

## VIRGINIA'S ADOPTION HOME STUDY PROCESS

### STUDY PLAN

#### Study Mandate

- During the 2016 General Assembly Session, Delegate Christopher Peace introduced House Joint Resolution 103. The resolution directed the Commission on Youth to study the adoption home study process, including (i) the current mutual family assessment home study format and curriculum; (ii) the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and (iii) the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth.
- The House Committee on Rules reviewed this legislation and it was laid on the table. The House Committee on Rules requested the Commission on Youth to study the provisions set forth in the legislation and to report findings and recommendations prior to the 2017 General Assembly session.

#### Identified Issues

- The home study process is generally thought to have three purposes, (i) educate and prepare the adoptive family for adoption; (ii) gather information about the prospective parents that will help a social worker match the family with a child whose needs they can meet; (iii) and evaluate the fitness of the adoptive family (Children's Bureau, 2004).
- Sections 63.2-1231 – 1232 of the *Code of Virginia* explain that in the cases of parental placement adoptions “[p]rior to the consent hearing in the juvenile and domestic relations district court, a home study of the adoptive parent(s) shall be completed by a licensed or duly authorized child-placing agency.” These sections also indicate that the home study shall make inquiries to specific issues such as making sure the birth parents are aware of alternatives to adoption.
- The Virginia Administrative Code 22 VAC 40-211-40 spells out the requirements for a home study conducted by the staff of local departments. Requirements for home studies conducted by licensed child-placing agencies are found in 22 VAC 40-131-180. The requirements in both of these sections describe the minimum standards for face-to-face interviews, number of references, and the demographic and financial information of the applicants that need to be included in a home study report. Both a study of the physical home as well as the prospective provider is done during a home study.
- The *Code of Virginia*, § 63.2-1231, explains how any home study for the purpose of parental placement or agency placement shall be valid for 36 months, unless there are any changes in the family's circumstances. Additionally, the Board may, by regulation, require an additional state criminal background check if more than 18 months have passed since completion of the home study.
- The current mutual family assessment format used by the local departments of social services for home studies is described in the Virginia Department of Social Services Child and Family Services manual. The applicant and the evaluator openly discuss and mutually decide if approval is in the best interest of all involved. The local department shall document the mutual family assessment through a narrative report that addresses specific information obtained over the course of the approval process.
- Proponents of a uniform home study format argue that it would provide equally thorough assessments regardless of jurisdiction and minimize decision-making variation by evaluators. Additionally, a uniform home study would potentially eliminate the need for multiple home studies to be conducted on one family by various agencies during Virginia's mandated time frame.

## Study Activities

- Research and review federal law
  - *Intercountry Adoption Act of 2000*
  - Home studies for Hague Convention and non-Hague Convention countries
- Review and analyze Virginia laws, policies, and procedures
  - Virginia Department of Social Services' Child and Family Services Manual
  - Adoption statutes and regulations
  - Criminal and child abuse record checks laws and regulations
  - State and Local Department of Social Services' (LDSS) policies and practices
  - Mutual family assessment home study format and curriculum
  - Parental placement vs foster care-to-adopt home study requirements
  - Kinship home studies
  - Dual approval process
  - Current efforts encouraging adoption in the Commonwealth
  - Other related practices
- Conduct extensive background and literature reviews
  - Review role and benefits of the home study process
  - National Conference of State Legislatures (NCSL)
  - Child Welfare Information Gateway – Children's Bureau – U.S. Department of Health and Human Services
  - Other states' implementation of uniform home study format, e.g. Structured Analysis Family Evaluation (SAFE)
  - Child Welfare League of America (CWLA)
  - Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC)
  - Best practices implementing home studies
  - Other states' statutes, regulations, studies, and activities
- Convene an advisory group of stakeholders
  - Invite representatives from the impacted groups including:
    - Virginia Department of Social Services
    - Local Departments of Social Services
    - Secretary of Health and Human Resources
    - Virginia League of Social Service Executives
    - Virginia's Court Improvement Program – Supreme Court of Virginia
    - Private child-placing agencies
    - Adoptive parents
    - County/City attorneys
    - Juvenile court judges
    - Guardians ad litem and parents' counsel
    - Virginia's Court Appointed Special Advocates
    - Advocacy organizations
- Develop recommendations
  - Synthesize findings
  - Develop recommendations
- Solicit feedback to recommendations
- Refine findings and recommendations
- Present findings and recommendations to the Commission on Youth
- Prepare final report