



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

May 21, 2013

ALL COUNTY INFORMATION NOTICE NO. I-09-13

TO: ALL COUNTY WELFARE DIRECTORS
ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
CDSS ADOPTION DISTRICT OFFICES
ALL ADOPTION SERVICE PROVIDERS

SUBJECT: ASSEMBLY BILL (AB) 2488; ADOPTION: SIBLING MUTUAL
CONSENT PROGRAM – CONFIDENTIAL INTERMEDIARY

REFERENCE: SECTION 9205 OF THE FAMILY CODE (CHAPTER 386, STATUTES
OF 2006)

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

The provisions of AB 2488 permit adoptees and siblings greater opportunities to initiate and make contact with each other. Implementation of this program was suspended until July 1, 2012. At the time, the Legislature said that implementation of some or all of the changes made to Section 9205 of the Family Code “shall continue, to the extent possible”, and many counties have provided this service over the last several years. This All County Information Notice is to inform you that commencing July 1, 2012, it is still the intent of the Legislature that this program “shall continue, to the extent possible”.

The Sibling Mutual Consent Program – Confidential Intermediary provides that the department, county adoption agency or licensed adoption agency release the names and addresses of siblings to one another, if both of the siblings have attained 18 years of age and have filed the following with the department or agency:

1. A current address.
2. A written request for contact with any sibling whose existence is known to the person making the request.
3. A written waiver of the person’s rights with respect to the disclosure of the person’s name and address to the sibling, if the person is an adoptee.

An adoptee or sibling who seeks contact with the other for whom no waiver is on file may petition the superior court where the adoption was finalized to appoint a

confidential intermediary. The department, county adoption agency or licensed adoption agency that handled the adoption will be appointed by the court to serve as the intermediary. The intermediary shall have access to all records of the adoptee or the sibling and shall make all reasonable efforts to locate and attempt to obtain the consent of the adoptee, sibling, or adoptive or birth parent, as required, to make the disclosure authorized by Section 9205. The confidential intermediary shall notify any located adoptee, sibling, or adoptive or birth parent that consent is optional, not required by law, and does not affect the status of the adoption. If the sibling submits the waiver, the agency may exchange names, addresses and telephone numbers. If the sibling being sought does not wish to make contact, the confidential intermediary will cease any further attempts to obtain a waiver and will inform the sibling seeking contact that no contact is desired.

Beginning in the 2011-12 fiscal year, and each fiscal year thereafter, the funding and expenditures for this program shall be in accordance with requirements provided in Sections 30025 and 30026.5 of the Government Code. The funding and expenditures for this program will come out of the Protective Services Subaccount.

If you have any questions, please contact Cindy Borg-Minasian, Social Services Consultant III, at (916) 651-8135.

Sincerely,

Original Document Signed By:

ELLIE JONES, Chief
Children's Services Operations and Evaluation Branch
Children and Family Services Division

c: CWDA