

**Child and Family Services Policy Manual: Adoption Form
CFS-213 Finalization Checklist (Available in OURS)**

NOTE: This is Policy 603-6 not the checklist to send in with the field adoption packet. Form CFS-213, Adoption Finalization Checklist (Rev.10/12) is located on OURS under "Forms"

NOTE TO CPS / FRS: Each item noted below MUST be attached to this checklist to consider the packet complete. Send completed checklist with attachments ATTN: Adoption Unit-CFSD Central Office

1. **Cover Letter** including:
 - Attorney's name (legal signature); name of law firm; both physical and/or mailing addresses, if different; phone and fax numbers; & work E-mail address * If Family are Petitioners Pro Se, then include their names; both physical and/or mailing addresses, if different; phone number and fax; & E-mail address in the cover letter
 - Number of years adoptive parents have lived at the current address, (MCA § 42-5-101(1)(a))
2. **Report to the court / Post Placement Evaluation (PPE)**, including all PPE contents located in Policy 603-5, and the following:
 - Date of foster care placement (with prospective adoptive family)
 - Date of pre-adoptive placement (as indicated on signed Pre-Adoptive Placement Agreement)
 - Child's new name
3. **Form DPHHS-CFS-107, Parts A through E** (Redacted copies supplied to the pre-adoptive parent(s) and Unredacted copies attached to packets for Central Office)
4. **Certified Birth Certificate**
5. **Social Security Card**, original or legible copy
6. **2 Certified copies of court orders** terminating parental rights of all parents, including any exhibit(s) or attachment(s) the order(s) states is attached:
 - Mother,
 - Father,
 - any putative fathers
 - and giving DPHHS permanent legal custody and
 - the right to consent to adoption
 - Montana Supreme Court Appeal decisions, if applicable
- *7. **Application to Adopt, DFS-90 or CFS-021, completed, including:**
 - Pre-adoptive parent(s)' full names: first, middle, last
 - Pre-adoptive parent(s)' date(s) of birth, including city & state of birth
 - Pre-adoptive mother's maiden name
 - Date and place of marriage

*For ICPC adoption packets, this information is required and may be placed in the cover letter or PPE instead of sending in the application.
8. **Agreement on Pre-Adoptive Placement, CFS-030 (Rev. 10/10, and can be located on OURS under "Forms")**, completed and signed by
 - worker and
 - pre-adoptive parents
9. **Indian Child Welfare Act (ICWA) documentation required in adoption packets:**
 - Indian Child Welfare Act Reporting Form (DPHHS-CFS/ICWA-250) on each individual child;
 - All Tribal notification(s) sent by CFSD to Tribe(s) when a child is or might be eligible for enrollment with a Tribe(s); Request For Verification Of Status (DPHHS-CFS/ICWA-251); and

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_____ All Tribal response (s) letters received re: child’s enrollment status. *NOTE: Tribal responses are not required to finalize an adoption and only needs to be provided if available*

- 10. _____ **Certified Death Certificate** if either parent is deceased

- 11. _____ **CFS-083 (Adoption Subsidy Program Child’s Eligibility Determination)** to verify amount of benefits child is receiving, if any, and the specific factor(s) or condition(s) that makes the child a child with special needs. Examples of benefits a child might receive: SSA, SSI, Survivors, etc.

- 12. _____ **SPND screen, documenting child’s special need factor(s) or condition(s) and matching special need factor(s) or condition(s) determined and marked on form CFS-083** (See Policy 604-1 for further explanation for completing child’s SPND screen). Other, supplemental documentation from CPS/FRS worker determining the child’s special needs as deemed appropriate or necessary. Indicate any supplemental documentation included:_____.

- *13. _____ **Pre-placement evaluation**, current within 1 year, including CFS-033 (for all members of the household excluding the child being adopted) and R.A approval letter.
*For ICPC packets, this information will be replaced by a copy of the completed and approved ICPC 100A Form and a copy of the approved home study.

- 14. _____ **Consent of children age 12 and above (Mont. Code Ann. §42-2-301(6))** Montana Law requires children 12 and over to *consent either in writing or in court*, unless the child does not have the mental capacity to consent. The consent must be acknowledged before an officer authorized to take acknowledgments or witnessed by a representative of the department, an agency, or the court.
*Central Office decision: If 12 years old or older, there must be a written statement from the child (unless the child does not have the mental capacity to consent) and that is witnessed by our agency or court official and included in the packet.

- 15. _____ **ACTD_____ (Entry Date):** Documentation of discussion on the possible Federal tax credit incentive for special needs adoptions and that the North American Council on Adoptable Children (NACAC) article was supplied to the pre-adoptive parent(s). (See Policy 602-1 for NACAC article website address)

- 16. _____ **ACTD_____ (Entry Date):** Documentation from CPS regarding the efforts to place the child(ren) for adoption without a subsidy **or** documentation from CPS regarding the exception to make the effort (See Policy 604-1, pages 2 & 3 for further explanation of this required documentation)

- 17. _____ **Approved adoption subsidy agreement** (CFS-082, and 1st page of current Tax Form 1040 to verify pre-adoptive parent(s)’ legal names) signed by pre-adoptive parents and the Adoption Negotiations Program Manager (will be added by Central Office)

- 18. _____ **IV-E eligibility determination for adoption subsidy** will be completed by the IV-E unit and (will be added by Central Office)

CPS/FRS completing packet

Date

CPS/FRS Supervisor reviewed

Date

The CPS/FRS completing the field adoption packet must sign and date the CFS-213, and then have his/her CPSS/FRSS review the field adoption packet. After the CPSS/FRSS reviews and approves the packet, s/he must sign and date the CFS-213 before the field adoption packet is sent to the Adoption Unit-CFSD Central Office.

Rev. 10/03, Rev. 10/05, Rev. 10/06, Rev. 10/07, Rev. 10/09, Rev. 10/10, Rev. 10/11, Rev. 10/12, Rev. 07/14