



INTERNATIONAL
CHRISTIAN ADOPTIONS
INSTITUTE FOR CHILDREN'S AID,(dba)
A Voice of HOPE for Children Worldwide

POST ADOPTION SERVICES FAQ'S

A. You are automatically sent one (free) certified copy of your child's new birth certificate after the adoption is final, which is issued by the California Department of Health Services Office of Vital Records. However, the "automatically" part can take from three to six months. If you've been waiting at least three months, you can call the Office of Vital Records at (916) 445-2684. You can also visit their website at www.cdph.ca.gov.

- The county clerk of the superior court granting the adoption is required to complete the Court Report of Adoption (VS44) and send a certified copy of the Adoption Report and the Adoption Order to the California Department of Health Services, Office of Vital Records. The new birth certificate will be prepared by the vital records office in the child's state of birth. If your child was born in another state, the California Office of Vital Records will forward the Report to the vital records office in the child's state of birth so they can prepare the new birth certificate. If your child was born in another state, you may be required to pay a nominal fee for issuance of the new birth certificate. (The California Office of Vital Records' \$20 registration fee is waived for foster care adoptions for children born in California.) If your child was not born in California and you have not received the birth certificate, call The Alliance or the pro bono attorney who assisted you with the adoption and we can contact the vital records office in the state where your child was born.

Q. How do we apply for a Social Security Number for our adopted child?

A. At your local Social Security Office, complete an ***Application for a Social Security Card*** (Form SS05). You will need to show them original documents proving your child's U.S. citizenship, age, and identity. You will also need to show them documents proving your identity and your relationship as parent of the child (as you are signing the application on the child's behalf). If your child is age 12 or older, h/she must appear for an interview at the Social Security office, even if a parent or guardian will sign the application on the child's behalf.

- For proof of U.S. Citizenship, the Social Security office can accept only certain documents. These include a U.S. birth certificate, U.S. consular report of birth, U.S. passport, Certificate of Naturalization or Certificate of Citizenship.

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



**INTERNATIONAL
CHRISTIAN ADOPTIONS**
INSTITUTE FOR CHILDREN'S AID,(dba)
A Voice of HOPE for Children Worldwide

- For proof of your child's Age, you must present your child's birth certificate if you have it. If not, the Social Security Office can consider other documents, such as your child's passport, to prove age.
- For proof of your child's Identity, the Social Security office can accept only certain documents. These include a U.S. passport, an Adoption Order, a hospital record, a religious record, or school identification card.
- For proof of your identity, the Social Security office will ask to see your U.S. driver's license or identification card, U.S. passport, or they will accept other documents such as an employee ID card, school ID card, marriage document, health insurance card, U.S. military ID card, or adoption order.

All documents must be either originals or certified copies. They may use one document for two purposes (such as use your child's passport as proof of both citizenship and identity; or, may use your child's birth certificate as proof of age and citizenship). However, you must provide at least two separate documents.

Q. What if I need a Social Security Number (or new card) now and I have not yet received the new birth certificate for my adopted child?

A. For proof of your child's U.S. citizenship, age and identity, in lieu of the new birth certificate, you can show the Social Security office your child's U.S. passport if h/she has one. If not, you can show your Adoption Order, which includes the information regarding the child's name, date of birth and place of birth. Along with that, you should show your Adoption Agreement, which includes your name(s) as the adoptive parent(s), your child's original birth name, and your child's new name after adoption. If you have a copy, you can also show the child's original birth certificate for proof of U.S. citizenship, along with the adoption documents. Ask for a supervisor when you go to the Social Security Office, who may have more knowledge and authority to approve your application with the Adoption Order as your proof.

Q. What is a Temporary Adoption Taxpayer Identification Number?

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



A. An ATIN is an Adoption Taxpayer Identification Number issued by the Internal Revenue Service (IRS) as a temporary taxpayer identification number for the child in a domestic adoption where the adopting taxpayers do not have and/or are unable to obtain the child's Social Security Number (SSN) in time to file their tax return. The ATIN is to be used by the adopting taxpayers on their Federal Income Tax return to identify the child while the final domestic adoption is pending. Thus, for example, if you are unable to obtain an SSN for your adopted child due to the long processing time for new birth certificates, you may apply with the IRS for an ATIN. To apply for an ATIN, fill out IRS Form W-7A, Application for Taxpayer Identification Number for Pending U.S. Adoptions. This is available at <http://www.irs.gov/pub/irs-pdf/fw7a.pdf>. It will generally take 4 to 8 weeks to get an ATIN once the IRS receives a completed Form W-7A. You may be able to use an ATIN on your tax return to take the following tax benefits based on the child: dependency exemption, credit for child and dependent care expenses, adoption credit, child tax credit. Please consult your accountant or a tax preparer for advice in your individual situation. You may call the IRS Information Hotline toll free at (800) 829-1040, or the ATIN office directly at (512) 460-7898 (not a toll-free number).

Q. How do I apply for a U.S. passport for my adopted child?

A. To apply for a passport for a child under age 14, adoptive parents need to fill out Application Form DS-11 (<http://www.state.gov/documents/organization/100004.pdf>) and submit it to a passport acceptance agency along with proof of the child's U.S. citizenship and evidence of the child's relationship to the parents/guardians. For proof of citizenship, you will need to submit either a certified U.S. birth certificate or a previous fully valid U.S. Passport. For proof of relationship, you will need to submit either a certified U.S. birth certificate (with parents' names) or Adoption Order (with adopting parents' names). Each parent must submit their own identification (i.e., valid driver's license passport, etc.) and both parents must appear together and sign the application form. Go to <http://www.state.gov> for more information. As with applying for a Social Security card, if you have not yet received your child's new certified birth certificate, you can try submitting the Adoption Order along with the Adoption Agreement or Agency Consent and Joinder to the passport agency as proof of the child's U.S. citizenship as well as your relationship

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



to the child. If you have a certified copy of the child's original birth certificate, you can submit that along with the Adoption Order and Adoption Agreement showing a change in the child's name after adoption. The Adoption Order contains the child's name, adoptive parents' name(s), child's date of birth, and place of birth, all sufficient to prove the child's U.S. citizenship and the parents' relationship to the child. However, it is possible that the passport agency will not accept the Adoption Order alone for purposes of proof of citizenship and will require either the original or new birth certificate or a previous valid U.S. passport.

Q. Are there any tax benefits available to parents adopting children from foster care?

A. Yes. Families who adopt a child with special needs from foster care can claim a Federal Adoption Tax Credit without needing to incur or document any adoption expenses. The per-child adoption tax credit is \$13,190 for adoptions finalized in 2014 and \$13,408 for adoptions finalized in 2015. The adoption tax credit is an amount which is subtracted from your tax liability. For more information, please consult a tax attorney, tax preparer, accountant, or the IRS (1-800-829-1040 or www.irs.gov, or www.irs.gov/taxtopics/tc607.html). More detailed information on the adoption tax credit is available at www.nacac.org/taxcredit/taxcredit.html.

FROM THE IRS WEBSITE 2016 Topic 607 - Adoption Credit and Adoption Assistance Programs Tax benefits for adoption include both a tax credit for qualified adoption expenses paid to adopt an eligible child and an exclusion from income for employer-provided adoption assistance. The credit is nonrefundable, which means it is limited to your tax liability for the year. However, any credit in excess of your tax liability may be carried forward for up to five years. The maximum amount (dollar limit) for 2015 is \$13,400 per child.

Qualified adoption expenses for both the credit and the exclusion, qualified adoption expenses, defined in section 23(d)(1) of the Code, include:

Reasonable and necessary adoption fees, Court costs and attorney fees, Traveling expenses (including amounts spent for meals and lodging while away from home),

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



and Other expenses that are directly related to and for the principal purpose of the legal adoption of an eligible child.

An expense may be a qualified adoption expense even if the expense is paid before an eligible child has been identified. For example, prospective adoptive parents who pay for a home study at the outset of an adoption effort may treat the fees as qualified adoption expenses.

An eligible child is an individual who is under the age of 18, or is physically or mentally incapable of self-care.

Qualified adoption expenses do not include expenses that a taxpayer pays to adopt the child of the taxpayer's spouse. Qualified adoption expenses include expenses paid by a registered domestic partner who lives in a state that allows same-sex second parent or co-parent to adopt his or her partner's child, adoption expenses and that otherwise qualify for the credit.

Income and dollar limitations

The credit and exclusion are each subject to an income limitation and a dollar limitation. The income limit on the adoption credit or exclusion is based on your modified adjusted gross income (MAGI). If your MAGI amount for 2015 falls between certain dollar limits, your credit or exclusion is subject to a phaseout (is reduced or eliminated). For tax year 2015, the MAGI phaseout begins at \$201,010. Thus, if your MAGI amount is below \$201,010 for 2015, your credit or exclusion will not be affected by the MAGI phaseout, whereas if your MAGI amount for 2015 is above the phaseout limitation, your credit or exclusion will be zero.

You must reduce the dollar limit for a particular year by the amount of qualified adoption expenses paid and claimed in previous years for the same adoption effort. For example, if you claimed a \$3,000 credit in connection with a domestic adoption in 2014 and paid an additional \$13,400 of qualified adoption expenses in 2015 (when the adoption became final), the maximum credit you can claim in 2015 is \$10,400 (\$13,400 dollar limit, less \$3,000 of qualified adoption expenses claimed in 2014).

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



In computing the dollar limitation, qualified adoption expenses paid and claimed in connection with an unsuccessful domestic adoption effort must be combined with qualified adoption expenses paid in connection with a subsequent domestic adoption attempt, whether or not the subsequent attempt is successful. For example, assume that in 2013 an individual claimed \$8,000 in qualified adoption expenses in an unsuccessful adoption effort. In 2014 and 2015 the individual spent a total of \$10,000 in qualified adoption expenses in connection with a successful domestic adoption that became final in 2015. The maximum adoption credit allowable in 2015 is \$5,400 (\$13,400 dollar limit for 2015 less \$8,000 previously claimed.)

The dollar limitation applies separately to both the credit and the exclusion, and you may be able to claim both the credit and the exclusion for qualified expenses. However, you must claim any allowable exclusion before claiming any allowable credit. Expenses used for the exclusion reduce the amount of qualified adoption expenses available for the credit. As a result, you cannot claim both a credit and an exclusion for the same expenses. Examples 1, 2, and 3 illustrate these rules.

- Example 1. In 2015, the following events occur: (a) You pay \$13,400 of qualified adoption expenses in connection with an adoption of an eligible child; (b) your employer reimburses you for \$3,400 of those expenses; and (3) the adoption becomes final. Your MAGI amount for 2015 is less than \$201,010. Assuming you meet all other requirements, you can exclude \$3,400 from your gross income for 2015. However, the expenses allowable for the adoption credit are limited to \$10,000 (\$13,400 total expenses paid less \$3,400 employer reimbursement).
- Example 2. The facts are the same as in Example 1, except that you pay \$18,400 of qualified adoption expenses and your employer reimburses you for \$5,000 of those expenses. Assuming you meet all other requirements, you can exclude \$5,000 from your gross income for 2015 and claim a \$13,400 adoption credit (\$18,400 total expenses paid less \$5,000 employer reimbursement).

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



- Example 3. The facts are the same as in Example 1, except that you pay \$30,000 of qualified adoption expenses and your employer reimburses you for \$13,400 of those expenses. Assuming you meet all other requirements, you can exclude \$13,400 from your gross income for 2015. You can also claim a credit of \$13,400. Because of the dollar limitation, the remaining \$3,200 of expenses (\$30,000 total expenses paid, less \$13,400 dollar-limited exclusion, less \$13,400 dollar-limited credit), can never be used for either the exclusion or the adoption credit.

Timing rules: For what tax year can you claim the credit?

The tax year for which you can claim the credit depends on the following:

- When the expenses are paid;
- Whether it is a domestic adoption or a foreign adoption; and
- When, if ever, the adoption was finalized.
- Generally, the credit is allowable whether the adoption is domestic or foreign. However, the timing rules for claiming the credit for qualified adoption expenses differ, depending on the type of adoption.

A domestic adoption is the adoption of a U.S. child (an eligible child who is a citizen or resident of the U.S. or its possessions before the adoption effort begins). Qualified adoption expenses paid before the year the adoption becomes final are allowable as a credit for the tax year following the year of payment (even if the adoption is never finalized and even if an eligible child was never identified).

A foreign adoption is the adoption of an eligible child who is not yet a citizen or resident of the U.S. or its possessions before the adoption effort begins. Qualified adoption expenses paid before and during the year are allowable as a credit for the year when it becomes final. Once an adoption becomes final, and subject to the dollar limitation, qualified adoption expenses paid during or after the year of finality are allowable as a credit for the year of payment, whether the adoption is foreign or domestic.

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



As a result of the timing rules, qualified adoption expenses allowable in the current year may include expenses paid in a former year or years. Example 4 illustrates the difference between the domestic and the foreign timing rules.

- Example 4. An adoptive parent pays qualified adoption expenses of \$3,000 in 2013, \$4,000 in 2014, and \$5,000 in 2015. In 2015, the adoption becomes final.

If the adoption in Example 4 is domestic, the \$3,000 of expenses paid in 2013 is allowable in 2014 (the year after the year of payment), and may be claimed as a credit on the parent's 2014 tax return. The adoptive parent claims both the \$4,000 paid in 2014 and the \$5,000 paid in 2015 as a credit on his or her 2015 tax return. The \$4,000 paid in 2014 is allowable in 2015 (the year after the year of payment); the \$5,000 paid in 2015 is allowable in 2015 (the year of finalization). Accordingly, nothing is allowable in 2013, \$3,000 is allowable in 2014, and \$9,000 (\$4,000 plus \$5,000) is allowable in 2015. The \$3,000 allowable in 2014 reduces 2014 tax liability, with any excess being carried forward into 2015. Similarly, the \$9,000 allowable in 2015 (plus any carried-forward amount from 2014) reduce the 2015 tax liability, with any excess credit, from either year, being carried forward into later years. If the adoption in Example 4 is foreign, the adoptive parent may claim all \$12,000 in qualified adoption expenses (\$3,000 paid in 2013, \$4,000 paid in 2014, and \$5,000 in 2015) on the adoptive parent's 2015 tax return, because 2015 is the year when the adoption becomes final.

If the adoptive parent pays an additional \$2,000 in qualified adoption expenses in 2016, then that \$2,000 is allowable in 2017 (subject to the 2016 MAGI and dollar limitations), whether the adoption is domestic or foreign.

Adoption of U.S. children that a state has determined to have special needs
If you adopt a U.S. child that a state has determined to have special needs, you are generally eligible for the maximum amount of credit in the year of finality. Thus, if the adoption of a child whom a state has determined has special needs becomes final in 2015, the maximum credit allowable generally would be \$13,400. However, the maximum amount will be reduced by any qualified adoption expenses you

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



claimed for the same child in a prior year or years, and the MAGI limitation may apply.

If you adopt a child whom a state has determined has special needs, and if your employer has a written qualified adoption assistance program, you may be eligible for the exclusion, even if you or your employer did not pay any qualified adoption expenses.

A child has special needs for purpose of the adoption expenses if:

- The child is a citizen or resident of the United States or its possessions when the adoption effort began;
- A state determines that the child cannot or should not be returned to his or her parent's home; and
- The state determines that the child probably will not be adoptable without assistance provided to the adoptive family.

Do not confuse "children with special needs" for purposes of the adoption credit with the definitions of "children with special needs" for other purposes. Foreign children are not considered to have special needs for purposes of the adoption credit. Even U.S. children who have disabilities may not have special needs for purposes of the adoption credit. Generally, "special needs adoptions" are the adoptions of children whom the state's child welfare agency considers difficult to place for adoption.

Filing status

To determine your filing status, see Publication 501, Exemptions, Standard Deductions, and Filing Information, and What Is My Filing Status?

If you filed your return using the married filing separately filing status in the year particular qualified adoption expenses are first allowable, you cannot claim the credit or exclusion for those particular expenses. You may need to file an amended return to change to a qualifying filing status within the period of limitations.

CORPORATE OFFICE: 📍 [41745 Rider Way #2 Temecula, CA 92590](#)
OFFICE BRANCHES: 📍 [Citrus Heights, CA](#) | 📍 [Sacramento, CA](#) | 📍 [Durham, NC](#)
Tel: [\(951\) 695-3336](#) | **Fax:** [\(951\) 308-1753](#) | **Email:** info@4achild.org



- Example 5. Husband and wife pay qualified adoption expenses of \$3,000 in 2013, \$4,000 in 2014, and \$5,000 in 2015. In 2015, the domestic adoption becomes final. They have filed married filing separately for all prior tax years.

On the 2015 tax return they file married filing jointly and only \$9,000 (\$4,000 paid in 2014 and \$5,000 paid in 2015) of the expenses qualify for 2015. Since they filed married filing separately in 2014 and the \$3,000 paid in 2013 is first allowable for 2014, they cannot claim the adoption credit for those expenses unless they change their filing status to married filing jointly for 2014.

Form 8839 and instructions

To claim the adoption credit or exclusion, complete Form 8839 (PDF), Qualified Adoption Expenses, and attach the form to your Form 1040 (PDF), U.S. Individual Income Tax Return, or Form 1040NR (PDF), U.S. Nonresident Alien Income Tax Return. The Form 8839 Instructions (PDF) contain additional information about the adoption credit and exclusion. There is no longer a requirement to attach the adoption documentation with your tax return. However, you must keep the documentation as part of your records. The IRS encourages taxpayers to e-file their federal income tax returns. Form 8839 can be e-filed with Form 1040 or Form 1040NR. Consequently, taxpayers who e-file their tax returns need not print and mail completed forms to the IRS.

Q. What is a recertification or recertification notice of my adopted child's AAP benefits?

A. You need to respond to the notice immediately. The notice encloses the state AAP 3 form (<http://www.cdss.ca.gov/cdssweb/entres/forms/English/AAP3.pdf>) that your agency is required to send you every two years after the AAP agreement was signed to recertify your continued need for AAP benefits. You must complete and return the AAP 3 Form immediately. If you do not return the AAP 3 form to your agency within two weeks of the date it was mailed, they may take action to terminate your AAP benefits. You should check the appropriate boxes indicating that you are legally responsible for the support of the child, and you are supporting the child; and indicating either that you continue to need AAP benefits for the child

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



at the current level or that you are requesting an increase in the AAP benefit because the needs of your child have changed. If your child's needs have changed and you want to request an increase in the AAP benefits, you may check the appropriate box and complete Section I of the form indicating the needs of the child and circumstances of the family. Include any documentation you have showing the child's condition(s) and needs. Make sure to sign and date the form.

Q. Is there an age-related increase possible in AAP payments?

A. Maybe. Your adopted child is eligible for an age-related increase in his/her AAP grant ***if your AAP agreement was signed before January 1, 2010***. Children receiving AAP at the basic rate are eligible to receive an age-related increase when s/he reaches the following ages: 5, 9, 12, & 15. These increases are not automatic. You must submit your request in writing to your agency.

However, due to a change in California law enacted in 2009, for AAP agreements signed on or after January 1, 2010, AAP benefits shall **not** be increased based on age. (Welf. & Inst. Code section 16121(a).)

Q. Is an increase in the amount of my child's AAP benefits possible because the child's needs have changed?

A. Yes, adopting parents can at any time request a reassessment of the amount of the child's AAP benefits based upon reassessment of the child's needs, i.e., because the child's needs have changed.

Q. When will my child's AAP payments terminate?

A. AAP benefits terminate on your child's 18th birthday, even if your child is still enrolled in high school. Your child's AAP benefits may be extended to age 21, if your child has a documented mental and/or physical disability for which s/he is receiving services from a licensed professional that warrants the continuation of assistance

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



to age 21. You should call at least three months prior to your child's 18th birthday to determine if an extension is possible.

In addition, your child may be eligible for AAP benefits after he/she reaches age 18 under the specific circumstances of AB 12. Under this new California law, a child is eligible to receive AAP benefits after reaching the age of 18. **If** the initial AAP Agreement was signed when the child was at least 16 years of age and the child will be age 18 on or after January 1, 2012; **and** one of the following five participation criteria is met:

1. Completing a high school or an equivalency program; or
2. Enrolled in a post-secondary or vocational school; or
3. Participating in a program or activity that promotes or removes barriers to employment; or
4. Is employed at least 80 hours per month; or
5. Is incapable of participating in 1 through 4 above, due to a mental or physical disability.

Q. My adoptive child's therapist is recommending that my child receive in-patient services in a Residential Treatment Center facility. Will AAP pay for the cost of Residential Treatment for my child?

A. Yes, there is funding available from AAP that will cover the cost of your child's stay in certain Residential Treatment Centers (RTC) if that RTC meets specific qualifying guidelines. Your entire AAP benefit will be forwarded to the RTC during your child's stay at the RTC and will be reinstated to you once he/she returns to your home/care.

Q. Is my adopted child eligible for the Independent Living Program (ILP) services?

A. Children who were in foster care and adopted at age 16 or older are eligible for services from the Emancipation/ILP Program. Such services could include high school graduation expenses; education-related and work-related costs; financial aid workshops; housing assistance; job placement & training; life skills training; reimbursement for some physical & mental health services costs that are not

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



funded by Medi-Cal, including costs for classes or services related to parenting skills, nutrition, drug & alcohol use. At times, some of these services & resources may not be available due to limited funding. The Emancipation program receives a set budget every year from state and federal government sources. Please be aware that services and resources are distributed according to need and not as an entitlement.

Q. Do the child's biological parents or other birth relatives have the right to visit the child I have adopted?

A. Yes and No. In a foster care adoption, the dependency court terminated the parental rights of the child's biological parents, thus "legally freeing" the child for adoption. This terminates all rights of the birth parents, including custody of and most of the time visitation with the child.

Once the Adoption Order is granted by the superior court, all rights over and responsibilities for the child are exclusively vested in the adoptive parent(s). Any prior orders of the dependency court relating to visitation of the child's birth parents are terminated and no longer in effect after the adoption. Any contact with the child's birth relatives, including the birth parent(s), siblings or other relatives after the adoption is a decision in the sole discretion of the child's adoptive parent(s) for the most part. There are circumstances where a judge has ordered continued visitation by siblings and certain relatives.

California law does permit adoptive parents to enter into **voluntary** "post-adoption contact agreements" with birth relatives of the child. (Family Code § 8616.5)

However, it is important to understand that such post-adoption contact agreements are strictly voluntary; they cannot be ordered by the court or required by the county child welfare agency, the minor's attorney, or any other party. They will only work where all parties entering into such an agreement do so willingly and with the full intention of working together. Such agreements should not be pushed on any of the parties by social workers, attorneys, or the courts.

Q. What if my adopted child wants to search for his or her birth parents or siblings?

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



A. Despite having wonderful adoptive families, many children who are adopted grow up and desire to search for their birth families. Most adoption support groups encourage adoptees to include their adoptive family in their search. Sometimes the adoptee does not realize that their parents may possess information about the birth family. Many adoptive parents want to emotionally support their adult child as they navigate through the search process. Some advice to adoptive families is to support the adoptee in doing their search, help them understand that it is perfectly normal to want to know about every aspect of their background, and acknowledge that they are not looking for parental replacements but for the very beginning of their story. If a birth parent tells their child's social worker that they would like to have contact with their child after the child reaches adulthood, the birth parents may submit a notarized **Consent for Contact** form and have it placed in their child's case file. If, after the child turns 18, he or she wants the Department of Children and Family Services Post-Adoption Services (PAS) to assist them in locating and reuniting with their birth parents, he or she can contact PAS and submit the same form. This form allows the PAS worker to disclose the name and phone numbers of the birth parent(s) to their adult biological child and vice-versa. The form is available on-line at <http://www.cdss.ca.gov/cdssweb/entres/forms/English/AD904.PDF>.

Q. Does our child qualify for Medi-Cal?

A. all children who qualify for AAP benefits are also eligible for health care services through the Medi-Cal program. Not all doctors or medical providers accept Medi-Cal but there are physicians and medical providers in every community that do. Medi-Cal can also be used for out-patient or in-patient mental health services, if necessary.

Q. What about Native American Tribal Enrollment?

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



A. State licensed adoption agencies must assist adult adoptees of Native American heritage with enrollment into their tribe. When an adult adoptee requests help with tribal enrollment, the AS social worker gets information from the adoption case record and sends it to the appropriate tribal enrollment office. If enrollment is authorized by the tribe, the tribe will send the adoptee a certificate of enrollment.

Q. Can the adoptive parents continue to receive Adoption Assistance benefits for their child if the family moves out of the country?

A. Eligibility for Adoption Assistance is not based on where the adoptive family lives. They may move out of the county, the state or the country and the benefits will remain consistent.

Q. What if the adopted child needs special services and the family cannot afford them?

A. If the child needs medical or mental health services, the family can request an increase in Adoption Assistance Program benefits. Documentation should be submitted by the family showing the child's needs. If the adopted child has a disability, the child is also eligible to receive California Children's Services and may be eligible to receive Regional Center Services. These two programs are California programs and will be discontinued if the family leaves the state of California.

Q. What are Regional Center Services?

A. The Department of Developmental Services is responsible for designing and coordinating a wide array of services for CA residents with developmental disabilities. Regional Centers help plan, access, coordinate, and monitor these services and supports. You can locate a Regional Center near you through www.arcnet.org.

Q. We need IEP Assistance.

CORPORATE OFFICE: 📍 41745 Rider Way #2 Temecula, CA 92590
OFFICE BRANCHES: 📍 Citrus Heights, CA | 📍 Sacramento, CA | 📍 Durham, NC
Tel: (951) 695-3336 | **Fax:** (951) 308-1753 | **Email:** info@4achild.org



A. You make our request known to your agency where your needs are addressed. Your agency will contact our office to begin assistance.

Q. How can we find mental health services?

A. Our office will offer to you as much assistance as possible to help you and your child manage behaviors and other issues that will come up. Family group, individual and child group therapy, psychoeducational groups and classes, in-home behavioral assistance and outside referrals are all available to you.

CORPORATE OFFICE: 📍 [41745 Rider Way #2 Temecula, CA 92590](#)
OFFICE BRANCHES: 📍 [Citrus Heights, CA](#) | 📍 [Sacramento, CA](#) | 📍 [Durham, NC](#)
Tel: [\(951\) 695-3336](#) | **Fax:** [\(951\) 308-1753](#) | **Email:** info@4achild.org