

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



August 24, 2005

ALL-COUNTY INFORMATION NOTICE NO. I-47-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL CDSS ADOPTIONS DISTRICT OFFICES
ALL COUNTY AND PRIVATE ADOPTION AGENCIES
ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: UNAVAILABILITY OF VERIFYING OFFICIAL
DOCUMENTS FOR ADOPTION

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 purpose of this All-County Information Notice is to remind counties of alternatives to verifying documents such as birth and death certificates, divorce decree, etc, when such documents are necessary for assessments of adoption suitability

For the purpose of complying with adoption program requirements, Title 22 California Code of Regulations Section 35044 (attached) sets forth procedures for establishing alternative documentation when a verifying official document is unavailable. In order to ensure timely completion of an adoption, these procedures should be initiated as soon as it is determined that a required document cannot be obtained.

If you have any questions regarding this notice, please contact Azadeh M-Fares of the Concurrent Planning Policy Unit at (916) 657-3751.

Sincerely,

Original Document Signed By

PATRICIA AGUIAR
Branch Chief
Child and Youth Permanency Branch

SUBCHAPTER 3 ADMINISTRATIVE REQUIREMENTS

Article 1.1 Unavailability of Verifying Documents

35044 PROCEDURES REGARDING UNAVAILABILITY OF DOCUMENTS 35044

- (a) When a verifying official document is unavailable, the agency shall request the individual who would have submitted the official document to attempt to obtain a letter from the appropriate United States or foreign official stating that the document is not available and the reason it is not available.

HANDBOOK BEGINS HERE

- (1) Official documents may include, but are not limited, to:
- (A) Birth Certificate.
 - (B) Marriage Certificate.
 - (C) Divorce Decree.
 - (D) Death Certificate.
- (2) Verification may not be possible due to war, political unrest, fire, or flood in either the United States or a foreign country.
- (3) Appropriate official may include, but is not limited to, recorder, court clerk, coroner, mayor, or local clergy.

HANDBOOK ENDS HERE

-
- (b) If a letter from the appropriate official is not received within 60 days of the individual's request, the agency shall request the individual's signed and notarized declaration specifying the:

- (1) Type of document not available.
- (2) Factual information contained on the document.
- (3) Measures taken to obtain a copy of the document and to obtain a letter from the appropriate United States or foreign official.

35044 PROCEDURES REGARDING UNAVAILABILITY OF DOCUMENTS 35044
(Continued)

(4) Certification that includes the following statement:

(A) "I certify under penalty of perjury that the above stated information is a true and accurate accounting."

(c) The agency shall include in the adoption case record:

(1) Information about the unavailable official document.

(2) The letter and declaration required by subsections (a) and (b) above, as appropriate.

(d) The agency shall include in the court report:

(1) Information about the unavailable official document.

(2) An explanation regarding the unavailability of the letter from the appropriate United States or foreign official.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code; Section 1530, Health and Safety Code; and Sections 8621 and 8901, Family Code. Reference: Sections 8700, 8715, 8806, 8807, 8808, 8814, 8819, and 8914, Family Code.