

OCFP Office of Child and Family Policy	Department of Children and Family Services	
	Index No: 2001.01	Issuance Date: February 01, 2001
	Origin of Request: Division of Foster Care and Permanency Services	
	Distribution: Adoption and Licensing Staff, Administrative Staff, and Office of Child and Family Policy (A,L,P, and C-3) and Child Welfare Agencies	
	Key Words: Adoption home study; report of investigation	
	Approved by: <i>Jen McDonald</i>	

Interpretation

Question: Can prospective adoptive parents (related, unrelated, and "adopt only"-licensed families) see or obtain a copy of their home study?

Applicable To: Confidentiality of Personal Information of Persons Served by the Department; Adoption Services

Policy Citations: **Rule 431, Subsection 431.50, Client Access to Records Which Contain Personal Information**

Persons served by the Department shall have full access to all records that contain their personal information, unless Rule 431 prohibits access.

Rule 309, Subsection 309.110, Preparation and Training of Adoptive Families

A prospective adoptive family shall complete a certification process as part of the family's preparation and training to be considered for adoption of a child. A written home study is required as part of the certification process. The home study incorporates information from the assessment phase of the family's preparation and training, and includes a recommendation regarding the types of children the family is able to parent.

The Adoption Act, 750 ILCS 50/6, Investigation; all cases.

After the filing of an adoption petition with the Court, the judge shall appoint an appropriate individual or agency to conduct an investigation. This investigation is intensive and



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focuses on the adoptive parents and the child they seek to adopt. The report of investigation is confidential. The judge does not release or share the report for inspection by the adoptive parents or other parties to the adoption. If the report contains findings adverse to the adoptive parents or the child, the judge shall inform the adoptive parents of the relevant portions of the report that contains the adverse findings. The report of investigation is impounded and is available for inspection only upon order of the Court.

Discussion:

Neither Rule 309 nor Rule 431 prohibits foster parents or prospective adoptive parents who apply for or receive an "adopt only" license through the Department to access their home studies prepared during the adoption certification process. This home study provides information about the family, and contains recommendations about the types of children that the family can parent. This home study is used to assist child placement workers trying to find a match for a child in need of an adoptive placement.

Foster and "adopt only"-licensed families are considered "persons served by the Department" and they may access any records containing their personal information, with the exception of personal references obtained during the licensing process under a written assurance of confidentiality.

When a child is placed with the family for adoption, and the family files a petition for adoption with the Court, the judge orders the Department to conduct an investigation. The investigation focuses on the adoptive parents and their interaction with the child whom they have petitioned to adopt.

The worker prepares a written report of investigation, frequently referred to as an "adoption home study", and submits the report to the judge. The adoptive parents are not entitled to inspect or get a copy of this report of investigation without an order from the judge. The judge will tell the adoptive parents about any information in the report that is adverse to them or to the child they have petitioned to adopt.

Response:

Prospective adoptive parents licensed through the Department may see or obtain a copy of their home study prepared during the adoption certification process. They are not entitled to see or obtain a copy of the Department's report of investigation, prepared for the Court in an adoption proceeding, without an order of the Court.