

# 4

## POST-ADOPTION SERVICES

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# 4

## POST-ADOPTION SERVICES

### 4.1 Introduction

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Families built through adoption may have characteristics significantly different from those created through birth. This can result in unique challenges for the family. Post-adoption services provide a wide range of supports and services designed to respond to the needs of the family after the finalization of the adoption. Adoptive families may request services for any needs including managing loss and grief, trust and attachment, school problems, post-institutionalization issues and behaviors, identity formation, family dynamics, birth family connections, effects of early childhood trauma, health issues, and developmental delays.

Adoption support activities are available through local, state, and national adoption organizations and groups. Prior to and after the finalized adoption, *the local departments of social services (LDSS) or licensed child-placing agency (LCPA) who had placement and care of the child* should assist adoptive families in identifying available supports and making the initial connections.

### 4.2 Framework

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The Virginia Children's Services System Practice Model states that *all children need and* deserve a permanent family. This includes a commitment to adoptive families by offering on-going services to meet the families' needs once the adoption is finalized. Some families have agency involvement *until the child reaches adulthood*, while other families require support on a periodic basis. All families need the assurance that supportive services are available and should be encouraged to participate in on-going educational and training events.

### 4.3 Types of post adoption services

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*Post-adoption supports offered by the LDSS is not a continuation of agency supervision of the adoptive home. It is an agency service given as needed and requested by any of the parties involved in an adoption. Such services reflect the agency's on-going obligation and social responsibility for the welfare of the children for whom it originally had involvement. To supplement services that are provided by the LDSS, the Virginia Department of Social Services (VDSS) has contracted with private agencies to provide post-adoption services to families of all adopted children. A child who is adopted through any kind of adoption, including foreign, domestic, foster care and stepparent adoptions is eligible to receive services through these State funded, agency administered contracts.*

*Community services boards (CSB), health departments, and other governmental agencies often provide supportive services available to residents of that jurisdiction. Families should explore using local services to assist in meeting their needs. While some needs are met through the family or community's resources, others require adoption-specific intervention.*

*The LDSS and LCPA should provide adoptive parents with information that will assist them in obtaining post-adoption services at the beginning of the adoption process. Some families will require adoption-specific services which should be made available to every adoptive family. Adoption-specific services can address problems that develop before or after the date of the final order of adoption. Therapy and counseling services should be provided by [adoption competent professionals](#).*

The types of post adoption services include but are not limited to:

- In-person and online support groups
- Camps
- Heritage activities
- Therapy and counseling
- Respite care
- Educational and information resources
  - Books, magazines, and websites
  - Workshops, seminars, and conferences
  - Information and referral sources
- Search and reunion

The web sites that provide information on post-adoption services are listed below:

- [Adoption.com](http://Adoption.com)
- [Fact Sheets for Families](#) by the U. S. Department of Health and Human Services, Administration for Children and Families, Child Welfare Information Gateway
- [National Foster Care and Adoption Directory Search](#)
- [NewFound Families](#)
- [North American Council on Adoptable Children](#)
- [Virginia Department of Social Services - Adoption](#)

Families may also receive post-adoption services specific to the child's special needs through the VDSS adoption assistance program. Eligibility requirements and how adoption assistance can supplement a family's ability to address the child's special needs are found in [Section 2](#).

#### 4.4 Adoption dissolution

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Adoption dissolution occurs *after the adoption is finalized* and the *legal* family relationship and responsibilities of the adoptive parents no longer exist. *Adoption dissolution is different from adoption disruption in that adoption disruption ends the adoption process prior to the finalization of the adoption. Adoption disruption may result in the child changing placements from the prospective adoptive parents' home to another placement while in foster care. For more information about adoption disruptions see Chapter E. Foster Care Manual, [Section 9.12](#).*

When dissolution cannot be prevented or an alternative found, it should be approached with the child's best interests at the forefront. Sensitivity to the feelings of the child who leaves the family and the children who stay in the family must be the first priority.

##### **4.4.1 Role of LDSS prior to adoption dissolution**

Knowing that adoption dissolution can be devastating for both the adopted child or youth and the adoptive family as a whole; an agency should work diligently to prevent a dissolution by providing support and post adoption services specific to the needs of the adoptive child or youth and family.

Problems in the adoptive home should be evaluated in light of the family's issues as well as the needs and behaviors of the child. The adoptive family should be encouraged, supported, and assessed in getting services in place that will enable the parents to continue to parent their child. The LDSS should view the family as the best resource for this child unless a *safety risk has been identified from a child protective*

*services (CPS) assessment or investigation. In the event of a CPS allegation, the LDSS should collaborate with the CPS worker to work with the family.*

*Prevention services should be provided to the family prior to adoption dissolution. If the family resides in a different locality than the locality that assisted the family with placement and finalizing the adoption, the LDSS that is responsible for coordinating post-adoption services is the LDSS that assisted with finalizing the adoption. When requested, the LDSS where the family resides should assist the other LDSS in providing information on appropriate services and support within the community to preserve the family. If Family Assessment and Planning Team (FAPT) involvement is necessary, the locality where the family resides will be responsible for conducting the FAPT meeting and the LDSS that was responsible for finalizing the adoption and providing services should attend the meeting (See [Section 2.17.3](#) for more information about LDSS responsibilities).*

*To prevent the child from entering foster care, foster care prevention services should be provided when the adoption is at risk of dissolution and a Family Partnership Meeting (FPM) should occur when the potential disruption is recognized. The LDSS where the family resides is responsible for opening a prevention case, if necessary. For more information about providing prevention services and opening a prevention case, (See Chapter B., Prevention Services, [Section 2](#)). If the placing agency is from another state and the child resides in a Virginia locality, the LDSS where the family resides should work in collaboration with the out of state locality to prevent adoption dissolution. If the adoption dissolves, the LDSS where the adoptive parents reside may receive custody of the child.*

#### **4.4.2 Role of LDSS during adoption dissolution**

*A dissolution decision should be made with the focus on the best interest of the child. The LDSS should continue engaging the family if the child enters foster care, unless termination of parental rights (TPR) occurs.*

A temporary entrustment agreement should only be considered when it is in the child's best interest. At no time should a temporary entrustment agreement be accepted from adoptive parents as their plan to eliminate their legal responsibilities or to obtain treatment for the child. A temporary entrustment agreement does not terminate the adoptive parents' rights or their duty to support their child. It does, however, place the child back in foster care and communicates a message of failure and instability to the child.

In the event of adoption dissolution, the LDSS may need to pursue TPR. If an adoptive child comes back into foster care and the parents' rights are terminated either voluntarily or involuntarily, the procedure to terminate the adoptive parental rights is the same as for any parent (see Chapter E., Foster Care Manual, [Section 9.6](#) for information on TPR).

TPR severs the relationship of parent and child between the individual adopted and the adoptive parents. The former parents are relieved of all legal duties and obligations due from them to the adoptee and the former parents are divested of all rights with respect to the adoptee.

#### **4.4.2.1 Opening a foster care case**

*If there is adoption dissolution and the child is removed from the home, the child enters foster care in the locality where the family resides. A new foster care case is opened in the child welfare information system (See Chapter E., Foster Care Manual, [Section 2](#) and [Section 3](#) for more information about opening a foster care case).*

#### **4.4.2.2 Closing the adoption case**

*When the parental rights of the adoptive parents are terminated, the adoption case is closed in the child welfare information system. The information in the child welfare automated system remains restricted and the paper adoption file is sealed (See [Section 4.4.4](#) on how to obtain adoption information to provide services to the child).*

#### **4.4.3 Adoption assistance**

When a child continues as a family member but does not reside in the family home, adoption assistance benefits shall continue as long as the adoptive parents retain legal and financial responsibility for the child.

*If the child is no longer in the adoptive parents' home or was placed in foster care and TPR has not occurred, the LDSS that entered into the adoption assistance agreement with the adoptive family should assess the agreement with the adoptive family. The LDSS should make a referral to the Assistance Negotiator to negotiate the adoption assistance payment, if necessary. No changes to the adoption assistance payment shall be made without being negotiated ([§ 63.2-1302 C](#)). The adoption assistance payment cannot be terminated without the adoptive parents' consent unless the LDSS determines that there is a circumstance that meets the termination criteria of the adoption assistance agreement (See [Section 2.17](#) for more information for terminating an adoption assistance payment).*

*If the family was receiving adoption assistance and TPR occurs, the family is no longer legally and financially responsible for the child and adoption assistance shall be terminated ([22VAC40-201-161 N](#)).*

#### **4.4.4 Obtaining information after the adoption dissolution**

Once an adoption is finalized in Virginia, the adoption record is sealed and information can only be disclosed under the circumstances designated in the Code of Virginia §§

[63.2-1246](#) and [63.2-1247](#). See [Section 5.4](#) and [5.5](#) for additional information on when adoption information can be disclosed to the adoptee, birth family, and adoptive parents.

*The Commissioner shall release non-identifying information from the adoption record when the LDSS requesting the information is providing services to the child or adoptive parents (§ [63.2-1246](#)). When a child returns to foster care after adoption dissolution, the original LDSS or LCPA may release non-identifying information in the child's adoption records to the LDSS that has custody of the child. Non-identifying information is information that does not identify the birth family or any trace information that could lead to the identification of the birth family (See [Section 5.4](#) for more information about non-identifying information). When the adopted child enters foster care and the adoption was finalized in Virginia, the LDSS seeking information from the adoption record should contact the Adoption Unit to determine if the information may be released.*