

DEPARTMENT OF SOCIAL SERVICES

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October 10, 1985

ALL-COUNTY INFORMATION NOTICE NO. I-77-85

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY COUNSELS
ALL STATE DISTRICT ADOPTION OFFICES
ALL PUBLIC ADOPTION AGENCIES

SUBJECT: "FOST-ADOPT" PLACEMENTS

Several counties have recently inquired whether the Department of Social Services (DSS) has a policy on so-called "Fost-Adopt" placements. For purposes of discussion in this ACIN, the term "Fost-Adopt" placement means the foster care placement of a child in a licensed foster home which has also been studied and approved as an adoptive home. Also there is an understanding by the placing agency and foster parents at the time of placement that, should the child be legally freed for adoption, the foster parents will adopt the child. "Fost-Adopt" placements are used by some counties as a method of avoiding multiple placements of children.

The use of "Fost-Adopt" placements is a county practice which is neither sanctioned nor prohibited by DSS. There is no statutory or regulatory basis which would authorize DSS to establish policy for "Fost-Adopt" placements. In the absence of statutory direction or authority, DSS will continue to maintain a neutral position on "Fost-Adopt" placements. However, since "Fost-Adopt" placements have been put into practice in various forms by some county welfare departments (CWDs), DSS has identified some problem areas which may result in potential adverse consequences for children, their parents, and foster parents. These potential problems and consequences should be considered by those CWDs contemplating a "Fost-Adopt" placement for any particular child.

One potential problem is the practice of placing a child who is in the Family Reunification Program with "Fost-Adopt" parents. The statutory purpose of the Family Reunification Program is to preserve and strengthen family ties. Attempts to reunite the family while the child is placed with "Fost-Adopt" parents may place the caseworker and the CWD in a tenuous role. A "Fost-Adopt" placement can impede or negatively influence the family's right to sincere efforts on the part of all parties involved toward reunification. CWDs are encouraged to establish clear, consistent guidelines for county staff to follow in making such a placement.

Another potential problem is that "Fost Adopt" parents may become so attached to the child that they overlook or downplay the uncertainty involved in the placement. To minimize this problem for a child in the Family Reunification Program, CWDs are encouraged to mention in the required written placement agreement between the CWD and foster parents (Manual of Policy and Procedures (MPP) Division 30-376.175) that the service plan goal is family reunification and that the court could return the child to the birth parent at any time. Similarly, for children in the Permanent Placement Program, CWDs are encouraged to mention in the agreement that the petition to terminate parental rights may be unsuccessful, resulting in the child not being freed. Written agreements may help the CWD counter any subsequent legal action initiated by "Fost Adopt" parents who were unsuccessful in their attempt to adopt because the child was never legally freed for adoption.

Because "Fost Adopt" placement is apparently a widespread practice, we will be requesting CWDA to work with us in an attempt to develop a comprehensive list of circumstances under which "Fost Adopt" placements would be appropriate and desirable. These circumstances could then be the basis for a proposal to the Legislature to establish statutory guidelines for use of "Fost Adopt" placements.

If you have questions concerning "Fost Adopt" placements please contact your Adult and Family Services Operations Bureau Consultant, at (916) 445-0623.



LOREN D. SUTER
Deputy Director
Adult and Family Services Division

cc: CWDA