




Revision Date: 8/23/21	Policy Author(s): Moira Dillon
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POLICY 613 – Adoption Petitions

A. POLICY

Foster care is a temporary setting. When foster children cannot return home the first priority is adoption.

B. PROCEDURES

1. Adoptions are reviewed and finalized only by Delaware Family Court and jurisdiction is established via petition.
2. All adoption petitions for children for whom the Department/Division holds parental rights are to be filed in Delaware Family Court and fulfill the requirements of 13 Del. C. Ch. 9 §906.
3. Adoption petitions are filed after the required six-month period of agency supervision and with agreement of all involved parties.
4. The caseworker or private agency caseworker shall complete a social report to be attached to the adoption petition. The social report shall include the following:
 - Information regarding the child, background and eligibility for adoption
 - Information regarding the adoptive parent(s) and the proposed home
 - Information regarding the physical and mental condition of the child
 - Information regarding the suitability of the placement
 - A statement as to whether the legal requirements have been complied with 13 Del.C. Ch. 9 §912
 - A recommendation
5. The caseworker shall submit the social report to the supervisor for approval. Once approved, the supervisor will submit the report to the Regional Administrator for approval.
6. The caseworker shall also include a completed Adoption Data Sheet and Particulars along with the petition.
7. The caseworker shall obtain certified copies of the child's birth certificate, termination of parental rights order and parents' death certificate if applicable.
8. The caseworker shall contact the Adoption Assistance/Subsidy Specialist to verify that signed approvals are on file for the Adoption Assistance/Subsidy Program **prior to** filing the adoption petition.
9. The caseworker shall obtain signed consents to the adoption as well as the filing fee from the adoptive parents. If a private agency is involved, the private agency caseworker will get the consents and fees and forward to the DFS caseworker.

10. The Regional Administrator will sign the consent to the adoption.
11. The caseworker will send the petition to the Deputy Attorney General for filing in Family Court.

C. FOCUS

1. Caseworker will upload the Adoption Petition under Petition event in FOCUS.
2. Caseworker will upload the Final Order of Adoption event under Court Orders event in FOCUS.
3. Caseworker will forward via email the final order of adoption to the Adoption Assistance/Subsidy Specialist.

D. FORMS Use the DFS policy website to access any forms:
<https://kids.delaware.gov/policies/dfs-policies>

Adoption Petition
Adoption Data Sheet
Particulars