

## **PROCEDURE VIII-G2**

### **Criteria for Adoption**

The following criteria will be considered in determining the appropriateness of adoptive applicants:

#### *Jurisdiction:*

- DCFS will participate in the adoption of a minor only if either the person seeking to adopt the child, or the child, is currently a resident of Arkansas. See Procedure VIII-F1 for Arkansas residency requirements for adoption.

#### *Age*

Applicant is:

- Between the age of twenty-one (21) and fifty-five (55) years; or
- Between the age of twenty-one (21) and forty (40) years for an infant (up to one year old); and
- A primary caregiver who is at an age so that it can be anticipated that he can parent the child into adulthood.

#### *Marital Status:*

- In a two-parent home, the husband and wife shall be joint applicants, each shall actively participate in the approval process, and shall provide verification that they have been married for at least two (2) years. The marriage shall be stable.
- A person who is divorced must provide verification of that divorce and must be divorced for at least one (1) year from the date on the court order.
- A single person may apply to adopt.

#### *General Physical and Mental Health:*

- Members of the household do not have a health condition or disability that would interfere with the family's ability to parent the child. Each member of the household shall have a physical examination by a physician within six (6) months prior to the approval of the adoption home study on the prospective adoptive family, and annually thereafter until placement of a child.

#### *Housing:*

- Space is adequate to promote health and safety.
- All firearms are maintained in a secure, locked location.
- All water hazards and dangerous pets will be assessed, and a protection plan developed, as appropriate.
- Children of opposite sexes will have their own separate bedrooms except for infants (up to one year old).
- Water is provided by public water system or approved by the Department of Health.

#### *Criminal Background Check:*

- Members of the household fourteen (14) years of age or older must agree to a local police and a State Police background check and must have no history of convictions for offences listed in ACA § 9-28-409. (See Procedure VIII-F1 for a listing.)
- Out-of-state adoptive families do not need to do an Arkansas State Police Check if they have never resided in Arkansas. Adoptive parents and each member of the household age fourteen (14) years and older residing out-of-state shall provide state police criminal record checks from their state of residence.
- In addition, applicants and all members of their household age sixteen (16) years or older must agree to a fingerprint-based FBI Criminal Record Check.
- Any person who is found guilty of or pleads guilty to an excluded criminal offense pursuant to ACA § 901-28-409(e)(1) shall be excluded as an adoptive parent.
- Criminal checks will be completed regardless of whether adoption assistance payments are made on behalf of the child.

#### *Central Registry Check:*

- Members of the household ten (10) years of age or older must agree to a Child Maltreatment Central Registry Check in his state of residence and any state of residence in which the person has lived for the past six (6) years, and in the person's state of employment, if different. The person must have no history of true abuse and/or neglect.
- Adoptive parents and each member of the household age ten (10) years old or older, shall repeat the check every year until the adoption decree has been issued. Adoptive parents, and each member of the

household age ten (10) years or older, residing out of state shall have a Child Maltreatment Central Registry Check, if available, in their state.

*Resources:*

- The applicant must have sufficient resources to meet the financial, medical, physical, educational, emotional and shelter needs of the child. Adoption subsidy may be a resource for a child who meets the eligibility criteria. Verification of income/employment is required.

*Pre-Service Training:*

Completion of adoption pre-service training.

If exceptions to the criteria are necessary, a request for an Alternative Compliance should be requested. See Appendix XI for the protocol for requesting an Alternative Compliance or Policy Waiver.