

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



May 19, 1999

ALL-COUNTY INFORMATION NOTICE I-35-99

TO: ALL COUNTY WELFARE DIRECTORS
ALL PUBLIC ADOPTION AGENCIES
ALL CDSS ADOPTION DISTRICT OFFICES

REASON FOR TRANSMITTAL

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

SUBJECT: Completeness Of Information Regarding Identity Of Children on Documents
Submitted To CDSS For Issuance Of An Acknowledgement (AD 4333).

Several adoption agencies have questioned the need to reconcile inconsistent information in certain documents before the California Department of Social Services (CDSS) will issue an acknowledgement (AD 4333) that the child is legally free for adoption. The purpose of this all-county information notice is to emphasize the importance of using the child's name as it appears on his or her birth certificate when an agency submits documents to the CDSS. The notice also recommends acceptable ways to reconcile discrepancies between two or more documents (e.g., relinquishment document, statement of understanding, court order) submitted for the CDSS's review.

Adoption agencies are required to submit completed AD 90 and AD551A forms to the CDSS for issuance of an acknowledgement (AD 4333). Under Title 22 California Code of Regulations (CCR) Section 35145(a)(1)(A), the relinquishment document must identify the child by the full name listed on his or her birth certificate. However, a discrepancy may exist if the relinquishment document, statement of understanding, or court order terminating parental rights does not refer to the child by that same name.

As the central repository of all California adoption records, CDSS is responsible for establishing and maintaining permanent files of completed adoption cases. It is critically important for the CDSS to ensure the accuracy and consistency of information submitted by adoption agencies relating to each child's identity. Therefore, all submitted documents relating to an adoption case must reflect the child's identity as established by the name on the child's birth certificate, as well as all other names by which the child has been and is currently known. Any discrepancy between the birth certificate and the relinquishment document as to the child's name should be explained in order to show that all the different names, including the name used in a court order, refer to one person. Adoption agencies may accomplish this by (1) completing and submitting the AD 90 and AD 551-A forms to show the child's name as indicated on the birth certificate and all other names as AKAs (also known as) and (2) completing and attaching an affidavit which states that the names shown on the different

documents are in fact for the same person. See Title 22 CCR Sections 35128 (b) and 35145(a)(1)(A)1(ii).

We appreciate your continuing cooperation and efforts to provide clarifying documentation for the purpose of having an acknowledgement (AD 4333) issued. As a result, potential confusion and delay in identifying and locating adoption records will be avoided.

If you have any questions regarding this notice, please contact the Adoptions Systems Unit at (916) 322-3778 or e-mail jsequar@dss.ca.gov.

**Original Signed By
WESLEY A. BEERS
On May 19, 1999**

WESLEY A. BEERS
Acting Deputy Director
Children & Family Services Division

c: CWDA