

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 59814



July 23, 1991

ALL COUNTY LETTER No. 91-70

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

SUBJECT: HOME STUDIES AND THE INTERCOUNTRY ADOPTIONS PROGRAM

The Adoptions Branch has received several inquiries regarding home studies for the Intercountry Adoptions (ICA) Program. These inquiries have basically consisted of questions regarding whether home studies completed by adoption agencies that are NOT licensed to provide ICA services may be used to meet the requirements of the ICA Program. This letter is to underscore the Department's policy in this area. The situation we are addressing is where a foreign-born child will be brought to the U.S. and adopted in California.

1. Question: May an agency licensed to provide ICA services use a home study completed by an agency that is not licensed to provide ICA services?

Answer: Yes, but only if the home study has been updated by an agency licensed to provide ICA services to meet the requirements of California Code of Regulations (CCR), Title 22, Section 35241 et seq. Agencies NOT licensed to provide ICA services who believe the applicant, in adopting a foreign-born child, may attempt to use a home study completed for the adoption of a domestic child should review All-County Letter 89-68, "Release of the Report of the Assessment/Home Study of the Adoptive Applicant," dated July 26, 1989, regarding home studies that have been completed by non-ICA agencies.

2. Question: When completing an update of a non-ICA home study, must the agency licensed to provide ICA services interview both applicants and visit their place of residence?

Answer: Yes. The agency licensed to provide ICA services must meet the requirements of CCR, Title 22, Section 35263. This must be done before the ICA agency approves the home study and provides the Immigration and Naturalization Service (INS) with certification that the family has met California's Preadoption Requirements. Since the California licensed

adoption agency will be responsible for the child if the adoption is not finalized, the agency should take these minimal measures to assure itself of the suitability of the family prior to certifying to INS.

3. Question: In general, how long does an approved home study remain valid for ICA purposes before it must be updated?

Answer: If the home study was completed a year ago or before, it should be updated. Of course, it should also be updated any time prior to a year's time if there are significant changes in the family's situation.

If you have any questions, please contact the Adoptions Policy Bureau at the above address or (916) 322-4228 (ATSS 492-4228).



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cc: CWDA