

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



July 26, 1989

ALL COUNTY LETTER NO. 89-68

TO: ALL COUNTY WELFARE DIRECTORS
ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
ALL DSS ADOPTIONS DISTRICT OFFICES

SUBJECT: RELEASE OF THE REPORT OF THE ASSESSMENT/HOME STUDY OF
THE ADOPTIVE APPLICANT

The following is in response to requests the Adoptions Branch has received regarding circumstances under which the assessment/home study of the adoptive applicant can be released to the applicant.

The purpose of this letter is to confirm that, as required by the Information Practices Act (IPA), Civil Code (CC) Sections 1793 et seq., upon request of the adoptive applicant, the Department's Adoptions District Offices must release the completed assessment/home study report to the applicant (or his/her designee). However, any information in the assessment/home study report that was received with the promise that the source of the information would remain confidential must not reveal its source per CC Section 1798.38. This restriction on disclosure would include any portions of letters of recommendation for determining suitability for status as an adoptive parent which might identify the originators. The Equal Protection Clause requires that all adoptive applicants be treated alike. Therefore, County Welfare Department adoption agencies and private adoption agencies must also release the completed assessment/homestudy report when requested to do so by the adoptive applicant subject to the same conditions described above.

We are not aware of any provision of statute or regulation that would prohibit the applicant from using the assessment/home study report in any manner he/she wishes. If the applicant requests the adoption agency to release the completed assessment/home study report to another adoption agency, the agency which completed the assessment/home study must do so, subject to the statutory limitations on the disclosure of confidential information described above.