will be entered into the data system and will be verified by more than one staff before the request is processed.

Request for Birth Registration

**For birth fathers whose names do not appear on the birth registration, see Chapter 6.2.2, Special Search Services.**

- The following individuals may apply for the birth registration:
  - Adult Adoptee
    - If the adult adoptee is deceased, with proof of their death, their adult children may apply.
  - Birth Parent whose child was placed for adoption
    - If the birth parent is deceased, with proof of their death, their adult children may apply.
- If a request for a birth registration is received, the Post-Adoption Registry must search the database to determine if a veto or contact preference has been submitted by the other party.
- If a veto was received after the Birth registration has been sent out, a letter will be mailed to the person who submitted the veto, advising that their identifying information has been released.

**6.2: Services for Domestic and Independent Adoptions**Vetoed and release of the birth registration:

- A copy or **certified copy** may be released to the adult adoptee or their children if no veto has been registered.
- A **redacted copy** (identifying information removed) may be released to:
  - the adult adoptee or their children if a veto has been registered; name and other identifying information of the birth parent who submitted the veto must be removed;
  - the birth parent or their children. If a veto has been registered, the name and other identifying information of the adult adoptee must be removed. The name and identifying information of the adoptive parents must *always* be removed.

**Note:** All redacting will be completed by the Ministry's Legislation and Information Management Unit.

- A person receiving the redacted copy *because of a veto* is advised that they may resubmit an application every five (5) years, at which time the Registry will complete a search to determine if the person who placed the veto is deceased. If, after searching, the Registry determines the person who registered the veto is deceased, an identifying copy of the birth registration may be released (or the **certified** copy, if that is the case).
- If an individual submits a request to remove a veto, the Registry will search the database to determine if anyone has made a previous request for identifying birth registration information. If an application has been made previously, the Registry will contact that individual and advise of the ability to now obtain the birth registration.
- Contact Preferences and release of the birth registration
  - A copy or **certified copy** may only be provided to an adult adoptee or their children, as the case may be.
  - A **redacted copy** is provided to birth parents or their children, as the case may be; name and identifying information of the adoptive parents must *always* be removed.

**6.2: Services for Domestic and Independent Adoptions**

- If a contact preference exists, the Registry may release whichever version the individual is eligible to receive only if he or she completes and signs the *Contact Preference Agreement*, which is provided to them by the Registry. The *Contact Preference Agreement* is that individual's statement that they will follow the terms of the *Contact Preference*. If they decline to sign the agreement, they cannot receive the birth registration.
- If a person who submitted a contact preference submits a request to remove or amend it, the Registry will search to see if an application was made regarding that birth registration. If an application was made, the Registry will contact the individual to advise of the changes to the contact preference.

Request for Copy of Adoption Order

A copy of the adoption order may be provided to:

- an adult adoptee;
- the adoptive parent of an adopted child or of an adult adoptee (e.g. an adoptive parent may require a copy of the adoption order to apply for Canada Pension); or
- the guardian of an adopted child if the adoptive parent is deceased.

Provision of the adoption order is not dependent on the presence of a veto or contact preference.

Non-Identifying File Information

- Only adult adoptees and birth parents are able to request a copy of non-identifying file information. Adoptive parents may request non-identifying file information or documents if an adoptee is under the age of 18. Adoptive parents must specify, in writing, which documents they wish to obtain and for what purpose.
- When a request is received, the Post Adoption Registry will immediately forward the request to the Legislation and Information Management Unit for processing.
- Provision of non-identifying file information is not dependent on the presence of a veto or contact preference.

Voluntary Contact/Ongoing Exchange of Information – Adopted Child

1. An application for contact with an adopted child may be made by:

- the birth parent of the child;
- the adoptive parent;
- extended family members;

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## **6.2: Services for Domestic and Independent Adoptions**

- former caregivers (e.g. foster parents); and
  - Guardian of a minor birth sibling.
2. If any application is received for contact on behalf of an adopted child, the Registry will search to determine if an application was made by another individual regarding the same child.
  3. If two applications are received regarding the same child, the Registry will determine if the birth and adoptive parents have both provided consent for the exchange of communication.
    - . If both consents have been provided, the Registry will coordinate exchange of communication between the two parties;
    - .If both consents have not been provided, the individual's name is maintained on the contact list and noted in the adopted child's legal adoption file. This information may be provided to the adopted individual once they attain the age of 18.
  4. For the purposes of voluntary contact on behalf of an adopted child, the following are accepted as forms of contact:
    - cards;
    - letters;
    - photographs; and/or
    - electronic communication (email only).

### Voluntary Contact List – Adult Adoptee

- An application for contact with an adult adoptee or birth parent may be made by:
  - an adult adoptee, or with proof of their death their children;
  - the birth parent of an adult adoptee, or with proof of their death their children;
  - extended family members of a birth parent or an adult adoptee; or
  - former caregivers of an adult adoptee.
- If an application for voluntary contact is received regarding an adult adoptee or birth parent, the Registry will search to determine if an application has been received from another individual regarding the adult adoptee or birth parent. The Registry will also search to determine if the adult adoptee or birth parent has submitted a veto or contact preference. Any exchange of identifying information

**6.2: Services for Domestic and Independent Adoptions**

is subject to the presence of a veto or contact preference, and if one exists, the individual making application for contact is advised by the Registry.

- If a match between an adult adoptee or birth parent is made with another individual who has also submitted their name to the voluntary contact list, the Post Adoption Registry will contact the adult adoptee or birth parent to determine if they will consent to receiving the other party’s contact information. If they consent, the identifying contact information of that individual is provided to the adult adoptee or birth parent, who determines how and when they make contact.
- Information on the adult adoptee or birth parent is not released by the Post-Adoption Registry nor will the Registry conduct a search as part of voluntary contact.

Adoptions Finalized in a Jurisdiction outside Saskatchewan

- Individuals who were adopted outside Saskatchewan are referred to the adoption Registry in the jurisdiction where they were born to determine which services they are entitled to receive. The Registry should maintain a list of provincial/territorial contacts for referral purposes.
- If an individual was born in Saskatchewan but adopted out of province, they may be able to apply for a copy of their birth registration in Saskatchewan utilizing the *Adoptees Born in Saskatchewan but Adopted out of Province* form. Release of the birth registration is dependent on any vetoes or contact preferences placed on its release by the birth parent(s) whose name(s) appear on the birth registration, or restrictions placed by the jurisdiction where the adoption was granted. A search of the post-adoption database is completed to determine if a veto or contact preference exists. The province where the adoption was granted shall also be contacted to determine if they have provisions that would restrict the release of the birth registration in Saskatchewan.

**Note:** For Adopt Indian Metis Program (AIM) and Resources for Adopted Children (REACH) adoptions completed outside Saskatchewan by agencies no longer in existence, the Registry may provide services if it can be verified by the adoptee the agency no longer exists. Regular application procedures and provision of services apply (copies of file information pertaining to these adoptions were to have been maintained by the Registry).

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<p><b>6.2.1: Provision of Services in a Stepparent or Adult Adoption</b></p>	

**6.0 POST ADOPTION**

**6.2.1 Provision of Services in a Stepparent or Adult Adoption**

**Policy**

Applications for services in a Step Parent or Adult Adoption must be accompanied by a copy of a current, valid government-issued identification.

**Procedures**

Stepparent Adoptions

In a **Stepparent Adoption**:

- Applications are completed on the *Stepparent Adoption Application for Services* form.
- A copy or **certified copy** of the birth registration may be provided to:
  - the adult adoptee; or
  - the birth parent who is named on the birth registration; the Registry does not search for a birth parent who is not named on the birth registration.
- A copy of the adoption order may be provided to:
  - the adult adoptee; or
  - the adoptive parent.

In an **Adult Adoption** (adoption of an individual who is 18 years of age or more at the time of the adoption):

- Applications are completed on the *Adult Adoption Application for Services* form.
- A copy or certified copy of the birth registration may be provided to the adult adoptee only.
- A copy of the adoption order may be provided to the adult adoptee or to the adoptive parent.

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**6.2.2: Special Search and Release of Information**

**6.0 POST ADOPTION**

**6.2.2 Special Search and Release of Information**

**Policy**

The Minister may undertake search and release of identifying information in certain circumstances pursuant to the regulations. This section provides information on these circumstances and the requirements for each.

**Procedures**

Search for Diagnostic or Treatment Purposes

Applications for this type of search are completed on the *Medical Search for Diagnostic or Treatment Purposes* form. Applications must be accompanied by a copy of a current, valid government-issued identification.

- An application for this type of search may be made by:
  - an adoptive parent of an adopted child, or if the adoptive parent is deceased, the child’s guardian;
  - an adult adoptee, or with proof of their death, their adult children;
  - a birth parent, or with proof of their death, their adult children.
  
- The Post-Adoption Registry may search for birth or adoptive family and request current family medical information only if:
  - the information is required to make or treat a medical or mental health diagnosis; and
  - a medical or health professional provides sufficient evidence that such information is required or necessary to make or treat a medical or mental health diagnosis. The health professional is required to complete the *Health Care Professional Questionnaire* (attached to the application) prior to the applicant submitting it.
  
- For requests made by adoptive parents (or legal guardian) of an adopted child or an adult adoptee (or if they are deceased, their adult children), the Registry will search the following in the order below to determine if they are willing to provide medical information:
  - the birth parents of the adult adoptee;
  - if the birth parents are found to be deceased, the children of the birth parents;
  - if children cannot be located, the siblings of the birth parents;
  - if siblings cannot be located, the parents of the birth parents;

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- if the parents cannot be located, the adult grandchildren of the birth parents.
- For requests made by birth parents (or with proof of death, their adult children), the Registry will search for the following in the order provided to determine if they are willing to provide medical information:
  - the adult adoptee (or if the adult adoptee is found to be deceased, their adult children); or
  - the adoptive parent (or legal guardian) of an adopted child.
- If an individual is located, the Registry will determine if the individual is willing to consent to share medical information with the individual requesting it. Individuals may decide on their own if they wish to share identifying information.
- The updated medical information (and contact information, if that is the case) is provided to the person requesting it.

**Note:** Individuals may wish to contact the Registry to provide medical information they think someone else should know. The Registry will ask them to submit their information in writing, including details on their relationship to the other individual (e.g. any names, dates of birth, etc., they know that the Registry can use to verify identity). **At no point shall the Registry provide or disclose any identifying information to the person making contact.** The Registry will determine if, based on the information received, a search for the other party may be made. If a search is conducted and the other party contacted, the Registry will seek their consent to receive the medical information that is being provided.

Search for Beneficiaries of an Estate

- A request to search for the beneficiary of an estate may be made by:
  - a lawyer acting on behalf of an estate;
  - the Public Guardian and Trustee; or
  - any individual legally authorized to act on behalf of an estate (e.g. executor); individuals must provide a copy of their authorization.
- The Registry must not provide any identifying information on a potential beneficiary (adoptee) to anyone making a request.
- When a request is made, the Registry will search for and contact the potential beneficiary to determine if they are willing to receive information regarding the estate. If they are, the Registry will provide them the name of the lawyer, official from the Public Guardian and Trustee or other estate representative so they may

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follow up on their own. The adoptee should be advised by the Registry that requests of this nature may put them in contact with birth family.

Release of Information to Indigenous and Northern Affairs Canada

- Individuals seeking their Treaty Status must first contact Indigenous and Northern Affairs Canada (INAC) to make application. If they are required to attach a copy of their adoption order to their application for Treaty Status, the Registry may provide this document to them.
- INAC will make a request to the Registry for information from the adoption file (ward files may also be searched). The Registry reviews the file for relevant information and prepares a summary for INAC (this information cannot be provided to the adoptee or adoptive parent).

Release of Information for Matters Related to Child Welfare

- Upon written request, identifying information from a legal adoption record may be provided to:
  - an officer pursuant to The Child and Family Services Act, or
  - an officer pursuant to the relevant child welfare legislation in the jurisdiction to which they are employed.
- Identifying information includes information that may be found in closed adoption records (i.e. records in the 'vault') or in places such as Linkin or ACI/SWIN. Copies of documents that include names of birth and extended family members may be included. Typically, documents that may be shared include social history documents, or any other documents that provide history or background on the birth/extended family.
- Individuals making a request of this nature should provide sufficient verification of authority to request information, state what information is required and how it is to be used (for what purpose). Information should not be provided if the authority, purpose and/or use are not clearly stated. When information is released, it should be limited to what was requested. The request and release should be documented and placed on the file per privacy legislation.
- When information is provided, a letter is attached which stipulates the information is being provided for the purpose indicated, must not be copied, shared or further distributed, and must not be placed on another individual's file. The letter is signed by the Supervisor, Post-Care Services.

## **6.2.2: Special Search and Release of Information**

### Search Related to Birth Fathers

#### *Birth Father Search on Behalf of an Adult Adoptee:*

- A birth father search may be conducted on behalf of an adult adoptee or, with proof of their death, their adult children if:
  - the birth father's name does not appear on the birth registration; and
  - if there is a reasonable likelihood that the person named in the registry is the birth father (e.g. birth mother or someone else provided his name).
- If a birth father is located as a result of a search, the Post-Adoption Registry will contact him to determine his willingness to receive the adult adoptee's, or if they are deceased, their adult child's contact information. To assist him in his decision making, the Registry may provide to him:
  - the name of the birth mother as it appears on the birth registration;
  - the name of the adult adoptee at birth; and
  - any non-identifying information from the file regarding the adoption or his relationship with the birth mother.
- Once the identity of the birth father has been verified along with confirmation of a willingness to proceed with contact, the birth father will sign Consent for Release of Identifying Information. Post-Adoption Registry, in consultation with Legislation and Information Management, should consider any risks associated with disclosing or not disclosing identifying information.
- If a birth father is deceased or is not located and there is reasonable likelihood that the person named in the file is the birth father, the adult adoptee may receive his identifying information.
- If a written request for non-identifying information is submitted to the registry by the assumed birth father about an adopted child or adopted adult, the registry may release non-identifying information in any form the minister considers appropriate.
- If a birth father refuses to receive contact information, he may be asked whether or not he is willing to share any non-identifying or health-related information with the individual making the request. Where a birth father refuses to receive contact information but is in agreement to share non-identifying or health-related information that information will be provided in writing to the requestor. The requestor will be informed that the information shared is that provided by the alleged birth father, limiting the ability to verify the authenticity of the information provided.

**6.2.2: Special Search and Release of Information**

- If the birth father agrees to receive the identifying information, the Registry provides it to him and he determines when and how to make contact.
- Where a birth father cannot be located and evidence supports reasonable likelihood in the identity of the birth father, with the support of Legislation and Information Management Unit, identifying birth father information may be provided to the requestor upon approval of the Director or designate.

*Birth Fathers Searching for Adult Adoptees*

- A birth father may search for an adult adoptee (or if the Registry determines the adult adoptee is deceased, their children) if:
  - his name does not appear on the birth registration; and
  - it is evident in information contained in the Registry that he may be the birth father (e.g. he was named as the birth father by the birth mother or someone else). If his name does not appear in the Registry, no services may be provided.
- If an adult adoptee or their adult children are located as a result of a search, the Registry will contact them to determine their willingness to receive the birth father's identifying information.
- If the adult adoptee or their adult children are not willing to receive contact information, they may be asked whether or not they are willing to share any non-identifying or health-related information with the birth father.
- If the adult adoptee or their adult children are willing to receive contact information, the Registry will provide it to them and they decide how and when to make contact.

Search with Respect to Siblings Who are Minors

- An adoptive parent may request a search for a sibling of their adopted child who was adopted by another family.
- An adoptive parent may request a search for a sibling of the adopted child who is/was in the care of the Minister and was not adopted.
- Contact between minor siblings requires consent from both sets of adoptive parents and from the birth parent(s) named on the birth registration. Contact is subject to any vetoes or contact preferences that may have been registered by the birth parent(s) named on the birth registration.

**6.2.2: Special Search and Release of Information**

- Contact between minor siblings requires the consent from the adoptive parents and the non-adoptive caregiver and from the birth parent(s) named on the birth registration. Contact is subject to any vetoes or contact preferences registered.
- If a request is received from one family, the Post-Adoption Registry will search for and contact the other family to determine their willingness to share their identifying information. Prior to putting the families in contact, and if there are no vetoes or contact preferences in place, the Registry will search for the birth parent(s) named on the birth registration to determine if they are willing to consent to contact between the families.
- If the birth parent(s), named on the registration of live birth is/are deceased, but consent has been received from both sets of caregivers, the Post Adoption Registry has the authority to provide contact information to the other family.
- If all consents are received, the Registry provides the names of the adoptive family making the request to the family being sought. The family being sought determines when and how contact may occur.

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<b>6.2.3: Breach of Information</b>	

**6.0 POST ADOPTION**

**6.2.3 Breach of Information**

**Procedures**

Breach of Information

1. Ministry privacy policy requires that all breaches be identified to the Legislation and Information Management Unit and investigated immediately.
2. If there is a breach or suspected breach, the Post-Adoption Worker will discuss the matter with the Supervisor immediately, reviewing:
  - what information was disclosed;
  - to whom it was disclosed;
  - how it was disclosed (by letter, by phone, etc.); and
  - who is affected by the disclosure, including possible effects resulting from the disclosure (e.g. person whose information was disclosed may be found by the person who is seeking them through an Internet search).

The Supervisor will send an email outlining the breach/suspected breach to the Ministry’s Privacy Officer, and copy the Director, Service Delivery Support. The Privacy Office will determine if there is cause to escalate the breach, or if the file can be closed because no breach has occurred.

3. Attempts will be made to recover the information and contact the affected individual(s) as soon as possible. The person is contacted and advised information they received was provided in error and they are not entitled to use or act upon it. If documents have been mailed or faxed, attempts will be made to recover it (e.g. pick up in person, arrange for courier), or if an email was sent, attempts will be made to recall it using the email system’s recall function (if enabled), and/or the person will be advised to delete it completely from their email system.
4. The person whose information was breached will be contacted and advised what information was disclosed, to whom, and what the associated risks might be. Risks can include, but are not limited to:
  - unwanted contact;
  - the physical person or person’s assets/belongings; and
  - reputation.
5. For all breaches, the Supervisor completes the *Breach Incident Report Template*, which is available through the Ministry Privacy Officer. When the investigation is concluded, the report is signed by the Director, Service Delivery Support and a copy is forwarded to the Ministry’s Privacy Officer.

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**6.0 POST ADOPTION**  
**6.3 File Closure**

**Procedures**

Upon completion of each requested service the Post Adoption Worker will:

1. Write a brief summary of the service provided including how individuals came to be located through the search and the results of the initial contact;
2. Summarize the progress of the service;
3. Remove duplicate information from the file (e.g. printed pages from the scanned file used in search or to provide information, etc.);
4. Create a case summary (signed and dated), including reasons for the closure and whether or not other services were requested and the status of those requests (e.g. continuing with a birth father search, sending file back to waitlist, sending file for redacting and providing non-identifying background information); and,
5. Submit the file to the Supervisor for approval and sign off. The file is identified with the legal adoption file number and sent for scanning and to be added to the permanent adoption file.

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**7.1 Qualifications & Certification**

**7.0 INDEPENDENT PRACTITIONERS**

**7.1 Qualifications & Certification**

**Policy**

Independent Practitioners (IP) must have either a Bachelor/Master of Social Work Degree or Bachelor/Master of Indian Social Work Degree, be fully registered with the Saskatchewan Association of Social Workers and have experience in family assessment and counseling.

All IPs must undergo PRIDE on-line training and attend a one day, in person training session. Training will involve MFA writing seminar and certification. At the conclusion of the training, IPs will be certified by the Ministry for three (3) years from the date of approval.

**Procedures**

**Qualifications**

Individuals interested in becoming an Independent practitioner will submit t to the Director, Adoption Services:

1. Resume, including relevant work experience (i.e. attachment, counselling, child welfare, adoption) and education history;
2. Proof of academic achievement (i.e. copy of degree) and copy of registration with SASW; and
3. Writing sample that demonstrates knowledge, interest and skill in the areas of adoption and child and family welfare. The sample should not include any identifying information. The purpose of the sample is to demonstrate ability to assess and analyze, make a recommendation and write in a clear, concise manner.

**Training & Certification**

1. The Director, Adoption Services determines the requirements and need for additional IPs once every three years at minimum;
2. The Ministry provides PRIDE and MFA training for all new IPs and recertification training for those nearing the certification expiry;

**7.1 Qualifications & Certification**

3. IPs must attend MFA training in person. Any costs associated with the training will be responsibility of the IP;
4. The blended on-line PRIDE training is connected to the MFA home study assessment training. Content from the training sessions will be discussed and reviewed during the in-person session;
5. A PRIDE trainer, with the assistance of adoption supervisors (or designate) will co-facilitate the training. The expectation of an MFA assessment will be discussed as well as the fundamental issues that confront adoptive applicants (culture, loss/grief, attachment etc.);
6. Central Office will maintain a list of fully trained and certified IPs.

## **7.2 Mutual Family Assessment and Post-Placement Reports**

### **7.0 INDEPENDENT PRACTITIONERS**

#### **7.2 Mutual Family Assessment and Post-Placement Reports**

#### **Legislation**

Sections 13 & 23 of *The Adoption Act, 1998*.

Sections 15, 16, 17, 18(2) of The Adoption Regulations (2003)

#### **Policy**

Independent Practitioners are certified by the Ministry to complete written reports for:

- Independent (Private) Adoptions:
  - For an independent adoption with respect to the suitability of an applicant to adopt a child;
- Step-Parent Adoptions
  - a stepparent adoption (only where requested by the Court) to assist in determining whether or not a proposed adoption is in a child's best interests; and
- Intercountry Adoptions:
  - with respect to the applicants' ability and suitability to adopt a child from outside Canada. This includes post-placement reports, or placement reports submitted in support of an adoption.

#### **Standards**

- The following are requirements for the completion of a Mutual Family Assessment home study:
  - i. Linkin and ACI check for each applicant and every individual over the age of 18 residing in the home. A check must be conducted in all jurisdictions where applicants have resided in and were over the age of 18;
  - ii. Criminal Record with Fingerprint Check in Saskatchewan as well as a check in every jurisdiction where the applicant resided outside of Canada. These are required for each applicant and every individual residing in the home over the age of 18;
  - iii. Reference Checks from at least five (5) individuals known to the applicants (maximum two from family), unless otherwise stated by the foreign authority;

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- iv. *Physician's Report for an Adoptive Applicant* for each applicant (2024);
  - v. *Home Safety Check* (2009);
  - vi. Marriage Registration or Divorce Decree (as applicable) or Birth Registration for a single person; and
  - vii. any other document or requirement specified by the agency/foreign authority in an intercountry adoption.
- Applicants are not permitted to keep a copy of their MFA home study. Release of a home study for any other purpose other than the intended adoption is at the approval of the Director, Adoption Services (see Procedures);
  - A MFA home study may take several months to complete and in circumstances where it will extend beyond 8 months, the Director, Adoption Services will be notified;
  - The Ministry does not accept the use of corporal or physical punishment (i.e. hitting, slapping, pinching, restraining or otherwise physically harming or incapacitating a child) as a form of discipline. Applicants who indicate a preference for use of corporal punishment following a discussion with the IP on non-physical methods of discipline shall not be approved (see Appendix A, Discipline).

### **Procedures**

#### Mutual Family Assessment Home Study

Approval of any person wishing to adopt must be based on the ability to meet the needs of a child and provide care, as assessed according to the following five Core Competency categories identified in PRIDE and within the MFA home study:

- Protecting and nurturing children;
- Meeting children's developmental needs and addressing developmental delay;
- Supporting relationships between children and families;
- Connecting children to safe, nurturing relationships intended to last a lifetime; and
- Working as members of a professional team.

The time to complete an MFA can vary. In circumstances where an MFA will take longer than 8 months to complete, the applicant and/or Independent Practitioner will discuss the circumstances with the adoption supervisor and determine how to proceed.

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## **7.2 Mutual Family Assessment and Post-Placement Reports**

In situations where an adoptive applicant(s) had a home study completed in the previous format and requires an update, a new assessment must be completed in the Mutual Family Assessment/home study.

### Interviews

- A minimum of four interviews must occur and two interviews must occur in person. In addition, at least two (2) joint interviews, where applicable, is required, and each applicant must be interviewed individually at least once; one interview must occur in the applicant's home, and
- Other individuals who reside in the home must be interviewed separately about their knowledge of the applicants and the applicants' ability to undertake an adoption plan.

### Criminal Record Checks (CRC)

- Applicants and any individuals residing in the home over the age of 18 are required to complete the Criminal Record Check with Fingerprints (for adoption purposes). The police may suggest a vulnerable sector check as part of the search. Any costs associated with the checks are the responsibility of the applicants;
- The IP reviews the CRC information, records the information and retains a copy to be kept on file (for intercountry adoptions, the original documents is part of the dossier to send to the country). If there is a record, the IP will seek additional information from the applicants regarding the history of involvement and consult with the Ministry adoption worker (see Practice Guidelines).

Considerations when reviewing a criminal record check include:

- the nature of the offence and its relevance to the care of children;
- when the offence occurred, the number of convictions, and the amount of time between convictions and recurrences; and
- steps the applicant has taken towards rehabilitation (e.g. counselling, therapy, etc.)

## **7.2 Mutual Family Assessment and Post-Placement Reports**

- Current circumstances of the prospective adoptive applicants.

**Note:** Many foreign countries will not approve applicants with any type of criminal record or history.

### **Child Welfare Background Checks**

If applicants have been involved with a child welfare authority, the following should be considered when determining suitability:

- The nature of the involvement;
- Circumstances of any abuse or neglect;
- Any violent or sexual crimes against a child can be cause for refusal;
- The period of time that has elapsed since involvement; and
- Treatment or change in circumstances that has occurred since the involvement.

If one of the applicants indicates he/she has been the victim of physical or sexual abuse:

- Assess the extent to which the experience may impact parenting; and
- Determine if a referral to a professional with recognized expertise in assessing or treating victims of abuse is necessary.

### **Reference Checks**

- A copy of the *Reference Check Form* is provided to applicants and the completed form is returned to the IP. Once the *Reference Check Form* is received, the references are provided with the *Reference for an Adoptive Applicant (2022)* through standard delivery or by electronic submission;
- For intercountry adoptions, the foreign authority/agency may stipulate the requirements for reference checks and those will be followed. Where there are no requirements, the following apply:

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- Joint references are required and only two (2) references from immediate family will be accepted;
- In instances where references outside the immediate family are not available:
  - in cases of a couple adopting, separate references for each individual applicant can be considered, though a minimum of three (3) joint references are still required;
  - when references outside the immediate family are not available, a maximum of three from immediate family can be considered
- At least two (2) references will be interviewed either in person or by telephone; and
- Information from the reference check is recorded in a **non-identifying manner** in the MFA home study (unless the foreign authority/agency requires the actual reference be included).

In assessing a reference, the IP should look for:

- Obvious ‘red flags’, such as a clear statement of frequent misuse of alcohol or use or physical discipline; and
- Indicators or statements that require further exploration to determine the meaning or intent, such as “knows what he wants and gets it”, or “very good parent when not under stress.”

**Recommendation & Approval**

6. Following completion of the MFA, the IP discusses with the adoptive applicant(s) the determination regarding how to proceed (part 6 of the MFA). The decisions are:
  - **Mutual decision to ‘select into’ the program** – there is mutual agreement between the IP and applicants that the applicants have the skills, ability, willingness and/or supports to adopt a child from their chosen country. The family is then invited to ‘select in’;
  - **Mutual decision to ‘select out’ of the program** – there is mutual agreement between the IP and applicants that the applicants do not have the skills, ability, willingness and/or supports to adopt. It is a joint decision for the family to ‘select out’;
  - **Self-selecting out of the program** – although the applicants are eligible to enter into the intercountry program, the applicants are no longer

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## **7.2 Mutual Family Assessment and Post-Placement Reports**

interested in or willing to adopt at this time. The family's decision to self 'select out' is respected;

- **Counseling out of the program** – the IP determines through assessment the applicants' competencies and interests do not fit with the adoption program. The applicants are counseled out of the program.
7. A decision to counsel applicant(s) out of the program is based on inability to meet core competencies, program requirements or the eligibility requirement of the adoption program. In regards to intercountry adoptions, the country may make a determination that the applicant(s) are not suitable regardless of the Ministry or IPs assessment. The final decisions rests with the country.
  8. The IP will notify the applicants in writing of the decision, advising of the rationale for the decision and option to appeal. An applicant may appeal a decision to the Manager, Adoption Services. The Director, Adoption Services is consulted where necessary. The Ministry responds, in writing, within 30 days.
  9. The applicants will review the completed MFA and sign if they are in agreement.
  10. Applicant(s) cannot be approved where they have committed an act of violence or abuse towards a child which was substantiated and/or they were convicted

### **Release of a copy of the Mutual Family Assessment Home Study**

There may be instances where a copy of the MFA home study may be released:

- Where an MFA completed by one IP is required by another IP to complete an update to an existing MFA home study for the same adoption plan;
- To complete a MFA for a different adoption plan or when the court requests a copy. In these instances, the MFA home study is released for informational purposes only, or so the IP can gather background information about the applicants.

With respect to a release:

- The IP will make the request in writing to the Director, Adoption Services, specifying the intended purpose. The IP will also include a written consent for release signed by the applicants, who are the subjects of the original home study;

## **7.2 Mutual Family Assessment and Post-Placement Reports**

- The supervisor will prepare a letter, to be signed by the Director, Adoption Services, that states the conditions of the release of a copy of the home study:
  - cannot be used for any other purpose other than its intended purpose;
  - cannot be copied, or copies cannot be shared or distributed with anyone including the applicants, unless authorized to do so by the Ministry; and
  - the copy of the MFA home study shall be returned to the supervisor, Central Adoption Registry/Intercountry Adoption, once the IP has reviewed it.

The MFA home study process provides the IP an opportunity to assess the family's functioning, their strengths and areas that may be of concern. The following are areas to assist in assessing potentially difficult areas:

### **Assessing Difficult Areas- Red Flags**

The MFA home study process provides the IP an opportunity with an assessment of the family's functioning, their strengths and areas that may be of concern. Applicants need to explore their own motivating factors, and should acknowledge issues of grief and loss prior to undertaking an adoption plan. Applicants will have the desire to provide permanence to a child and be willing to support their needs, culture and history. The following are areas to assist in assessing potentially difficult areas:

### **Medical Health Problems**

If it is noted on the Physician's Report that applicants have any type of health problem, consider the impact the health problem may have on their ability to parent. If a health problem is potentially life-threatening, consideration should be given to the future care of the child

Note: The foreign authority may require a medical report for the children of adoptive applicants where the country determines the conditions of approval

### **Psychiatric and Cognitive Difficulties**

If one of the applicants or other residents in the home has/had psychiatric or emotional difficulties:

- Determine the nature and cause of the difficulty and steps taken to overcome the difficulty;

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- Determine if treatment is ongoing and if prescribed treatment is being followed; and
- If necessary, request an updated assessment, in order to determine the applicants current level of functioning and capacity to parent (some countries require an assessment or may be denied or precluded from an adoption).

### **Physical Difficulties**

If applicants have physical difficulties:

- Determine the nature and extent of the difficulty and prognosis, as well as the extent to which the difficulty may limit the capacity of the individual to care for a child; and
- Assess the availability and quality of supports the individual has within the community (e.g. in-home support, respite).

### **Use of Alcohol and Drugs**

If applicants or other residents in the home disclose some type of addiction or substance abuse problem, openly discuss:

- How the individual and family cope with the issue and if the family has any support systems;
- What form of treatment was sought? If treatment was recent, request signed consent to consult with the family physician or other professional who is able to comment on the treatment;
- The length of time since abstinence or sobriety was achieved; and
- How the addiction issues may impact on the family's ability to provide care to children?

### **Marital/Relationship Instability**

If applicants currently have, or have had marital/relationship instability:

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- Determine if counseling has been sought and/or what resources were accessed; if necessary, request signed consent to consult with the counselor; and
- Discuss the additional stress that adopting may place on the marriage and family (any disharmony may preclude adoptive application from an intercountry adoption).

### **Home Safety Guidelines**

Individuals who adopt are expected to observe safety practices within the home. The *Home Safety Checklist*, completed as part of the home study, is intended to provide applicants with guidelines around creating a safe environment for children. It is also intended as a way in which the IP can openly discuss any safety concerns it has before a child is placed for the purposes of adoption.

Discipline – See Appendix A

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<b>7.2.1: Mutual Family Assessment Home Studies Updates</b>	

**7.0 INDEPENDENT PRACTITIONERS**  
**7.2.1 Mutual Family Assessment Home Studies Updates**

**Policy**

A MFA home study update may be required by the court or foreign authority according to its requirements for completion or when two years has passed since the last assessment. Any costs associated with the MFA home study update will be the responsibility of the applicant.

An update will be completed on the relevant sections of the original MFA or where another type of assessment was previously done; IPs will be required to work with the applicants to complete a MFA.

The foreign authority may request an MFA update each year as per eligibility requirements. In the absence of a formal request, an update is required if a selection has not been made within two years and/or when there has been a change in circumstances.

See Chapter 5.2.3 Mutual Family Assessment Home Study Updates and Chapter 5.2.4 Changes in Circumstance.

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**7.0 INDEPENDENT PRACTITIONERS**  
**Appendix A: Discipline**

**Discipline**

Discipline should be discussed with applicants in the context of the Ministry’s policy of zero tolerance towards corporal (physical) forms of punishment, as well as in the context of positive parenting practices. Applicants should be able to demonstrate flexibility, and should be willing to honestly and openly discuss any disagreement on discipline.

The IP should assess an applicant’s current parenting practice (or their thoughts on parenting if they do not currently have children in their care), as well as their motivation and willingness to complete research or undertake parenting practices that may be more effective.

Discipline is a process whereby children learn what type of behavior is acceptable and what type is not. Discipline will teach a child that their behaviour has consequences. It is the purposeful actions by a caregiver using positive reinforcement, modeling and understanding. Discipline is accomplished by establishing rules and setting expectations for the behaviour of the child.

**How Discipline Works**

1. Early Childhood – early school aged children require consistent structure of routine, and known expectations to encourage success. Children should be provided situations where they may explore cause and effect relationships so they may learn by consequence. These children require more explanation and positive reinforcement for desirable behaviours.
2. Later childhood – parents can discipline children aged 9-13 by helping them stay busy or focused on tasks, use of appropriate motivators/privileges and educating them about negative influences. Keeping children involved in organizations or activities that interest them.

Helping children structure their lives and setting rules so their free time is spent in constructive ways will reduce the chances of them getting into trouble. If problems do develop, then it is important to work closely with the child and/or other party involved (e.g. school) and intervene before the problem becomes worse.

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**Appendix A: Discipline**

3. Adolescence – is where children begin to establish their own sense of personal identity, which is something parents need to recognize. Trying to ‘control’ a child who is trying to establish his or her own identity can lead to rebellion.

Respecting the child’s desire to be independent is important, but a parent must also be cognizant to keep the lines of communication open. At this stage, a parent’s role is to guide their children into making their own decisions that are based on reason or fact. Parents also need to recognize that inappropriate behaviours are typically a way for children to convey that their needs are not being met.

**Acceptable Discipline Techniques**

Adoptive parents should strive to:

- establish a positive, respectful and nurturing environment in the home; and
- present a mature and responsible role model who demonstrates caring, sensitive values and a willingness to set reasonable limits and rules. Children should feel secure, safe, appreciated and respected.

All discipline should be:

- developmentally appropriate (appropriate to child’s age and development);
- motivated by desire to assist the child; and
- communicated in a way that can be understood by the child.

1. Intervention – takes place when a parent teaches within the immediate context of an undesirable behaviour. When parents respond to a child’s attempts at harming a person (physical or otherwise) or property, appropriate intervention should be considered. When developmentally appropriate techniques are used, the intervention can decrease more severe behaviors A parent should always:

- a. focus on the child’s positive attributes and abilities;
- b. put time and energy into positive processes or techniques; and
- c. empower the child to make change.

Intervention techniques should be administered immediately after the behaviour that is being discouraged. Intervention can include, but is not limited to:

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**Appendix A: Discipline**

- a. bringing the child's attention to the specific inappropriate behaviour;
  - b. expressing disapproval of the behaviour, but not of the child;
  - c. discussing the specific aspect of the incident with the child;
  - d. redirecting the attention of the child;
  - e. having the child experience natural and logical consequences;
  - f. temporary removal from an activity, situation or group;
  - g. allowing the child to experience a appropriate consequence from outside agencies, such as the school, police, etc.;
  - h. restricting or removing privileges; and
  - i. reparation or restitution for damages (e.g. repayment through allowance or extra duties).
2. Prevention – focuses on stopping the undesirable behaviour and, unlike intervention, is concerned with long-term goals. The intent is to help the child understand the connection between cause or action and effect, or to understand the consequence and risk associated with a negative or undesirable behaviour.

Prevention discipline techniques include, but are not limited to:

- a. clearly established limits and rules that are fair and applied consistently;
  - b. soliciting, where appropriate, the child's involvement in determining disciplinary action, for example: consequences, boundaries;
  - c. limits on future activities that are causally linked to the undesirable behaviour; and
  - d. providing counselling and teaching regarding anger management, addictive/compulsive behaviours, etc.
3. Provision – is concerned with long-term goals where the caregiver attempts to foster skills, attitudes and character qualities through life skills teaching, positive scanning and modelling. Goals for provision discipline include:
- a. respect for self and others;
  - b. loyalty to family and community;
  - c. sensitivity to other's needs; and
  - d. persistence in achieving desirable goals.

Provision discipline techniques include, but are not limited to:

- a. encouragement and positive reinforcement;
- b. increased privileges and responsibilities;
- c. acknowledgement, recognition and praise;

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<b>Appendix A: Discipline</b>	

- d. developing a mutually respectful relationship with the children by developing positive, genuine relationships; and
- e. providing counselling or teaching regarding life skills, parenting practices, self-restraint, adolescent responsibilities, family dynamics, etc.

**Inappropriate Discipline**

Corporal or physical forms of punishment including, but not limited to, hitting, kicking, slapping or pushing are not acceptable techniques to use. Other techniques that do not respect the rights of the child, or that restrict freedoms, growth or development are also inappropriate. Examples of non-physical techniques that do not meet the Ministry’s standard for acceptable discipline that are typically considered child abuse include:

- restricting or depriving a child’s basic needs for food, shelter, clothing, bedding, sleep or washroom facilities;
- taunting, demeaning or making derogatory marks about a child’s ability, appearance, race, culture, etc.;
- using force or threats meant to intimidate;
- withholding emotional response or affection;
- deliberate destruction of a child’s possessions to teach a lesson;
- locking a child in a confined space as in a closet, their room, basement;
- forcing a child to take a degrading or uncomfortable position, such as kneeling for an extended period of time;
- using mechanical restraints such as car seats, ropes or chains;
- making a child eat undesirable or potentially harmful substances such as soap, Tabasco sauce or excrement; and
- administering medications intended to subdue reactive behaviour without the authorization of a physician.

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**Use of Restraint**

Alternatives to physical restraint should always be the first response when managing a child’s behavior. Physical restraint should only be used as a last resort in situations where there is danger that the child may physically harm themselves or others. It should not be used to restrict freedoms, and should not be of significant enough force that a child becomes harmed or injured.

**Developmental Issues in Adoption**

When considering adoption, it is important to try and obtain as much information about a child’s background as possible however, information on their development may be limited or not completely known. This can be for a variety of reasons, including the inability to get family history on a child, or the unwillingness of a birth parent or family member to provide information. Because of this, a child’s future, and sometimes present, health, development and support needs may not be fully known. Children who are adopted are affected by the adoption throughout their lives. Cross-cultural, multi-racial and special needs affect a child’s experience as well, all children will experience some degree of loss of the family and their culture. Prospective adoptive parents should be encouraged to research and seek current information on genetic, mental and cognitive conditions to understand how a child’s current needs can be different from future ones.

**Attachment**

Attachment and separation are significant issues affecting many children, particularly children who may have been institutionalized. For many of these children, the normal developmental attachment process has been disrupted by separation from parents and/or caregivers, often several times, or their primary attachments may have been affected by abuse and neglect.

Reactive Attachment Disorder (RAD) describes a pattern of disturbed and developmentally inappropriate social interactions that is evident by the time a child is five years old. By definition, RAD is associated with persistent neglect of a child’s emotional and/or physical needs, as well as frequent changes in a child’s primary caregiver. RAD typically develops when a child’s normal bonding process with a caregiver is interrupted during the early stages of development. Abrupt separations cause grief and loss issues which, if left unresolved, can interfere with the formation of new attachments. This contributes to the child’s stress and anxiety, inhibiting their ability to trust others when forming new relationships, and inhibiting their development of self-reliance. Some infants and children who have been severely neglected or abused have never formed primary attachments. These children have great difficulty in developing and maintaining relationships.

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## Home Safety Checklist for Adoptive Applicants

(Independent Practitioner)

Applicants are required to provide recent medical history information to support their ability to undertake and follow through with an adoption plan. Applicants are expected to have reasonable physical and mental health, as well as reasonable life expectancy. Applicants must also be able to meet the physical and emotional needs of a child.

### Part A – Completed by Applicant

<b>Applicant</b>	<b>Date of Birth</b>	<b>Gender</b>
<b>Address</b>		<b>Phone</b>
I, the undersigned, hereby: 1. authorize any physician who has observed or attended me, or any hospital where I have been a patient, to release to the Independent Practitioner current and historical information about my physical and mental health including findings, reports or diagnoses; 2. attest I will provide and cannot conceal any information my physician requires to		

### Part B – Completed by Physician

<b>Name of Attending Physician</b>	<b>Date of Examination</b>

1. What is the length of time you have known the applicant?  
\_\_\_\_\_

2. Provide names of previous physicians or specialists:

<b>Name</b>	<b>Purpose of Involvement</b>

*Independent Practitioner*



**Reference Check Form**  
*(Independent Practitioner)*

Confidential reference checks will be performed on you as part of the home study process. Your references will be asked to comment on your character, as well as your suitability to adopt. Please provide the names of five (5) individuals, only two (2) of whom may be family members (or as required by the foreign authority in an Inter-country Adoption) the Independent Practitioner may contact. Note that your Independent Practitioner will follow up by telephone or in person with two (2) of your references.

<b>Applicant One</b>	<b>Applicant Two</b>
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Reference Name	Relationship to You	Address (Street #, City/Town, Province & Postal Code)	Telephone

Please return as soon as possible to:

**Independent Practitioner:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/Town** \_\_\_\_\_  
**Fax:** \_\_\_\_\_





6. Comment on each applicant's use of and attitude towards tobacco, alcohol or drugs.

7. What have you learned or observed about the applicants' interaction with children?

8. What barriers to raising children, adopted or otherwise, do you think the applicants might face? Examples might include their thoughts on discipline or types of community or family support they may lack.

Findings from this assessment are included as part of the adoption home study.

## Home Safety Checklist for Adoptive Applicants

*(Independent Practitioner)*

<b>Applicants</b>	<b>Date of Assessment</b>
<b>Address</b>	
<b>Requirement</b>	<b>Meets Requirement</b>
1. There are smoke detectors on each level that are <input type="checkbox"/> hard-wired or <input type="checkbox"/> battery	<input type="checkbox"/> Yes <input type="checkbox"/>
2. There are carbon monoxide detectors	<input type="checkbox"/> Yes <input type="checkbox"/>
3. As per general safety guidelines in 4.4.3, there is safe storage of:	
a. Flammable materials	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Medication	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Alcohol	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Household cleaners	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Garden supplies	<input type="checkbox"/> Yes <input type="checkbox"/> No
f. Chemicals	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Power tools	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Fire Arms & Ammunition	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Bedroom sizes are appropriate for ages and number of children	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Bedrooms have appropriate-sized windows	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Where applicable, cribs meet current safety standard requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Car seats meet current safety standard requirements as per manufacturer	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Sleeping arrangements are appropriate for gender, age and needs	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Home and yard are well-maintained	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. There is a safe water source	<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments/Recommendations	

\_\_\_\_\_  
**Applicant One Signature**

\_\_\_\_\_  
**Applicant Two Signature**

\_\_\_\_\_  
**Independent Practitioner (print name)**  
**Independent Practitioner Signature**

*Independent Practitioner*

**Statement of Fees in Adoption**  
*(Independent Practitioner)*

<b>Adoptive Applicant One</b>	<b>Adoptive Applicant Two</b>
<b>Child's Birth Name</b>	<b>Child's Date of Birth</b>

With respect to the adoption plan of the above-named child, the following fees have been incurred by the adoptive applicants (itemize):

<b>Item</b>	<b>Cost</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
**Applicant One Signature**

\_\_\_\_\_  
**Applicant Two Signature**

\_\_\_\_\_  
**Independent Practitioner (print name)**  
**Independent Practitioner Signature**