


**DEPARTMENT OF HUMAN RESOURCES
SOCIAL SERVICES ADMINISTRATION
311 W. SARATOGA STREET
BALTIMORE, MARYLAND 21201**

DATE: June 15, 2016

POLICY #: SSA – CW # 16-30

TO: Directors, Local Departments of Social Services
Assistant Directors, Services

FROM: Rebecca Jones Gaston, MSW 
Acting Executive Director
Social Services Administration

RE: Adoption, Search, Contact and Reunion Services on Behalf
of a Minor in Out of Home Placement

PROGRAMS AFFECTED: Out-of-Home Placement Services

ORIGINATING OFFICE: Out-of-Home Placement Services

ACTION REQUIRED OF: All Local Departments

REQUIRED ACTION: Implementation of Policy

ACTION DUE DATE: June 15, 2016

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PURPOSE:

The purpose of this policy is to provide direction on how the Local Department of Social Services (LDSS) will conduct Adoption, Search, Contact and Reunion Services (ASCRS) on behalf of a minor in out-of-home placement. This policy will also identify the roles and responsibilities of a Confidential Intermediary (CI) conducting a search for a minor in out-of-home placement that has been adopted and has re-entered out-of-home placement, or for a minor that has entered out-of-home placement and has a sibling that was adopted through a LDSS.

BACKGROUND:

On October 1, 2011, Maryland Law: Chapter 326(Session Law): **Adoption, Search, Contact and Reunion Services on Behalf of a Minor in Out-of-Home Placement** was enacted. This law allows for the provision of search services in specific circumstances on behalf of minors who are in out-of-home placement.

The law authorizes the following:

1. A Director/Designee of a LDSS to request ASCRS on behalf of a minor child who is in out-of-home placement in order to search for **adult adopted sibling(s)** for the minor for the purpose of developing a placement resource for the minor or to facilitate a family connection.
2. The Confidential Intermediary (CI) will search for adult adopted siblings of the minor child if the adult adopted siblings were adopted through a LDSS in Maryland.

On October 2, 2014, Maryland Law: Chapter 86(Session Law): **Adoption, Search, Contact and Reunion Services-Biological Relatives of Adopted Minors in Out-of-Home Placement** was enacted. This law allows for the provision of Search, Contact, and Reunion Services to adopted minors who have returned to out-of-home placement, as well as determining the range of individuals eligible to be resources to adopted minors who are in out-of-home placement.

The law authorizes the following:

1. A Director/Designee of a LDSS acting on behalf of a minor in out-of-home placement to apply for ASCRS to develop a placement resource or facilitate a family connection with biological relatives when: (1) the minor in out-of-home placement was adopted through a LDSS, and (2) the local department has determined reunification with the adoptive family is not in the minor's best interest.
2. The CI will search for and contact biological relatives of the minor to develop a placement resource or facilitate a family connection with the relatives.
3. The law defines "relative" of an adopted minor in out-of-home placement as an individual at least 21 years old who is related to the minor by blood or marriage within five degrees of consanguinity or affinity under the civil law rule.

DEFINITIONS:

Administration: The Social Services Administration (SSA) of the Maryland Department of Human Resources, which oversees the Adoption Search, Contact and Reunion Services at all the Local Departments of Social Services and licensed private child placement agencies.

Adoption, Search, Contact and Reunion Services (ASCRS): Services to assist in locating and assessing the mutual desire for communication or disclosure of information of adopted individuals, biological parents of adopted individuals, and siblings of adopted individuals and relatives and members of the adoptive family in certain circumstances through the use of a Confidential Intermediary (CI). Services are also provided to Directors of LDSS acting on behalf of a minor child in out of home placement.

Sibling: A brother or sister, of the whole or the half-blood, who is at least 21 years of age and has been adopted.

Confidential Intermediary (CI): An individual or a child placement agency qualified by the Executive Director of the Social Services Administration for the purpose of providing contact, search, and reunion services.

Out-of-home Placement: Placement of a child into foster care, kinship care, group care or residential treatment care.

Relative: A parent, grandparent, brother or sister, child, aunt or uncle of a biological parent, who is at least 21 years old, whether the familial relationship is based on blood or marriage. In the case of a minor in out-of-home placement who was adopted through a LDSS, “relative” means an individual at least 21 years old who is related to the minor by blood or marriage within five degrees of consanguinity or affinity under the civil law rule.

Registrant: An adopted individual at least 21 years old, a biological parent of an adopted individual (whose parental rights were not involuntarily terminated), or an adopted adult sibling who requests and/or receives ASCRS; or a Director/Designee of a LDSS acting on behalf of a minor in out-of-home placement.

Service Agreement: A written agreement made between the Confidential Intermediary (CI) and the registrant.

ACTION:

The first law authorizes a Director/Designee of a LDSS to request ASCRS on behalf of a minor child who is in out-of-home placement in order to search for **adult adopted sibling(s)** of the minor for the purpose of developing a placement resource for the minor or to facilitate a family connection.

The second law authorizes a Director/Designee of a LDSS acting on behalf of a minor in out-of-home placement to apply for ASCRS to develop a placement resource or facilitate a family connection with biological relatives when: (1) the minor in out-of-home placement was adopted through a LDSS, and (2) the local department has determined reunification with the adoptive family is not in the minor's best interest.

In both circumstances, the local Director/Designee applies for Adoption, Search, Contact and Reunion Services (ASCRS) through the Social Services Administration. This process is initiated by completing the Application Form-Committed Youth (DHR/SSA 2088), along with a consent to release information from a committed youth (DHR/SSA 2090). The consent to release information from a committed youth (DHR/SSA 2090) shall be signed by the adoptive parent, guardian, or attorney of the child in out-of-home placement if the child is younger than 16 years of age, unless the local department has a court order granting the local department the right to release the information. The consent may be signed by the child if the child is age 16 or older. These two forms are submitted to SSA for approval. If approved, SSA will assign the case to a Confidential Intermediary (CI) in the same LDSS. The CI assignment of the case will be sent via a Memo from SSA to the local Director. The case will be assigned an investigation number.

Prior to beginning the search, the CI and the Director/Designee who applies for adoption, search, contact and reunion services shall execute a written service agreement (DHR/SSA 2091) concerning the provisions of the search. A copy of the service agreement must be forwarded to the Social Services Administration.

The CI will conduct a search for the minor child's adult adopted sibling(s) and/or a search for the minor child's relatives. The CI will adhere to all the laws/regulations surrounding the completion of a search. If the CI is able to locate an adopted sibling(s) and/or relative(s) of the minor child, the CI will ascertain if the sibling(s) and/or relatives is/are interested in contact with the minor in out-of-home care.

If the adopted sibling(s) and/or relatives is/are interested in contact with the minor child, the CI will inform the Director/Designee of the LDSS and the Administration. The CI should obtain contact information from the person being sought, and forward them the DHR/SSA 2063-Release of Information from Birth Parent/Birth Relative. Once this completed release form is received by the CI, the CI will complete the Search Outcome Report (DHR/SSA 2092), which includes recommendations for future case planning. The CI may assist in facilitating contact between the minor child's adult adopted sibling(s) and/or birth relative(s), if this request is made by the Director/Designee.

If the minor child's adult adopted siblings and/or relatives are not interested in contact with the minor child the CI will inform the Director/Designee and the Administration by completing and submitting the Search Outcome Report (DHR/SSA 2092). The CI will attempt to request medical/health history information from the adopted sibling(s) and/or birth relative(s) for the benefit of the minor in out-of-home placement. If the CI is successful in obtaining this information, this information should be submitted along with the Search

Outcome Report. At this time, the CI will refrain from any further contact with the adopted sibling(s) and/or birth relative(s).

If the CI is unable to locate the adopted sibling(s) and/or birth relatives, the CI will inform the Director/Designee and the Administration by completing and submitting the Search Outcome Report.

If the CI determines that the adopted sibling is deceased the CI should report this to the Director/Designee. The CI shall not disclose the identity of the sibling. The Director/Designee may decide that the CI should attempt to locate and contact family members of the deceased adopted sibling, who are at least 21 years of age. The purpose of the contact would be to assess the willingness of the family member to communicate or exchange medical information that would benefit the minor in out-of-home placement. If the Director/Designee consents to contacting a family member of the deceased adopted sibling, the Director/Designee shall execute another written service agreement (DHR/SSA 2091) with the CI. A copy of the newly executed written service agreement should be forwarded to the Administration.

If the CI determines that the relative they are searching for is deceased the CI should report this to the Director/Designee. The CI shall not disclose the identity of the deceased relative. At this time, the CI may continue to search for other birth relatives of the minor child in out-of-home placement, and follow the reporting procedures identified in this policy.

Once the search services are completed, the Search Outcome Report is completed and submitted, and the CI's responsibilities come to an end. Please note, the Director/Designee may request that the CI be involved in facilitating contact with the person(s) being sought. At this time, all of the information regarding the search outcome has been provided to the Director/Designee. It is the responsibility of the case management team to utilize the information provided by the CI to develop a plan for the minor in out-of-home placement. Please see SSA-CW#15-28 Family Finding for more information on the process of Engaging Family Members, Teaming and Assessment, Planning, and Decision Making.