



**FINAL REPORT OF THE  
VIRGINIA COMMISSION ON YOUTH**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**

# **Virginia's Adoption Home Study Process**

## **REPORT DOCUMENT 14**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2017**





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*Commission on Youth*

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January 6, 2017

TO: The Honorable Terry McAuliffe, Governor of Virginia

and

Members of the Virginia General Assembly

During the 2016 General Assembly Session, Delegate Chris Peace introduced House Joint Resolution 103. The resolution directed the Commission on Youth to study the adoption home study process. The House Committee on Rules reviewed this legislation and it was laid on the table. However, at the Commission's May 3, 2016 meeting, the Commission on Youth approved a study plan to research the provisions set forth in the legislation and to report findings and recommendations prior to the 2017 General Assembly session. At its December 6, 2016 meeting, the Commission approved the recommendations for this study. These recommendations are included in this report.

This report represents the work of many government and private agencies and individuals who provided input to the study. The Commission on Youth gratefully acknowledges their contributions to this effort.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara Favola".

Barbara A. Favola

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**MEMBERS OF THE VIRGINIA COMMISSION ON YOUTH**

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**From the Senate of Virginia**

Barbara A. Favola, Chair  
Charles W. Carrico, Sr.  
David W. Marsden

**From the Virginia House of Delegates**

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*Appendix A: House Joint Resolution 103*

*Appendix B: Commission on Youth Virginia’s Adoption Home Study  
Process – Virginia Department of Social Services Presentation*

*Appendix C: Advisory Group Participants*



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## **I. Authority for Study**

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Section 30-174 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." This section also directs the Commission to "...encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services."

Section 30-175 of the *Code of Virginia* outlines the powers and duties of the Commission on Youth and directs it to "[u]ndertake studies and to gather information and data...and to formulate and report its recommendations to the General Assembly and the Governor."

During the 2016 General Assembly Session, Delegate Christopher Peace introduced House Joint Resolution 103. The resolution directed the Commission on Youth to study the adoption home study process, including (i) the current Mutual Family Assessment home study format and curriculum; (ii) the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and (iii) the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth. The House Committee on Rules reviewed this legislation and it was laid on the table. However, at the Commission's May 3, 2016 meeting, the Commission on Youth approved a study plan to research the provisions set forth in the legislation and to report findings and recommendations prior to the 2017 General Assembly session.

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## **II. Members Appointed to Serve**

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The Commission on Youth is a standing legislative commission of the Virginia General Assembly. It is comprised of twelve members: six Delegates, three Senators and three citizens appointed by the Governor.

Members of the Virginia Commission on Youth are:

- Senator Barbara A. Favola, Arlington, Chair
- Senator Charles W. "Bill" Carrico, Sr., Galax
- Senator David W. Marsden, Burke
- Delegate Richard L. Anderson, Woodbridge
- Delegate Richard P. "Dickie" Bell, Staunton, Vice Chair
- Delegate Peter F. Farrell, Richmond
- Delegate Mark L. Keam, Vienna
- Delegate Daun S. Hester, Norfolk
- Delegate Christopher K. Peace, Mechanicsville
- Karrie Delaney, Chantilly
- Deirdre S. Goldsmith, Abingdon
- Christian Rehak, Esq., Radford

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### **III. Executive Summary**

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During the 2016 General Assembly Session, Delegate Chris Peace introduced House Joint Resolution 103. The resolution directed the Commission on Youth to study the adoption home study process, including (i) the current Mutual Family Assessment home study format and curriculum; (ii) the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and (iii) the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth. The House Committee on Rules reviewed this legislation and it was laid on the table. However, at the Commission's May 3, 2016 meeting, the Commission on Youth approved a study plan to research the provisions set forth in the legislation and to report findings and recommendations prior to the 2017 General Assembly session. Text of the introduced version of House Joint Resolution 103 can be found under Appendix A.

After a presentation of the findings and recommendations at the Commission's December 6, 2016 meeting, and receipt of public comment, the Commission on Youth approved the following recommendations:

#### **Recommendation 1**

Introduce a bill to mandate the Mutual Family Assessment home study and addendum developed by the Virginia Department of Social Services as a uniform home study format for statewide use among local departments of social services. Provide flexibility to allow the Virginia Department of Social Services to update this format in the future when necessary.

#### **Recommendation 2**

Support the Virginia Department of Social Services in its acquisition and implementation of a new comprehensive child welfare computer system. Ensure the ability of a case worker to make an intake query to see if an applicant family has previously applied to be an adoptive, foster, resource, respite family at another agency.

#### **Recommendation 3**

Request the Virginia Bar Association's Commission on the Needs of Children study the implications of the removal of the right to appeal, to Circuit Court from Juvenile and Domestic Relations District Court, certain cases involving termination of parental rights. Relevant Code of Virginia Section: (§ 16.1-296(D)).

As part of this study, look to the concept of having Juvenile and Domestic Relations District Courts become courts of record for matters involving child custody and termination of parental rights. This could be accomplished by requiring court reporters be present in these specific proceedings with appeals going directly to the Virginia Court of Appeals.

#### **Recommendation 4**

Support a messaging campaign at the Virginia Department of Social Services that promotes adoption through foster care.

#### **Recommendation 5**

Support the Virginia Department of Social Services efforts related to the hiring of regional home study specialists whose role is to assist local departments of social services by completing the foster care and adoption home study process.



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## IV. Study Goals and Objectives

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At the Commission on Youth meeting on May 3, 2016, Commission on Youth staff was directed to study the adoption home study process, including (i) the current Mutual Family Assessment home study format and curriculum; (ii) the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and (iii) the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth.

### A. IDENTIFIED ISSUES

- The home study process is generally thought to have three purposes, (i) educate and prepare the adoptive family for adoption; (ii) gather information about the prospective parents that will help a social worker match the family with a child whose needs they can meet; (iii) and evaluate the fitness of the adoptive family.
- Sections 63.2-1231 – 1232 of the *Code of Virginia* explain that in the cases of parental placement adoptions “[p]rior to the consent hearing in the juvenile and domestic relations district court, a home study of the adoptive parent(s) shall be completed by a licensed or duly authorized child-placing agency.” These sections also indicate that the home study shall make inquiries to specific issues such as making sure the birth parents are aware of alternatives to adoption.
- The Virginia Administrative Code 22 VAC 40-211-40 spells out the requirements for a home study conducted by the staff of local departments. Requirements for home studies conducted by licensed child-placing agencies are found in 22 VAC 40-131-180. The requirements in both of these sections describe the minimum standards for face-to-face interviews, number of references, and the demographic and financial information of the applicants that need to be included in a home study report. Both a study of the physical home as well as the prospective provider is done during a home study.
- The *Code of Virginia*, § 63.2-1231, explains how any home study for the purpose of parental placement or agency placement shall be valid for 36 months, unless there are any changes in the family’s circumstances. Additionally, the Board may, by regulation, require an additional state criminal background check if more than 18 months have passed since completion of the home study.
- The current Mutual Family Assessment format used by the local departments of social services for home studies is described in the Virginia Department of Social Services Child and Family Services manual. The applicant and the evaluator openly discuss and mutually decide if approval is in the best interest of all involved. The local department shall document the Mutual Family Assessment through a narrative report that addresses specific information obtained over the course of the approval process.
- Proponents of a uniform home study format argue that it would provide equally thorough assessments regardless of jurisdiction and minimize decision-making variation by evaluators. Additionally, a uniform home study would potentially eliminate the need for multiple home studies to be conducted on one family by various agencies during Virginia’s mandated time frame.

### B. STUDY ACTIVITIES

The Commission’s approved study plan included the following activities:

- Research and review federal law
  - *Intercountry Adoption Act of 2000*

- Home studies for Hague Convention and non-Hague Convention countries
- Review and analyze Virginia laws, policies, and procedures
  - Virginia Department of Social Services' Child and Family Services Manual
  - Adoption statutes and regulations
  - Criminal and child abuse record checks laws and regulations
  - State and Local Department of Social Services' (LDSS) policies and practices
  - Mutual Family Assessment home study format and curriculum
  - Parental placement vs foster care-to-adopt home study requirements
  - Kinship home studies
  - Dual approval process
  - Current efforts encouraging adoption in the Commonwealth
  - Other related practices
- Conduct extensive background and literature reviews
  - Review role and benefits of the home study process
  - National Conference of State Legislatures (NCSL)
  - Child Welfare Information Gateway – Children's Bureau – U.S. Department of Health and Human Services
  - Other states' implementation of uniform home study format, e.g. Structured Analysis Family Evaluation (SAFE)
  - Child Welfare League of America (CWLA)
  - Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC)
  - Best practices implementing home studies
  - Other states' statutes, regulations, studies, and activities
- Convene an advisory group of stakeholders
  - Invite representatives from the impacted groups including:
    - Virginia Department of Social Services
    - Local Departments of Social Services
    - Secretary of Health and Human Resources
    - Virginia League of Social Service Executives
    - Virginia's Court Improvement Program – Supreme Court of Virginia
    - Private child-placing agencies
    - Adoptive parents
    - County/City attorneys
    - Juvenile court judges
    - Guardians ad litem and parents' counsel
    - Virginia's Court Appointed Special Advocates
    - Advocacy organizations
- Develop recommendations
  - Synthesize recommendations
  - Develop recommendations
  - Solicit feedback to recommendations
  - Refine findings and recommendations
- Present findings and recommendations to the Commission on Youth
- Prepare final report

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## **V. Methodology and Objectives**

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The findings of the study are based on several distinct research activities conducted by the Commission on Youth.

### **A. RESEARCH AND ANALYSIS**

Commission staff conducted a review of both federal and state laws related to home studies and their role in the adoption process. Every state and the District of Columbia has current legislation that requires all prospective adoptive parents to go through a home study conducted by a licensed social worker or caseworker.

The Virginia Department of Social Services publishes home study guidelines for the Mutual Family Assessment process that aligns with Virginia's Children's Services System Practice model. Commission staff worked with the Virginia Department of Social Services to gain insight into the process by which families are selected to foster or adopt a child.

### **B. ADVISORY GROUP**

On September 7, 2016, the Commission on Youth hosted an Advisory Group on the Virginia's Adoption Home Study Process. The Advisory Group was comprised of 15 members including lawyers, guardians ad litem, judges, members of advocacy organizations, parents, and the Virginia Department of Social Services. The Advisory Group agenda included a presentation from the Department of Social Services that included a data overview, previous workgroup efforts and recommendations conducted by the Department of Social Services, the home study and Mutual Family Assessment process, investments, and improvements presently underway. This presentation is included as Appendix B. Following the presentation by the Department of Social Services the Advisory Group held a discussion to develop recommendations. At the December 6 Commission on Youth meeting, the Commission on Youth heard a presentation about the research and analysis and the Advisory Group's recommendations. The Commission also received public comment and took final actions on the study recommendations. A complete listing of Advisory Group members is provided as Appendix C.

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## **VI. Background**

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The results of the research and analysis conducted by Commission staff are summarized below.

### **A. REVIEW OF INTERNATIONAL ADOPTION LAW**

In 1994, the United States signed the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption (Convention) which establishes international standards of practice for intercountry adoptions.<sup>1</sup> The goal of the Convention is to prevent the abduction, sale of, or trafficking in children and to ensure that intercountry adoptions are in the best interests of children.<sup>2</sup> In order to provide for the implementation of the Convention, the United States Congress passed the Intercountry Adoption Act of 2000.<sup>3</sup>

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<sup>1</sup> U.S. Department of State. Intercountry Adoption. (2016). *Understanding the Hague Convention*. Retrieved from <https://travel.state.gov/content/adoptionsabroad/en/hague-convention/understanding-the-hague-convention.html>.

<sup>2</sup> Ibid.

<sup>3</sup> Intercountry Adoption Act of 2000, Pub. L. No. 106-279, 114 Stat. 825 (2000).

The adoption process differs between Convention countries and non-Convention countries. Convention countries provide more protections for prospective adoptive parents. Specifically, there are differences in the home study requirements for Convention versus non-Convention countries. In the United States, Title 8, § 204.311 of the Code of Federal Regulations specifies the Convention home study requirements. Table 1 provides a comparison of home study requirements for Convention versus non-Convention countries.

Table 1

Intercountry Adoption from Hague Convention and Non-Hague Convention Countries

<b>Both types of adoption</b>	
The home study must be approved by the U.S. Citizenship and Immigration Services (USCIS) and must include specific information about the parents and their suitability. Countries of origin may also have their own home study requirements. Home studies may focus on financial considerations; parental physical, mental, emotional, and behavioral health; placement suitability; and the parents' eligibility to adopt from the specific country. <sup>4</sup>	
<b>Convention Countries</b>	<b>Non-Convention Countries</b>
A home study must be conducted by an individual or entity defined as a home study preparer specific to Convention cases. This includes a public domestic authority, an accredited agency, an approved person, a supervised provider, an exempted provider, or others who hold the proper licenses or authorizations. Parents must choose the country of the child to be adopted before the home study is conducted.	Parents may have a home study conducted by an adoption provider licensed in their state before they decide from which country they will adopt. Parents may have the home study completed before they finalize their selection of a country.

**B. HOME STUDIES IN THE UNITED STATES**

In the United States a home study is a legally required component of the adoption process in every state and the District of Columbia.<sup>5</sup> The home study process has three purposes: 1) educate and prepare the prospective family for adoption 2) evaluate the capability and suitability of the prospective family to adopt, and 3) gather information about the prospective adoptive family that will help a social worker match the family with a child or youth whose needs they can best meet (applicable to public child welfare agency adoptions).<sup>6</sup>

There are a number of federal programs that have been passed to specifically encourage foster care and the adoption of foster care youth and certain children with special needs. Most of the federal programs dealing with foster care and adoption have been incorporated into Title IV-E of the Social Security Act, *Federal Payments for Foster Care and Adoption Assistance*. Title IV-E is a federal funding stream designed to provide funding to states to ensure proper care for eligible children in foster care and to provide adoption assistance to eligible children with special needs.

<sup>4</sup> Child Welfare Information Gateway (July 2014), *Intercountry Adoption from Hague Convention and Non-Hague Convention Countries*. Retrieved from: <https://www.childwelfare.gov/pubPDFs/hague.pdf>. (see <http://www.uscis.gov/adoption/home-study-information/hague-home-study/hague-home-study-guidelines> for Convention home study guidelines and <http://www.uscis.gov/adoption/homestudy-information/orphan-home-study/orphan-home-study-guidelines> for non-Convention home study guidelines).

<sup>5</sup> Child Welfare (October 2015), *The Adoption Home Study Process*. Retrieved from: [http://www.childwelfare.gov/pubPDFs/f\\_homstu.pdf](http://www.childwelfare.gov/pubPDFs/f_homstu.pdf).

<sup>6</sup> Ibid.

The federal government does not mandate an established uniform home study format for use by state or private foster or adoption agencies. Rather, each state has laws and regulations that specify the particular elements of the required home study and the person or entity who may conduct a court-accepted home study. All states require those who apply to become foster or adoptive parents to go through criminal and child abuse record checks.<sup>7</sup> Both public and private agencies must comply with state laws and policies regarding provider approvals and how the findings of a criminal and child abuse record affect the eligibility for potential foster and adoptive parents.<sup>8</sup> Most states use a home study format that contains some variation of the following elements: in-person interviews of all family members, personal reference checks, onsite home visits to evaluate the safety and overall environment of the home, criminal record checks, and child abuse and neglect records checks.<sup>9</sup>

A majority of states include concurrent planning as part of the home study process for foster care children. Concurrent planning is used in an effort to move children and youth more quickly from out-of-home care to a permanent family.<sup>10</sup> Concurrent planning is a process of developing one permanency goal, usually reunification with the birth parents, while simultaneously working toward other placement outcomes—adoption or placement with a legal guardian (typically a relative).<sup>11</sup> As of 2009, forty-two states and the District of Columbia had statutes that address concurrent planning.<sup>12</sup> The goals of concurrent planning are to promote the safety of children and youth, achieve timely permanence, reduce the number of moves for children and youth, and allow for continued growth of significant relationships.<sup>13</sup>

While there is not one established uniform home study format across the entire United States, there is one format that is available for use across many jurisdictions called Structured Analysis Family Evaluation (SAFE). SAFE is the Consortium for Children's standardized home study methodology. SAFE began in 1989, and it expanded in 2003 when it received a grant to expand and evaluate performance. The SAFE report contains a psychosocial evaluation component that assesses a family's strengths and issues of concern. The psychosocial inventory looks at 68 factors divided into 9 sections (i) personal history; (ii) personal characteristics; (iii) marital / domestic partner relationship; (iv) sons/daughters/others residing or frequently in the home; (v) extended family relationships; (vi) physical/social environment; (vii) general parenting; (viii) specialized parenting; (ix) adoption issues.<sup>14</sup> SAFE is used by public or private agencies in almost all 50 states, and in at least 15 states, it is mandated by the public agency that oversees adoption.<sup>15</sup>

### **C. VIRGINIA HOME STUDY LAWS, POLICIES, AND PROCEDURES**

Under Virginia law, there are two types of adoptive placements: agency placements and non-agency placements.<sup>16</sup> An agency placement is a placement through local departments of

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Child Welfare Information Gateway (Current through February 2012), *Home Study Requirements for Prospective Parents in Domestic Adoption*. Retrieved from: [https://www.childwelfare.gov/pubPDFs/homestudyreqs\\_adoption.pdf](https://www.childwelfare.gov/pubPDFs/homestudyreqs_adoption.pdf).

<sup>10</sup> Child Welfare Information Gateway (February 2012), *Foster Parents Considering Adoption*, Retrieved from: [https://www.childwelfare.gov/pubPDFs/f\\_fospar.pdf](https://www.childwelfare.gov/pubPDFs/f_fospar.pdf).

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Structured Analysis Family Evaluation (SAFE), Retrieved from: [http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/teleconferences/Structured\\_Analysis\\_Family\\_Evaluation.pdf](http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/teleconferences/Structured_Analysis_Family_Evaluation.pdf).

<sup>15</sup> SAFE Home Study Map. (K. Cleary, personal communication, April 14, 2016).

<sup>16</sup> Virginia Department of Social Services, (2016). *Adoption*. Retrieved from: <http://www.dss.virginia.gov/family/ap/index.cgi>.

social services or licensed child-placing agencies. With an agency placement, all parental rights are terminated and custody with authority to place for adoption is granted to the local department or licensed child-placing agency. A non-agency placement involves children who are not placed in the custody of a local department of social services. These adoption placements are administered by licensed child-placing agencies. Parental placements, close relative placements, and intercountry placements are all examples of non-agency adoptions. With a non-agency placement, the birth parents or legal guardian(s) consent to the adoption and parental rights are terminated by entry of the final adoption order. The type or need for a home study is not impacted by the type of placement being conducted.

In the case of parental placement adoptions, the *Code of Virginia*, § 63.2-1231 entitled *Home study; meeting required; exception*, outlines the general requirements of a home study. This section states that the “home study shall make inquiry as to (i) whether the prospective adoptive parents are financially able, morally suitable, and in satisfactory physical and mental health to enable them to care for the child; (ii) the physical and mental condition of the child, if known; (iii) the circumstances under which the child came to live, or will be living, in the home of the prospective adoptive family, as applicable; (iv) what fees have been paid by the prospective adoptive family or in their behalf in the placement and adoption of the child; (v) whether the requirements of subdivisions A 1, A 2, A 3, and A 5 of § 63.2-1232 [*Requirements of a parental placement adoption; exception*] have been met; and (vi) any other matters specified by the circuit court.”<sup>17</sup>

In the chapter on foster care, the *Code of Virginia* also references the use of a home study for placing a child. According to § 63.2-900 entitled *Accepting children for placement in homes, facilities, etc., by local boards*, “[p]rior to the approval of any family for placement of a child, a home study shall be completed and the prospective foster or adoptive parents shall be informed that information about shaken baby syndrome, its effects, and resources for help and support for caretakers is available on a website maintained by the Department as prescribed in regulations adopted by the Board.” Section 63.2-904 entitled *Investigation, visitation, and supervision of foster homes or independent living arrangement; removal of child* also discusses the importance of a home study in the foster care process. This section states, “[b]efore placing or arranging for the placement of any such child in a foster home or independent living arrangement, a local board or licensed child-placing agency shall cause a careful study to be made to determine the suitability of such home or independent living arrangement, and after placement shall cause such home or independent living arrangement and child to be visited as often as necessary to protect the interests of such child.”

The *Virginia Administrative Code* 22VAC40-211-40, 22VAC40-211-50, and 22VAC40-131-180 standardizes and gives specific details regarding the process for which a potential foster or adoptive family is evaluated and approved during the home study process. When an applicant is approved in accordance with the regulations, they are approved as foster families, adoptive families, resource families, or respite families. The regulations require that local departments or agencies conduct a minimum of three face-to-face interviews with each applicant, and at least one shall be in the applicant’s home. Also, at least one interview shall be with all individuals who reside in the home. The local department or agency shall obtain at least three references and at least one reference per person shall be from a nonrelative. The local department or agency shall ask if a prospective resource, foster, adoptive, or respite provider previously applied to, or was approved by, another local department or licensed child-placing agency. Also, information included in a Virginia home study shall include demographic information and

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<sup>17</sup> *Code of Virginia* § 63.2-1231.

financial information on the applicant. Additionally, under 22VAC40-211-40, narrative documentation is required, which is used to assess and document that the applicant:

- a. Is knowledgeable about the necessary care for children and physically and mentally capable of providing the necessary care for children;
- b. Is able to articulate a reasonable process for managing emergencies and ensuring the adequate care, safety, and protection of children;
- c. Expresses attitudes that demonstrate the capacity to love and nurture a child born to someone else;
- d. Expresses appropriate motivation to foster or adopt;
- e. Shows stability in all household relationships;
- f. Has the financial resources to provide for current and ongoing household needs; and
- g. Has complied with 22VAC40-211-70 [*Standards for the Home of the Provider*].

The home study requirements for licensed child-placing agencies has ostensibly similar requirements for narrative documentation pursuant to 22VAC40-131-180.

The provider approval period for home studies conducted by a local department or licensed child-placing agency is 36 months. Under the home study requirements for licensed child-placing agencies, the regulations state that “[f]or adoption cases, before finalization of an adoption in which more than 18 months have passed since the completion date of the study, the licensee may obtain additional state criminal background checks on the applicants and all other adults living in the home of the applicant.”<sup>18</sup>

One of the requirements during the home study process is that the potential foster or adoptive parent undergoes pre-service training. The *Virginia Administrative Code* section regarding training for local department families is 22VAC40-211-60 and the section for licensed child-placing agencies families is 22VAC40-131-210. Each section lists over 20 competencies that training must address including protecting and nurturing children, meeting children’s developmental needs and addressing developmental delays, supporting relationships between children and their families, and working as a member of a professional team. Parent Resources for Information, Development and Education (PRIDE) is the preferred training curriculum in Virginia. Other curricula have also been verified to meet the required competencies in the regulations such as Model Approach to Partnerships in Parenting (MAPP), and Parents as Tender Healers (PATH).<sup>19</sup> Also, Traditions of Caring and Collaborating Model of Practice is a specially designed curriculum for use with kinship foster and adoptive families.

The Virginia Department of Social Services has a recommended method of approving a foster or adoptive family through a Mutual Family Assessment (MFA), which is another term for a home study.<sup>20</sup> A MFA is a process by which a family and social worker or case worker openly discuss and mutually decide if approval is in the best interest of the family wishing to foster or adopt and the child who is being considered for foster care or adoption.<sup>21</sup> The MFA includes both a study of the physical home as well as the prospective provider(s) and is done with the families rather than to the families.<sup>22</sup> One of the unique elements of the MFA is that a prospective foster or adoptive family has the opportunity to evaluate themselves as applicants

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<sup>18</sup> 22VAC40-131-180.

<sup>19</sup> Virginia Department of Social Services, (2013). Local Department Resource, Foster, and Adoptive Family Home Approval Guide. Retrieved from: [https://www.dss.virginia.gov/files/division/dfs/fc/intro\\_page/guidance\\_manuals/other/guidance\\_2\\_13.pdf](https://www.dss.virginia.gov/files/division/dfs/fc/intro_page/guidance_manuals/other/guidance_2_13.pdf).

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

and to determine which role (foster, adoptive, or resource family) is best for them. The completed MFA includes a compilation of training, home visits, demographic information, background checks, and references.<sup>23</sup> A decision about child placement based on a completed MFA reflects the family's perceived ability and willingness to foster or adopt along with the agency's assessment of the family.<sup>24</sup> Currently, the Virginia Department of Social Services has published a preferred template for a MFA that includes all of the required categories and any local department of social services that chooses to use another format for the MFA must clearly address each of the categories as listed in the preferred template.

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## VIII. Findings and Recommendations

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After presentations of the findings and recommendations at the Commission's December 6, 2016 meeting and receipt of public comment, the Commission on Youth approved the following recommendations:

*Findings:*

*The Mutual Family Assessment template is the preferred format for use in approving provider families.*

Recommendation 1:

**Introduce a bill to mandate the Mutual Family Assessment home study and addendum developed by the Virginia Department of Social Services as a uniform home study format for statewide use among local departments of social services. Provide flexibility to allow the Virginia Department of Social Services to update this format in the future when necessary.**

*Findings:*

*There is no statewide database of current foster families, and agencies are unable to verify if applicant has previously applied to be a resource family.*

Recommendation 2:

**Support the Virginia Department of Social Services in its acquisition and implementation of a new comprehensive child welfare computer system. Ensure the ability of a case worker to make an intake query to see if an applicant family has previously applied to be an adoptive, foster, resource, respite family at another agency.**

*Findings:*

*Parents have two rights of appeal in certain domestic relations cases including termination of parental rights.*

Recommendation 3:

**Request the Virginia Bar Association's Commission on the Needs of Children study the implications of the removal of the right to appeal, to Circuit Court from Juvenile and Domestic Relations District Court, certain cases involving termination of parental rights. Relevant Code of Virginia Section: (§ 16.1-296(D)).**

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid.



As part of this study, look to the concept of having Juvenile and Domestic Relations District Court become courts of record for matters involving child custody and termination of parental rights. This could be accomplished by requiring court reporters be present in these specific proceedings with appeals going directly to the Virginia Court of Appeals.

Findings:

*Foster care-to-adoption is vital in promoting the goal of permanency.*

Recommendation 4:

**Support a messaging campaign at the Virginia Department of Social Services that promotes adoption through foster care.**

Findings:

*Adoption savings funds are being used to assist local departments of social services in completing the foster care and adoption home study process.*

Recommendation 5:

**Support the Virginia Department of Social Services efforts related to the hiring of regional home study specialists whose role is to assist local departments of social services by completing the foster care and adoption home study process.**

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## **VIII. Acknowledgments**

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The Virginia Commission on Youth extends special appreciation to the members of the Advisory Group and to the following for their assistance on this study:

Virginia Department of Social Services

Carl Ayers

Traci Jones

Em Parente

Bragail Williams-Brown

Virginia Commission on Youth

Amanda Muncy, Intern

**HOUSE JOINT RESOLUTION NO. 103**

Offered January 13, 2016

Prefiled January 11, 2016

*Directing the Commission on Youth to study the adoption home study process in the Commonwealth. Report.*

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Patrons-- Peace and Collins

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Referred to Committee on Rules

WHEREAS, adoption creates a legal relationship, rights, and responsibilities between the adoptive parents and the child being adopted such that the adopted child is, for all intents and purposes, the child of the adoptive parents; and

WHEREAS, adoptions in the Commonwealth may be facilitated by local departments of social services or licensed private child-placing agencies in accordance with the requirements of the Code of Virginia and regulations adopted by the Department of Social Services; and

WHEREAS, a thorough investigation of an adoptive placement, including completion of a home study, visits to the potential adoptive home, and interviews with the potential adoptive parents, is required before a child may be placed with adoptive parents; and


WHEREAS, the process for completion of a home study can be lengthy, and the cost of home studies can be substantial; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Commission on Youth be directed to study the adoption home study process in the Commonwealth.

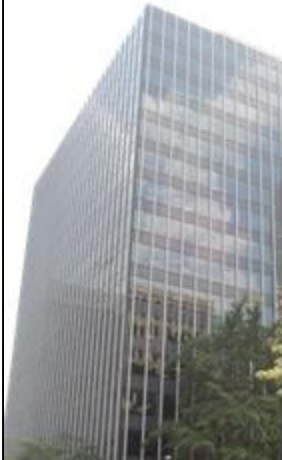
In conducting its study, the Commission on Youth shall review the current mutual family assessment home study format and curriculum, review the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies, and consider the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth.

Technical assistance shall be provided to the Commission on Youth by the Department of Social Services. All agencies of the Commonwealth shall provide assistance to the Commission on Youth for this study, upon request.

The Commission on Youth shall complete its meetings for the first year by November 30, 2016, and for the second year by November 30, 2017, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Commission on Youth intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.





VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES



**Commission on Youth  
VA Adoption Home Study process**  
*September 7, 2016*  
*Division of Family Services*

*People helping people triumph over poverty, abuse and neglect  
to shape strong futures for themselves, their families and communities*



**Basic Data Overview**

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## Foster Care



Between July 1 and 31, 2016:

- 4856 children between the ages of 0 and 17 were in foster care
- 3997 (82.3%) were in family-based placement settings (foster homes, pre-adoptive homes, trial home visit, etc.)
  - 6.1% were kinship foster homes
- 859 (17.7%) were in congregate care settings (group home or residential)



## Foster Parent Adoptions in Virginia



In FFY 2014:

- 88.6% of children adopted were adopted by their (non-relative) foster parents
- 7.8% were adopted by relatives, who may or may not have been foster parents

U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, <https://www.acf.hhs.gov/programs/ob>  
Data current as of July 2015



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Data current as of July 2015



## Home Study Work group Feedback/Suggestions - 2015



### Uniformity

- Review content of Mutual Family Assessment (MFA)/Licensed Child Placing Agency(LCPA) home studies
- Are there regular reviews of MFA written by LDSS?
- Random review of (2-3)MFAs of LDSS staff who were completed CWS 3103
- What is the LCPA review process? Review their protocol
- Ensure regular collaboration between the LCPAs and LDSS
- Complete generic study and utilize an addendum for a child specific study
- Modify current Adoption Through Collaborative Partnership(ATCP) contract language –when to use addendums
- Add language to home study that it is specific to VA requirements and that information on the home study is gathered for a specific time period between the LDSS or LCPAs

## Home Study Work group Feedback/Suggestions - 2015



### Reciprocity

- Develop process to share information
- Update Resource Family Guidance
- Clarify "who owns" MFA/Home study in ATCP contract/require contract modification
- Utilize non-conviction letter from contractor or LDSS complete their own checks
- Develop process regarding release of home study/MFA
- May require review by AG- release sufficient from family to share (with specific time) and list confidentiality issues



# Home Study and Mutual Family Assessment Process



# Overview of Mutual Family Assessment (MFA) Process

- > During VDSS Child Welfare Transformation in 2009, the home study process for approving foster and adoptive families was improved by using a more inclusive process referred to as the mutual family assessment.
- > As a result of this process, the final decision to approve the home reflects the family's perceived ability and willingness to foster or adopt as well as the agency's assessment of the family.
- > The MFA is more about the adequacy of the home and not just do they meet the basic standards.

## Foster/Adoptive parent training curriculum – General



- Many of Virginia's local departments of social services (LDSS) and licensed child placing agencies (LCPA) use the PRIDE (Parent Resources for Information, Development, and Education) curriculum or a modified version of the PRIDE curriculum.



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## Foster/Adoptive parent training curriculum – General (cont.)



The PRIDE curriculum utilizes the following core competencies:

- Protecting and nurturing children
- Meeting children's developmental needs and addressing developmental delays
- Supporting relationships between children and their families
- Connecting children to safe, nurturing relationships intended to last a lifetime
- Working as a member of a professional team



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## Foster/Adoptive parent training curriculum - Relative (cont.)



- Traditions of Caring (TOC) and Collaborating Model of Practice
  - This is a specially designed curriculum for use with kinship foster and adoptive homes



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## Investments



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## Investment in Improving the Process



- > \$1.5 million in Mutual Family Assessment Regionally-based Staff and Post-adoption support services funded by title IV-E Adoption Savings
- > \$1.5 million in State General Funds specifically targeted at pilot programs designed to increase the number of children adopted from foster care
- > \$1.9 million through the Adoption Through Collaborative Partnership Grants



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## Plan for the Adoption Savings Funds



- > Beginning in 2010, the Federal Government changed the funding stream for basic maintenance payments in Adoption Assistance Payments.
- > Regardless of whether or not the adoptive child was title IV-E while in foster care, their basic maintenance payment is made from title IV-E funds.
- > This process was implemented in 2-year increments until all basic maintenance payments are made from federal funds.
- > The change resulted in Adoption Savings, which must be re-invested to promote adoption and permanency for children in foster care.
- > As a result of the title IV-E Adoption Savings, the Division of Family Services is spending the funds by providing services to eliminate barriers to achieving permanency for foster care youth.



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## Plan for the Adoption Savings Funds



- Hire a minimum of three specialists per region to assist the local departments of social services (LDSS) by completing the foster care and adoption home study process, which includes, written reports and home visits.
- They will report to a consultant.
- The staff, including two consultants, will be hired as wage employees.



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## Plans for the Adoption Savings Funds



- Additional measures will be built in to add incentives for home studies completed prior to the 60-day timeframe by the Adoption Through Collaborative Partnership (ATCP) contractors and subsequent foster care and adoption placements by the LDSS.



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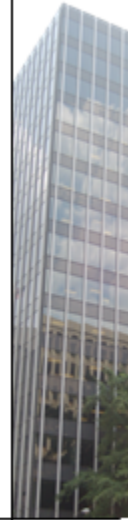
## Plan for the Adoption Savings funds

- Federal law requires at least 30% of the Adoption Savings funds to be spent on post-adoption services
- Contractual services will be provided to adoptive families and adoption professionals such as educational resources, clinical services and support to ensure permanency for adoptive youth and families.



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## Improvements Presently Underway



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## Steps Taken to Improve the MFA (home study) process



- Currently updating Foster and Adoptive Family guidance to provide clarity on uniformity and reciprocity of home studies
- Modified the Adoption Through Collaborative Partnership (ATCP) contract. Contractors will be required to complete an addendum or amended study for the purpose of completing a child specific home study for adoption.
- Mutual Family Assessment contractors have been hired to assist LDSS in increasing the number of approved foster and adoptive homes.



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## Improvements to MFA (home study) process cont.



- CRAFFT (The Consortium for Resource and Foster Family Training) coordinators have increased their supportive role in assisting LDSS by providing PRIDE/Traditions of Care (TOC) training for foster/adoptive/kinship parents.
- Implementation of generic MFA and subsequent completion of addendum or amended study for the purpose of a child specific home study for adoption.



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## Virginia's Adoption Home Study Process Advisory Group

<p><b>Tammy Allison</b> Parent Representative</p> <p><b>Carl Ayers</b> Virginia Department of Social Services</p> <p><b>Lori Battin</b> Virginia's Court Improvement Program – Supreme Court of Virginia</p> <p><b>Kara Brooks</b> CSA Coordinator – Hanover County</p> <p><b>The Honorable Richard B. Campbell</b> Virginia Juvenile and Domestic Relations District Court</p> <p><b>Allison Gilbreath</b> Voices for Virginia's Children</p> <p><b>Cate Hawks</b> NewFound Families</p> <p><b>Janet Vestal Kelly</b> Parent Representative</p>	<p><b>Pam Kestner</b> Secretary of Health and Human Resources</p> <p><b>Melissa O'Neill</b> Court Appointed Special Advocate Program</p> <p><b>Cathy Pemberton</b> Virginia League of Social Service Executives</p> <p><b>Rebecca Ricardo</b> Private child-placing agency – C2Adopt</p> <p><b>Abigail Schreiner</b> Private child-placing agency - Hope Tree Family Services</p> <p><b>The Honorable Frank G. Uvanni</b> Virginia Juvenile and Domestic Relations District Court</p> <p><b>The Honorable Patricia L. West</b> Former Juvenile and Circuit Court Judge</p> <p><b>Commission on Youth Staff:</b> Amy Atkinson Will Egen Leah Mills Amanda Muncy, Intern</p> <p><b>Department of Social Services Staff:</b> Traci Jones Em Parente Bragail Williams-Brown</p>
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