

DATE: September 29, 2009

For: Volume VII Distribution
Service Program Manual, Volume VII, Section III, Chapter C

Transmittal #225


The purpose of this transmittal is to provide legislative changes made by the 2009 General Assembly and to update existing information to Volume VII, Section III, Chapter C, Adoption Agency Placement. The changes were effective July 1, 2009.

In addition to the substantive changes, there are changes in language, organization and formatting of Chapter C. Guidance revision is an evolving process and we welcome suggestions for future revisions of the chapter.

Substantive changes to Volume VII, Section III, Chapter C are as follows:

Changes in Chapter C, Effective July 1, 2009		
Sections	Pages	Substantive Changes
Table of Contents	Page 1	Changes Section 11 from Section 12.
Guiding Principles	Page 4	Adds language: While it is the third goal in Virginia, adoption is recognized as offering the most legal permanence if reunification is not achieved.
Guiding Principles	Page 5 and 6	Adds language for the Virginia Children's Services Practice Model; provides guiding principals to include: We believe that all children and youth need and deserve a permanent family.
Guiding Principles	Page 7	Remove definitions of fathers
Section 3	Page 13 and 14	Adds language that the permanent entrustment agreement may be revoked prior to its approval by the court and after placement of a child in an adoptive home with the written consent of the child placing agency along with the birth parent and adoptive parent.
Section 3	Page 18	Adds language that a child support payment in absence of other contact with the child is not considered contact (Section 63.2-1202).
Section 3	Page 25	Adds language that the agency may obtain an affidavit from the birth mother that the identity of the birth father is unknown or not reasonably ascertainable. The agency may file this affidavit with the court as evidence that the identity of the father is unknown or unascertainable. (Section 63.2-1222.B). The agency must continue to check the Virginia Putative Father Registry to determine if a putative father has registered.
Section 3	Page 37	Adds language for when the licensed child-placing agency or local board shall consider the birth parents recommendations prior to or after the acceptance of custody of a child placed for adoption.

Section 3	Pages 40-48	Adds guidance for Post-Adoption Contact and Communication Agreements.
Section 3	Page 50	Adds information regarding federal requirement to inform prospective adoptive parent(s) of possible tax credits for children adopted from foster care
Section 5	Page 58	Adds language that the local director or child-placing agency, whichever agency completed the home study or provided supervision, shall cause or have caused the child to be visited... Whenever practicable, such visits shall be made within the six-month period immediately following the date upon which the child was placed in the physical care of the adoptive parents or entry of the interlocutory order.
Section 7	Page 90	Adds instructions related to AREVA.
Section 8	Page 113	Adds requirement that agencies are required to inform prospective adoptive parent(s) of possible Federal tax credits under section 23 of the Internal Revenue Code of 1986 (P.L. 110-351).
Section 9	138	Provides new address to send appeals regarding adoption assistance effective October 27, 2009.
Section 11	Page 165	Provides new address to send completed registration forms for the Virginia Putative Father Registry effective October 27, 2009.
Section 11	Page 167	Provides new address to send updated registration forms for the Virginia Putative Father Registry effective October 27, 2009.
Section 11	Page 170	Adds language that if the identity of the putative father and whereabouts are reasonably ascertainable, a written notice of the adoption plan and availability of registration with the Virginia Putative Father Registry must be sent by certified mailed to the putative father's last known address.
Section 12	Page 171	Adds Post-Adoption Contact and Communication Agreement Form, Post-Adoption Contact and Communication Fact Sheet, and Post-Adoption Contact and Communication Benefits and Limitations.



 Anthony Conyers, Jr.
 Commissioner