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COMPACT ADMINISTRATOR

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DEPUTY COMPACT ADMINISTRATOR

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Adoption-RTC Facilities
Ruby Pittman
(602) 235-9134, Ext. 13623

GENERAL INFORMATION

ICPC Code Citation. A.R.S. Chapter 5, Article 4, Sec. 8-548.

Statutory Penalties Under Article IV. Violation is grounds for suspension or revocation of child placing license.

Age of Majority. 18 years. A.R.S. Chapter 5, Article 3, Sec. 8-546.A.3. Custody of court must be dismissed effective at child's 18th birthday. If a foster child turns 18 and is in high school, the child may sign a voluntary foster care agreement which is effective until the child graduates or turns 21, whichever occurs earlier.

Court Jurisdiction. The Superior Court of each county hears dependency (child welfare), delinquency, adoption and divorce petitions. In some counties, one Superior Court judge is designated Juvenile Court Judge. Adoption proceedings are filed in the court of the county in which the petitioners reside.

SPECIAL INVESTIGATION

Custody Investigations. The Arizona Department of Economic Security does not conduct evaluations concerning interstate custody disputes. This is a private matter and should be handled by a private social service agency. This can be done for a fee which can be paid by either the requesting court authority or the individual involved.

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REQUIREMENTS

Reports. Semi-annual reports are required by statute; reports are made to Arizona Foster Care Review Boards which are part of the Supreme Court system. More frequent reports may be requested.

Licensing Requirements. Persons placing children into adoptive homes are not restricted by law. Homes must be certified by Superior Court as acceptable to adopt before the petition to adopt can be filed. A.R.S. 8-105. A consents to adopt must be signed at least 72 hours after birth. Third party consents are invalid. A.R.S. 8-107.E.

Special Information. Contact the ICPC office for information regarding a child's eligibility for casework and counseling services.

PLACEMENTS

Independent Adoptive Placements. Lawful consents must be signed at least 72 hours after birth. The consent shall designate the true names of person or persons adopting the child; fictitious names may be used if (1) the consent truthfully states the adopting person or persons are currently certified to adopt, (2) the consenting parent knows the names of fictitious and does not want to know the names, and (3) the consenting parent has been furnished all information she/he wishes to know about adopting parents-A.R.S. 8-107.

Adoption Petition. Family must be certified by the court as acceptable to adopt children before the petition to adopt can be filed-A.R.S. 8-105. (See requirements listed below.) If a person not currently certified to adopt has in their custody a child they intend to adopt, a petition permitting custody must be filed no later than five (5) days after obtaining physical custody; the petition would permit custody until the family is certified to adopt and petition to adopt filed-A.R.S. 8-108. A sending agency within the state must provide the ICPC office with a verified accounting of all payments, disbursements or commitments of anything of value made or agreed to be made by the prospective adoptive parent to or for the benefit of the birth parent. The accounting shall include costs for medical and hospital care, examinations for the mother and the child, counseling fees, legal fees and agency fees. Completed accounting forms should be sent to Ruby Pittman. A.R.S. 8-114.01.

AZ ICPC Adoption Requirements

I. Three (3) copies of each item listed below:

- 1). ICPC 100-A Form;
- 2). AZ non-identifying Information Form (AN-036);
- 3). (a) Both parental consents (mother and father) or court termination order; OR
 - b) If only one consent from the birth mother can be obtained, the three following items are required:
 1. Birth mother signs an Affidavit of an unknown or known father
 2. Adoptive parent signs a legal Risk Acknowledgment

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3. A written plan or petition to terminate parental rights of the father submitted by an attorney;
- 4). Arizona Home Study;
- 5). Arizona Court Certification;
- 6). Accounting of adoption fees, expenses and costs form (FC-139A Adoption Recovery Program Request Form).

Residential Placements.

-Placements Requiring Interstate Approval: Placements made by any persons other than specified relatives into foster or adoptive homes or in licensed residential facilities require approval.

-Requirements for Placement: ICPC 100A, and acceptance letter.

-Approval of Facilities: Community Care. Residential and child placing agencies licensed by Community Care. Wayne Wallace, Licensing Manager, (602) 542-2289.

-Rate Setting: Facilities set own rates and are negotiated by sending state.

-Monitoring: of the Child: Reports may be requested of the facility; no other monitoring is done by Arizona Department of Economic Security.

Requirements for Foster Care Placements. Homes must be licensed by the Administration for Children, Youth and Families or licensed child placing agencies. Foster parents must be fingerprinted, have physicals, complete foster home study, and receive 12 hours of pre-service training to be licensed. Six hours of training are required to be relicensed. Relatives may be licensed.

PAYMENTS

AFDC Payments. Legal custody does not determine eligibility for AFDC. 45 CFR 223.90 (c) (v) (b) (1), (2). Non-parent relative income and resources are not applied to the child.

Thus, AFDC eligibility is determined according to the child's resources and what is available from the child's parents. Under some circumstances, relatives may be included if it does not reduce assistance for the child.

Medicaid Payments. Arizona does not participate in Medicaid. Instead, the Comprehensive Medical and Dental Program provides medical coverage to children in licensed foster care; relatives do not need to be licensed, unless it is required by the receiving state's standards.

Special Education Payments. Paid by Arizona if child is in a public school and is supervised by DES via ICPC.

Adoption Subsidy. Subsidy can be for monthly maintenance and/or special services (including medical care), and can be paid to adoptive parents of Arizona children living out of state.

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USEFUL TELEPHONE NUMBERS

Child Abuse Registry. Telephone: 1-888-SOS-CHILD or 1-800-330-1822. 24 hours, 7 days per week.

Child Protective Services. Carolyn Rice, DES 940A, 1789 West Jefferson, Phoenix, AZ 85007 (602) 542-4850, Monday-Friday, 8:00 a.m.-5:00 p.m., MST.

Juvenile Compact Office. David Lawrence, AZ Department of Youth, Treatment and Rehabilitation, 1122 N. 7th Street, 2nd Fl., Phoenix, AZ 85006 (602) 255-3294.

Mental Health Compact Office. Arizona does not belong to the Mental Health Compact. Placement of mentally retarded children is through ICPC.

ICAMA. IV-E Specialist: Karen Reynolds. (602) 235-9358, ext. 7095.