

9560.0120 SERVICES TO CHILDREN IN INDEPENDENT PLACEMENTS.

Subpart 1. **Evaluation of identified family.** When the local social service agency learns that the child's parent or relative seeks to place the child for the purpose of adoption with a person who is an extended family member not defined in part 9560.0020, subpart 13 as a relative or is personally known to the child's parent, the agency shall:

A. evaluate with the child's parent whether the placement will be in the interest of the child;

B. arrange for a preadoption evaluation of the proposed home when it is needed to determine whether the placement plan is suitable for the child;

C. assist the child's parents in legally freeing the child for adoption; and

D. arrange the adoptive placement according to procedures in parts 9560.0040 to 9560.0110, unless a court of competent jurisdiction has determined that the best interests of the child are served by waiving the requirement of agency placement.

Subp. 2. **Waiver of agency placement requirement.** When the local social service agency is informed by the commissioner that a court of competent jurisdiction has waived the agency placement requirement, whether or not the child is already in the home:

A. the local social service agency shall pursue licensing that home for foster care unless an adoption petition has been properly filed; and

B. the prospective parents shall notify the commissioner of the child's placement within 30 days of that placement unless the commissioner was already involved in the proposed placement.

Subp. 3. **Unlicensed intermediary.** When the local social service agency learns that the child's parent or the prospective parent desires the adoptive placement of the child through the assistance of an unlicensed intermediary, the local social service agency shall take necessary steps, including legal actions, if necessary, to prohibit the placement.

Subp. 4. **Transportation of child.** When the local social service agency learns that the child's parent, legal guardian, prospective parents, or the unlicensed intermediary desire to transport the child into or out of Minnesota for adoptive placement, the local social service agency shall advise the party or parties that the transportation requires the prior approval and consent of the commissioner.

The commissioner shall not give consent to or approval of importation or exportation of the child when a proposed placement was or is being arranged by an unlicensed intermediary even though a court of competent jurisdiction may waive the requirement of agency placement.

Applications for importation or exportation of a child must be made by the child's parent or legal guardian according to the statutory provisions of both the sending and the receiving states.

Statutory Authority: *MS s 257.05; 257.175; 259.53; 259.67; 259.75; 259.87*

History: *9 SR 909*

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