Gathering and Documenting Background Information
Tier II Assessor Training
Ohio Child Welfare Training Program

Being fully prepared for adoption is the most important parent factor in predicting child adjustment (Smith and Howard, 2003)

- Sharing complete information
- Helping parents understand trauma/loss impact
- Informing of post adoption services

Wrongful Adoption
What do we need to know?

Agencies Failed to Provide Information about...
- Child’s risk factors
- Child’s disabilities
- Behavioral problems
- Background of birth family
- Medical/Health-related factors
**The Elements of Fraud**

A **representation** by the adoption agency...
- Relevant to the decision to adopt
- Made falsely by the adoption agency with knowledge of its falsity or recklessness regarding truth
- With the intent of misleading the adoptive parents into believing its truthfulness and therefore relying on it in the decision-making process
- Resulting in injury to the adoptive parent that was caused by reliance on the information given

**Types of Wrongful Adoption**

- Intentional Non-disclosure
- Deliberate Concealment
- Negligent Non-disclosure
- Negligent Misrepresentation

**The Scope of Duty to Disclose**

- The Duty to Investigate
- Communicating Facts vs. Suspicions
- Genetic Testing
- Disclosing Facts vs. Giving Interpretation
- Duty to Provide Updates

**Bases for Liability**

*Adapted from Wrongful Adoption, CWLA*
Secrets and Lies

Full Disclosure to Foster Parents

Any information about the child which helps the parent make an informed decision:

- Behaviors or behavior problems
- History of maltreatment
- Special needs
- Service and educational needs and a plan to meet those needs
- Type of school placement needed
- Visitation schedule
- Caregiver’s responsibilities

Full Disclosure to Foster Parents

If child was adjudicated delinquent for commission of violent acts, a written report must be given to the foster parent.

The report must include:

- Social history
- History and description of violent acts
- Conclusions/recommendations of psychological or psychiatric assessment
- Written statement if court records are sealed

Full Disclosure to Foster Parents

If child was adjudicated delinquent, agency must provide psychological evaluation

- If there is no psychological within one year of placement, agency must conduct one
- The recommendations/conclusions of the assessment must be provided to foster parent within 60 days of placement
- Information must be kept in a secure place in the foster home and returned when the child leaves the placement
Why Background Information is Needed for Children...

Magical thinking/Guilt
Divided loyalties
Unrealistic fantasies
Identity confusion
Fears and unanswered questions

Why do parents need the information?

To make an informed decision re: placement
To meet the short-term and long-term needs of child
To help the child understand his past as he matures

Gathering Information - WHAT??

Abuse/ Trauma History
Placement Trail
Medical & Neonatal History
Specific Descriptive Information
Connections
Developmental Education
GAPS???
**Gathering Information - WHERE?**

- Agency case record
- Interviews with foster parents
- Therapists, teachers
- Interviews with siblings
- Interviews with birth family

**WHO?**

- Adoption Worker
- Child's Worker
- Previous Workers
- (Intake, Ongoing)
- School Professionals
- Therapists

**WHEN?**

- At all phases of child's involvement
- Use concurrent planning approach

**Barriers to Gathering Information**

- Getting intake and ongoing workers to collect information
  - It's a team effort. Train them!
- Finding relatives
  - How to identify and search
- Working with reluctant birth family members
  - Strategies for engagement
Steps of Family Search and Engagement

Adapted from the following sources:
Kevin Campbell, Seneca Center
Casey Family Programs
SIX STEPS TO FIND A FAMILY: A Practice Guide to Family Search and Engagement

Identify
- Genograms
- File mining
- Family visits
- Family/child interviews
- Family team meetings

Try to find 44 connections!

Search
- Websites
- Governmental agencies (Child support, prison records and websites, public assistance, pension agencies)
- Obituaries/Death Records/Cemeteries
- Family team meetings/Family interviews
- Family “convener” (person who arranges reunions, holiday parties, funeral plans)
- Former employers, neighbors

Engage
- Clear, honest communication
- Commitment to family-centered practice
- Sufficient frequency/length of contact
- Strengths-based approach
- Shared decisions and planning
- Confidentiality
- Praise and recognition
- Respect for family’s culture
Strategies for Working with Reluctant Birth Families

- Affirm the relationship with a respectful and sensitive invitation for a meeting.
- Bring a gift made by the child.
- Distance yourself from the court proceedings, and, if possible, the caseworker who terminated parental rights.
- Inquire about the child’s likes and dislikes.
- Recall pleasant memories of the child.
- Recall happy, difficult, or important memories from the parent’s childhood.

Parent Guidelines of Adoption Presentation

1. Share the information incrementally. Do not save all the “bad” stuff until last.
2. Introduce prospective adoptive parents to other professionals and previous foster parents.
3. Parents should be told information at least three times.
4. Parents should receive information prior to beginning visitation in a variety of ways:
   - Write it out.
   - Tell them face to face.
   - Record the telling session.

Strategies for Working with Reluctant Birth Families

- Ask the difficult questions.
  - Extended family medical history
  - Prenatal and postnatal history of child
  - Other difficult information about history
- Ask to borrow pictures to make copies. Suggest letter, video, or audiotape. Ask about taking a picture for the child’s lifebook. Consider permission messages.
- Leave on a positive note with “the door open” for a return visit, if needed.
Children are afraid of the dark.
Adults are afraid of the light.

Why are some adoptive parents afraid to talk to their children about the past?

Principles for Parents in Talking With Children About Adoption

- Initiate the conversation.
- Never lie.
- If information is negative, use a third party to share details.
- Don’t impose value judgments.
- Allow child to express anger without joining in.
- Give child control of sharing information outside family.
- Remember child knows more than you realize.
- Information should be shared in developmentally appropriate way.
- Omissions are acceptable until age 12; then all information should be shared.

What would you say to Molly?

- At age 3:
  Your first mommy couldn't take care of a baby. She wasn't ready to be a mommy.

- At age 7:
  Your birth mommy had trouble taking care of herself. She wasn't able to take care of a child. A concerned person was worried about you and called the social worker.

One last activity!!

What have you learned in Assessor Training?

How will you use it?

When will you try it?