

Schedule C

Adoption and Post-Adoption Services

C1. Schedule Application and Administration

C1.1 Schedule Application

Schedule C applies to:

- a. adoption inquiry and application services;
- b. adoption placement services;
- c. subsidized adoptions; and
- d. post-adoption services.

C1.2 Schedule Administration

When providing services under this schedule to persons planning to move to a receiving province, the originating province shall:

- a. obtain general information from the receiving province regarding its policies and services;
- b. inform the person of the information received from the receiving province regarding its policies and services, noting apparent differences to those in the originating province; and
- c. give the person information as to who to contact in the receiving province for more information on its policies and services and, if known, the name, address and phone number of the local authority that will be providing services.

C2. Adoption Inquiry and Application Services

C2.1 Originating and Receiving Provinces

In section C2, the originating province is the province, including the appropriate local authority, where the person who is inquiring about adoption services or an adoptive applicant resides. The receiving province is the province, including the appropriate local authority, to where an adoption inquiry is directed or an adoptive applicant is moving.

C2.2 *Adoption Inquiries*

- C2.2.1 Subsection C2.2 applies to people who are inquiring about adoption services and requirements in provinces other than the originating province and pertains to inquiries about all types of adoptions. The remainder of this schedule applies only to the adoption of children in care of a provincial or local authority.
- C2.2.2 In response to an inquiry about interprovincial adoption services in another province, the originating province shall:
- a. provide information to the person about its legislative and policy requirements; and
 - b. refer the person to the provincial authority or appropriate local authority in the receiving province for information about that province's legislative and policy requirements.

C2.3 *Adoptive Applicant Referrals*

- C2.3.1 Subsection C2.3 applies to persons who have applied to adopt a child in care and who are moving from an originating province to a receiving province.
- C2.3.2 With the written authorization of an adoptive applicant who has applied to adopt a child in care in an originating province and who is moving to a receiving province, the originating province shall forward the following to the receiving province within *30 days* from the date the authorization is received:
- a. an original or copy of the applicant's adoption application;
 - b. original or certified copies of all documents on file relating to an adoptive applicant's marital status or relationship to a partner including, but not limited to, a marriage certificate, declaration of commitment to a partner, divorce certificate or death certificate;
 - c. any preliminary information or assessments on file with respect to the suitability of the adoptive applicant;
 - d. if completed, a copy of the most recent homestudy and any homestudy updates conducted with respect to the adoptive applicant;
 - e. supporting documentation on file including police and other applicable checks, medical reports and personal references; and
 - f. other relevant information and documentation on the adoptive applicant's file.

- C2.3.3 Upon receiving a referral from the originating province pursuant to paragraph C2.3.2, the receiving province shall:
- a. accept the adoption application as if it were made in the receiving province and place the adoptive applicant on its waiting list, if applicable, as of the date of the application in the originating province;
 - b. open an adoption file as may be required under its legislation and policy; and
 - c. if the originating province has completed a homestudy on the adoptive applicant, accept the homestudy subject to any updates or further adoption preparation and assessments required under the receiving province's legislation and policy.

C3. Adoption Placement Services

C3.1 Originating Province

In section C3, the originating province is the province, including the appropriate local authority, that has the child in care. The receiving province is the province, including the local authority, where a prospective adoptive applicant resides or to where a child in care and adoptive applicant are moving.

C3.2 Adopting a Specific Child in Care

C3.2.1 *When a prospective adoptive applicant in a receiving province inquires about adopting a specific child in care in an originating province, the originating province shall contact the receiving province within 30 days of receiving an inquiry to:*

- a. advise if the child is available for adoption and may be considered for adoption placement with the prospective adoptive applicant;
- b. advise if the prospective adoptive applicant may be eligible for an adoption subsidy with respect to the child; and
- c. if the child is legally available for adoption, request a preliminary assessment to estimate the capacity of the prospective adoptive applicant to meet the needs of the child in care.

C3.2.2 When an originating province inquires about the possibility of placing a specific child in care with a prospective adoptive applicant who resides in a receiving province, the receiving province shall *within 30 days* of receiving an inquiry or such period of time as negotiated between the originating and receiving provinces:

- a. carry out a preliminary assessment to determine the interest and estimate the capacity of the prospective adoptive applicant to meet the needs of the child in care; and
- b. advise the originating province in writing if placement seems viable and if the receiving province will conduct a homestudy of the prospective adoptive applicant.

C3.2.3 The receiving province shall complete a homestudy on the adoptive applicant and forward a copy to the originating province *within six (6) months* from the date the originating and receiving provinces agree to a tentative plan to place the child in care for adoption, or such period of time as negotiated between the originating and receiving provinces.

C3.2.4 The originating province shall develop a written placement plan in collaboration with the receiving province upon:

- a. concluding that it is in the best interests of the child to be placed for adoption with the adoptive applicant in the receiving province; and
- b. receiving confirmation that the adoptive applicant has been approved or will likely be approved for adoption by the receiving province.

C3.2.5 A written adoption placement plan developed pursuant to paragraph C3.2.4 shall include:

- a. arrangements for pre-placement visits;
- b. provision for the receiving province to supervise the placement;
- c. if applicable, provision for an openness agreement or agreements;
- d. if applicable, information about the availability of an adoption subsidy pursuant to subsection C4.2; and
- e. a time frame for applying to court for an order of adoption and confirmation as to where the application will be made.

C3.2.6 Prior to the child in care being placed for adoption with the adoptive applicant who is residing in the receiving province:

- a. the originating province shall request in writing that the receiving province provide supervision of the child as outlined in the adoption placement plan; and
- b. the receiving province shall confirm in writing that it will provide the requested supervision as outlined in the adoption placement plan.

C3.2.7 The originating province shall advise the receiving province when the child is under investigation, has been charged with or found guilty of an offence, or is on probation or otherwise involved with the law. If the receiving province agrees to the adoption placement, the originating province shall obtain approval in writing from police or justice officials in the originating province when required for the child to move to the receiving province.

C3.3 *Child in Care Moving with Adoptive Parent*

C3.3.1 When it becomes known that a child in care and his or her adoptive parent are moving to a receiving province prior to a court granting an order of adoption, with the written consent of the adoptive parent, an originating province shall provide *30 days prior* written notice of the move to the receiving province if the circumstances permit.

C3.3.2 At the request of the originating province, the receiving province shall as soon as reasonably possible after receiving the notice under paragraph C3.3.1:

- a. advise the originating province as to which local authority has responsibility for providing adoption services in the receiving province; and
- b. forward the notice to the appropriate local authority in the receiving province.

C3.3.3 The originating province shall develop a written plan for completion of the adoption in collaboration with the receiving province. When possible, the plan shall be developed prior to the adoptive parent's move to the receiving province. The plan shall include:

- a. provision for the receiving province to supervise the placement;
- b. a time frame for applying to court for an order of adoption and confirmation as to the province where the application will be made;
- c. if applicable, information about any additional legal requirements relating to completion of the adoption identified by the receiving province;
- d. if applicable, information about the availability of an adoption subsidy pursuant to subsection C4.3.

C3.3.4 Prior to the adoptive family moving to the receiving province, if possible:

- a. the originating province shall request in writing that the receiving province provide supervision of the child as outlined in the adoption plan; and
- b. the receiving province shall confirm in writing that it will provide the requested supervision.

C3.3.5 The originating province shall forward information on the adoptive parent to the receiving province *within 30 days* of the adoptive applicant's move to the receiving province pursuant to paragraph C2.3.2.

C3.4 *Information on Child in Care*

When a child in care is placed for adoption in a receiving province pursuant to subsection C3.2 or moves with an adoptive parent to a receiving province pursuant to subsection C3.3, the originating province shall forward, at a minimum, the following to the receiving province *within 30 days* of the placement or move:

- a. a certified copy of the child's birth registration;
- b. an original or certified copy of any orders or agreements with respect to the child's current legal status;
- c. information relevant to the child's cultural, racial, religious and linguistic heritage;
- d. the child's life book, if available, or a copy of it;
- e. in the case of an Aboriginal child, details with respect to the child's status under the *Indian Act* (Canada) and community of origin;
- f. confirmation that the originating province has involved the appropriate Indian band or Aboriginal organization as required under the originating province's legislation and policy;
- g. a social history including a summary of all services provided and assessments conducted with respect to the child;
- h. any medical, psychological or educational assessments completed within the past two years;
- i. up-to-date medical reports if the child is receiving or has received treatment;
- j. a current adoption placement plan developed in consultation with the receiving province;
- k. a statement clarifying the type of decisions and consents, including those related to medical treatment, that may be authorized by the receiving province; and
- l. additional documentation required by the receiving province if available.

C3.5 *Progress Reports*

With respect to a child in care who has been placed for adoption pursuant to subsection C3.2, or who has moved with an adoptive parent pursuant to subsection C3.3, the receiving province shall complete and forward to the originating province:

- a. all reports on the progress of the adoption placement, including a copy of all assessments and follow-up reports, completed according to standards and time frames required by the originating province or as otherwise negotiated between the receiving and originating provinces;
- b. a copy of the receiving province's final progress report with a recommendation regarding completion of the adoption; and
- c. if the application to court for an order of adoption will be made in the receiving province, a request that the originating province forward to the receiving province the required written consents to the adoption.

C3.6 *Placement Disruptions*

When an adoption placement of a child in care is disrupted prior to the granting of an order of adoption, the originating and receiving provinces agree, subject to applicable child welfare legislation in the receiving province, to renegotiate a plan of care that is in the best interests of the child and to make placement decisions according to subsection B5.2 in Schedule B.

C3.7 *Application for Order of Adoption*

C3.7.1 Depending on where the application to court for an order of adoption is to be made, the receiving province or the originating province shall:

- a. forward the required written consents to the adoption to the province where the application to court is to be made; and
- b. provide a copy of the report to court with respect to the application for an order of adoption.

C3.7.2 As a general rule, the province that assumes responsibility for completion of the adoption shall proceed to court for an order of adoption *within one (1) year* from the date the child was placed for adoption or such period of time as negotiated between the originating and receiving provinces.

C3.7.3 The province where the order of adoption is granted shall notify the other province in writing within 30 days from the date the adoption order is received.

C3.8 *Adoption of Child in Care in Originating Province*

At the request of a province that requires consent to adoption from a person who resides in another province to complete the adoption of a child in care, the province that receives the request shall assist in obtaining the required consents to adoption from the person.

C4. Subsidized Adoptions

C4.1 *Originating Province*

In section C4, the originating province is the province, including the appropriate local authority, that places the child in care for adoption and pays for an adoption subsidy. The receiving province is the province, including the appropriate local authority, that agrees to assist an originating province in providing subsidized adoption services.

C4.2 *Child in Care Placed for Adoption in Receiving Province*

C4.2.1 In planning to place a child in care with an adoptive applicant who resides in a receiving province pursuant to subsection C3.2, the originating province shall:

- a. advise the receiving province if the child has special needs or whether there are special circumstances that fall within the originating province's eligibility criteria for subsidized adoption;
- b. request that the receiving province explain the child's needs or circumstances to the adoptive applicant and ascertain whether the adoptive applicant intends to apply for an adoption subsidy; and
- c. at the request of the adoptive applicant, determine eligibility for an adoption subsidy and the type and amount of subsidy that will be available.

C4.2.2 In responding to the originating province's request for assistance pursuant to paragraph C4.2.1, the receiving province shall:

- a. determine whether the adoptive applicant is prepared to proceed with the adoption of the child in care of the originating province and whether the adoptive applicant will be requesting an adoption subsidy;
- b. if applicable, advise the originating province as to the availability of needed services in the receiving province and provide an estimate of the costs associated with the needed services; and

- c. assist as required in assessing the adoptive applicant's need and eligibility for an adoption subsidy and in negotiating a subsidy agreement on behalf of the originating province.

C4.3 *Child in Care or Adopted Child Moving with Adoptive Parent*

C4.3.1 When it is known that a child and his or her adoptive parent are moving to a receiving province pursuant to subsection C3.3, with the written consent of the adoptive parent, the originating province shall provide at least *30 days prior* notice in writing to the receiving province if:

- a. the adoptive parent is receiving or is eligible to receive, an adoption subsidy; or
- b. the originating province requires the assistance of the receiving province to:
 - i. secure needed services,
 - ii. assist in assessing an ongoing need and eligibility for subsidy, and
 - iii. assist as required in negotiating or renewing a subsidy agreement on behalf of the originating province.

C4.3.2 With the written authorization of the adoptive parent, the originating province agrees to forward to the receiving province *within 30 days* of the move the following information:

- a. information about available subsidies from the originating province and the adoptive parent's eligibility;
- b. copies of all documents associated with the approval of the adoption subsidy; and
- c. the most current review of the need for an ongoing subsidy.

C4.4 *Services and Subsidies*

C4.4.1 At the request of the originating province, the receiving province agrees to maintain contact with the adoptive parent regarding the need for an adoption subsidy and to forward reports to the originating province as may be required by the originating province.

C4.4.2 The originating province agrees to continue to pay the adoption subsidy to the adoptive parent following the adoptive parent's move to the receiving province and to negotiate any changes to the subsidy in consultation with the receiving province.

C5. Post-Adoption Services

C5.1 Originating Province

In section C5, the originating province is the province, including the appropriate local authority, where an order of adoption was granted. The receiving province is the province, including the appropriate local authority, that agrees to provide post-adoption services at the request of an originating province.

C5.2 Registration

C5.2.1 When there is no alternative but to request the assistance of a receiving province to facilitate registering a person for a post-adoption search or reunion, an originating province may request a receiving province to:

- a. assist in obtaining a signed registration for a post-adoption search or reunion; or
- b. provide information that will assist in the registration process.

C5.2.2 In responding to the request under paragraph C5.2.1, the receiving province shall provide the requested service or information *within 60 days* of receiving the request or such period of time as negotiated between the receiving and originating provinces.

C5.3 Searches

C5.3.1 When all available alternatives to locate a person have been exhausted and there is information to indicate that the person may have moved to a receiving province, an originating province may request a receiving province to check existing search mechanisms to assist in locating a person who is the subject of a search.

C5.3.2 Upon receiving a request under paragraph C5.3.1 together with a written consent to conduct a search if required, the receiving province shall advise the originating province of the results of the search *within 90 days* or such further period of time as negotiated between the originating and receiving provinces.