

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 3, 1996

ALL-COUNTY LETTER NO. 96-29

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

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation
 Change
 Court Order or Settlement
 Agreement
 Clarification Requested by
 One or More Counties
 Initiated by CDSS

SUBJECT: PETITION FOR ADOPTION OF DEPENDENT CHILD (JV-360)

REFERENCE: Welfare and Institutions Code Section 366.26(e)

The Judicial Council has recently adopted a form, the Petition for Adoption of Dependent Child (JV-360). California Rules of Court (rule 1464) require that adoptive parents use this form when they file their petition to adopt in the Juvenile Court as allowed by Welfare and Institutions Code Section 366.26(e). Adoption agencies have expressed concerns about the form because it appears to require that adoptive parents provide information which adoptive parents may not have, such as the names of birth parents, without access to confidential adoption case records. A copy of this form is enclosed.

Adoption agencies are not required to disclose and shall not provide potential adoptive parents with the confidential information which this form appears to request. Specifically, adoption agencies shall not provide adoptive parents with the child's birth name, the names of birth parents, the status of birth parents (e.g., presumed, alleged or unknown), or the means and dates of the termination of the birth parents' rights.

Many counties do not finalize adoptions in the Juvenile Court and thus do not use the JV-360. However, we are aware of some existing county practices which are appropriate for advising adoptive parents in completing the form. In at least one county, adoptive parents have simply been leaving blank those parts of the JV-360 which request information they do not have. Another known acceptable county practice is to have adoptive parents enter "unknown" or "unavailable" in these same parts. Adoption agencies may wish to consult with their counsel to determine how adoptive parents should complete this form.

If you have any question regarding this matter, please contact Joseph Magruder, Adoptions Policy Consultant at (916) 323-0524 (ATSS 473-0524).

Marjorie Kelly
 MARJORIE KELLY
 Deputy Director
 Children and Family Services

Enclosure

c: CWDA

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
In the Matter of the Adoption Petition of: <div style="text-align: center;">(Names of Adopting Parents or Parent)</div>	ADOPTION CASE NUMBER:
PETITION FOR ADOPTION OF DEPENDENT CHILD (Juvenile)	

1. Petitioner (specify name of each petitioner):

seeks to adopt a dependent child of this juvenile court.

- a. Child's name:
- b. Date of birth:
- c. Age:
- d. Male Female
- e. Place of birth (if known):
- f. Juvenile dependency case number:

2. Petitioner's address:

3. Child's current address (if different from petitioner's):

4. Parental rights of

a. Birth mother (name, if known):

- Relinquished on (date):
- Terminated by the court on (date):
- Deceased on (date):

b. Birth father (name, if declared by court or presumed):

- Relinquished on (date):
- Terminated by the court on (date):
- Deceased on (date):

c. Alleged fathers (names):

Terminated by the court on (date):

d. Unknown: Mother Father

(Continued on reverse)

In the Matter of the Adoption Petition of (names of adopting parents or parent):

CASE NUMBER:

- 5. The child has been determined to be an Indian child and *Attachment to Petition for Adoption of Dependent Child—Adoption of an Indian Child (JV-363)* is attached.
- 6. The child is a proper subject for adoption, the home of petitioner is suitable for the child, and petitioner will support and care properly for the child. The welfare of the child will be served and the child's best interest promoted by this adoption and each petitioner will treat the child in all respects as his or her own lawful child.
- 7. Each petitioner is at least 10 years older than the child.
- 8. Each petitioner consents to the adoption of the child by the other.
- 9. The child is 12 years of age or older and consents to the adoption.
- 10. Petitioner requests the court to grant the petition of adoption and to declare that each petitioner and the child shall sustain toward one another the legal relation of parent and child with all the rights and duties of the relationship; and that the child shall be known as (state child's full adoptive name):

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF PETITIONER)

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF PETITIONER)