

HP700.20 Dissolution Policy - Hague Required Disclosures

Policy: In the event the adoption is made final in the child's country of origin prior to arriving in the United States the Agency will monitor the post-adoption period of placement to ensure that the placement remains in the best interests of the child. The agency will make at least the number of home visits required by the State of Kentucky, as well as the foreign country. If the child is residing in another state the agency will ensure the post-placements are provided by a qualified provider in the child's state of residence and meet the guidelines of the other state as well as the sending country.

Purpose: To define the steps to be taken for the agency and the Adoptive Family in the event the post-adoption dissolves after the adoption has already been made final in the child's country of origin.

Scope: This policy shall apply for all adoptive families adopting from Convention countries where the adoption is made final in the child's country of origin prior to arriving in the United States of America.

Procedure:

1.0 General Rules

1.1 The Agency and the Adoptive Parent(s) will seek to avoid dissolution of their adoption if that is in the best interests of the child.

1.2 The Adoptive Parent(s) will notify the agency, promptly if there arises significant problems in relationship or situation of the Adoptive Parent(s) and child during such time.

1.3 To the extent it has knowledge and resources the agency will provide advice and offer information regarding available external assistance such as counseling that the Adoptive Parent(s) may engage at the Adoptive Parent(s)' expense.

2.0 Voluntary Dissolution of Adoption by Adoptive Parents

2.1 In the event that counseling is not successful in resolving serious difficulties and the Adoptive Parent(s) decide that vacating the adoption is in the best interest of the child, the agency will assist the adoptive family in finding a subsequent adoptive family for the child, if possible.

2.2 Should the efforts used to locate a subsequent adoptive family yield no results, it will be the adoptive family's responsibility to utilize the services available to them through the Department of Health and Human Services for the State in which they reside.

2.3 In considering future placement of the child, the agency will consider the child's views when appropriate in light of the child's age and maturity and, when required by State law, obtain the consent of the child prior to change in physical home or custody. The agency will also consider the child's age, length of time in the United States, and other such pertinent factors.

2.4 Notwithstanding removal of the child from the Adoptive Parent's home and custody, the Adoptive Parent(s) shall continue to have financial accountability for all costs required for child's care until such time as the agency is able to effect other placement or return of the child as set forth above, and the Adoptive Parent(s) will pay such costs upon billing by the agency. The agency will make reasonable efforts to determine if child is eligible for various governmental social welfare programs providing financial assistance to children and, if so, work with the Adoptive Parent(s) to see that child is enrolled and that the Adoptive Parent(s)' billed expense is reduced accordingly.

3.0 Dissolution of Adoption Due to Crisis or Emergency During Placement Period

3.1 Upon or before placement of a child, the Adoptive Parent(s) will provide the agency information regarding the Adoptive Parent ('s) arrangement during the post-adoption period of placement and care of the child (guardianship) should a crisis or emergency arise making it impossible for the Adoptive Parent(s) to fulfill responsibilities for the child as set forth herein.

3.2 To the best of its efforts, the agency will continue any responsibilities it has for monitoring and reporting during the post-adoptive period, but the agency will have no financial or other responsibilities with respect to that custody and care.

4.0 Dissolution of Adoption Due to Neglect or Abuse

4.1 In the event that the agency suspects child neglect or abuse occurring, in compliance with the laws and regulations of the State of Kentucky, the agency will report such suspected neglect or abuse promptly to appropriate law enforcement and public child welfare authorities and cooperate fully in their investigation and its resolution.

4.2 If local law enforcement and public child welfare authorities act to remove the child from the home, and assume temporary custody and care of the child, due to child abuse or neglect, then:

1. **a)** The agency will assist the local enforcement, if possible and the agency will be responsible for notifying the foreign country government about the change in custody and care and the child's new adoptive parents.

2. **b)** In considering future placement of the child, the agency will work cooperatively with local enforcement to help secure another placement for the child, if possible.

4.3 In the event removal of the child from the Adoptive Parent ('s) home is the result of action by law enforcement or child welfare authorities, the Adoptive Parent(s) will have that financial and other responsibility for the child's care as is required by laws and regulations of the county, state, or other jurisdiction governing such circumstance.