

**9560.0160 LEGALIZATION OF THE ADOPTIVE PLACEMENT.**

The commissioner or an authorized child-placing agency shall initiate the process of legalizing adoptive placements of agency-placed children by sending the petitioner, or the petitioner's attorney, such nonidentifying information as is needed for completion of the adoption petition.

When an adoption petition which fails to meet the filing requirements of Minnesota Statutes, section 259.22, subdivisions 2 and 3, is nevertheless filed in a court of competent jurisdiction, the commissioner shall recommend to the court dismissal of that petition.

The final report and recommendation on a properly filed petition of an investigation by the commissioner or an authorized child-placing agency shall be made to the court within the 90-day time period.

The report and recommendation to the court on the form prescribed by the commissioner shall verify the allegations in the petition, determine whether the child is a proper subject for adoption, and ascertain the suitability of the proposed family and child to each other. When the child's placement was arranged through the agency, the report shall also include a statement on how the agency applied the order of placement preference in part 9560.0040, subpart 2 in selecting the adoptive family. On intercounty adoptions, the order of placement preference is deemed to have occurred when the appropriate authority in the child's country of birth approved the placement of the child abroad.

The commissioner or an authorized child-placing agency shall request a continuance of the court when the investigation cannot be completed in the 90-day time period.

A copy of all requests for continuances must be filed with the state agency's adoption unit, the servicing agency, and the petitioner's attorney.

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

**History:** *9 SR 909; 17 SR 1279*

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