

Direct Consent Adoption

Rhode Island Department of Children, Youth and Families

Policy: 1100.0025

Effective Date: December 18, 1984 Version: 1

RI Law (14-1-5, 15-7-4, 15-7-5) and Department Policy provide for the utilization of Direct Consent Adoption when a parent does not wish to relinquish his/her parental rights to a designated agency. The parent gives direct consent for the adoption of his/her child by the person(s) currently providing care. The role of the Department in this procedure is defined by the legal status of the child. The Court requires the natural parent to be notified of and to be present at the hearing on the petition to testify to his/her decision to consent to the adoption.

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Committed Child

Procedure from Policy 1100.0025: Direct Consent Adoption

- A. The attorney for the adoptive parents is responsible to complete the following:
 - 1. Obtain signatures of natural and prospective adoptive parents on the petitions.
 - 2. Obtain documentation of marital status of natural and prospective adoptive parent(s).
 - 3. Obtain certified copy of child's birth certificate.
- B. The attorney for the adoptive parent(s) submits petitions and documentation to the worker.
- C. When a request for an adoption subsidy is made, the procedure outlined in the Adoption Subsidy Policy is followed.
- D. The worker prepares a report on the character and home conditions of the adoptive parent(s).
- E. The supervisor reviews the material and submits a memorandum either supporting or opposing the petition.
- F. The supervisor submits the following to the Regional Director or designee:
 - 1. Cover letter.
 - 2. Petition.
 - 3. Documentation (birth certificate, marriage verification).
- G. The Regional Director or designee approves or denies the decision to proceed with the petition and forwards to the Executive Director.
 - 1. If the Executive Director signs the petition, the material is returned to the supervisor and subsequently to the worker. The worker returns material to the attorney of the adoptive parent(s) for processing.
 - 2. If the Regional Director denies the decision to proceed or if the Executive Director does not sign the petition, a conference is scheduled with the worker and supervisor within 5 working days to reevaluate the situation. If the decision is made by the Executive Director or designee not to consent to the petition, the worker shall notify the petitioner's attorney and the prospective adoptive parents in writing of the basis for this action and of the Department's Complaints and Hearings Procedure.
- H. The attorney of the adoptive parent(s) files the completed petition in Family Court.
- I. The Family Court requests the home study. The worker prepares a report on the character and home conditions of the adoptive parent(s) and submits a written report to Family Court.
- J. Family Court schedules a hearing date.
- K. After adoption finalization the worker requests that the adoptive parent(s) or attorney send a copy of the adoption decree to the worker.
- L. The worker closes the case in RICHIST.
- M. Documentation in the case record is completed in accordance with Departmental Policy for Contents and Format For Departmental Record Keeping.

Other Children

Procedure from Policy 1100.0025: Direct Consent Adoption

- A. This procedure is applicable for children who are in voluntary placement with DCYF, who are placed under court-ordered supervision or temporary custody of the Department, as well as children who have no involvement with the Department:
1. The attorney for the adoptive parent(s) has the necessary petitions signed by the adoptive and natural parent(s).
 2. The petitions and necessary documentation are filed in Family Court. The Family Court notifies the DCYF and requests a study of the character and home conditions of the prospective adoptive parent(s).
 3. If there is a request for subsidy, appropriate procedure should be followed.
 4. The adoption home study is filed in Court.
 5. After the adoption is finalized, the worker is notified by the adoptive parents or their attorney.
 6. The worker closes the case in RICHIST and the case is assigned to the Adoption Unit supervisor for enactment of a subsidy and changing the child's name.
 7. Documentation in the case record is completed in accordance with Departmental Policy for Contents and Format for Departmental Record Keeping.