
OVERVIEW

Consideration for the adoption of a specific child means the child's adoption case manager will explore the child's relationship with relatives and other families who have a history with the child and/or a relationship that is significant to the child.

The child placing agency must always seek out appropriate relatives as a foster care placement option when a child is initially removed from the parental home. The child placing agency must also consider relatives at the time the permanency plan becomes adoption.

All children must be placed following their individual needs. Consideration must be given to any special physical, emotional, and educational needs of a child. This also means placing siblings together, placement with relatives, and maintaining continuity of current relationships; see [ADM 0300, Child Adoption Assessment](#).

Preference in placement practices by race, ethnicity or religion is prohibited. Race and/or ethnicity and/or religion may not be the basis for a delay or denial in the placement of a child. Race and/or ethnicity may be appropriate considerations in evaluating the best interest of an individual child to be matched with a particular family; see [ADM 0620, Multi-Ethnic Placement Act/Interethnic Adoption Provisions](#) and [NAA 215, Placement/Replacement Priorities for Indian Child\(ren\)](#).

Consideration of an individual does not always result in assessment of an individual.

WHO TO CONSIDER

At the time the child's permanency plan becomes adoption, the supervising agency must consider all the following persons (not in order of preference):

- Relatives with whom the child has an established relationship and those relatives with no prior established relationship that express an interest in adopting the child, see *consideration of relatives* in this policy item for the definition of relative.
- An individual that is not related to a child within the fifth degree by blood, marriage, or adoption but who has a strong positive emotional tie or role in the child's life or the child's parent's life if the child is an infant, as determined by the department, see

consideration of relatives in this policy item for the definition of relative.

- Current foster parent(s), relative caregiver(s), or court approved unrelated caregiver(s).
- Former foster parent(s) of the child, unless removed for reasons of abuse or neglect, and adoptive parent(s) of previously adopted siblings.

The adoption case manager must document all parties that have been considered for adoption in the electronic case management system.

Note: Consideration of an individual does not always result in assessment of an individual. An adoption case manager needs to engage with an individual to explore their interest prior to providing a [DHS-4809, Intent to Adopt for Current Placement](#), or [MDHHS-6038, Consideration to Adopt](#).

The department may make exception to these preferences only if good cause is shown.

Good cause means any of the following:

- A request by one or both of the child's parents to deviate from this preference.
- The child's request, if the child is of sufficient age and capacity to understand the decision that is being made.
- The presence of a sibling attachment that can be maintained through a particular placement.
- The child's physical, mental, or emotional needs, such as specialized treatment services that may be unavailable in the community where families who meet the placement preferences live.
- The distance between the child's home and the proposed family placement would frustrate the reunification goal or otherwise impede permanency.

Note: For an Indian child see [NAA 215, Placement/Replacement Priorities for Indian Child\(ren\)](#) and [NAA 400, Indian Child Adoptions](#).

Consideration of Relatives

The definition of relative in MCL 712A.13a includes:

An individual who is at least 18 years of age and related to the child within the fifth degree by blood, marriage, or adoption, including the spouse of an individual related to the child within the fifth degree, even after the marriage has ended by death or divorce, the parent who shares custody of a half-sibling, and the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child.

A relative may also be an individual who is at least 18 years of age and not related to a child within the fifth degree by blood, marriage, or adoption but who has a strong positive emotional tie or role in the child's life or the child's parent's life if the child is an infant, as determined by the department or, if the child is an Indian child, as determined solely by the Indian child's tribe.

Foster Care Record Review

The adoption case manager must review the foster care record to determine the extent to which relatives were identified and located for foster care placement of the child, including reasons for approving or denying placement. The adoption case manager must also review the amount of contact relatives have had with the child over the course of the child's life.

Contact with Birth Parent(s)

An important factor to evaluate in considering a relative as a potential adoptive family for a child is their willingness and ability to assure the physical and emotional well-being of the child on a permanent basis. Relatives must demonstrate ability and willingness to keep the child safe and a commitment to ensure the child does not experience further emotional or physical harm through placement within the family system.

Consideration of Foster Parents

If a child resides with licensed foster parent(s), the psychological attachment of a child to the foster parents must always be considered before replacing the child to a different adoptive home. The child's age, developmental stage, the frequency and number of

replacements, must all be considered in relationship to the length of time the child has resided in the foster home.

Consideration of Siblings

When biological siblings are separated in foster care, consideration is to be given to uniting the siblings in an adoptive home unless:

- Doing so is harmful to one or more of the siblings.
- One of the siblings has exceptional needs that can only be met in a specialized program or facility.
- Despite diligent efforts to place the sibling group together, the size of the sibling group makes the placement impractical.

The extent of the consideration must be determined based on the best interest of the child. Consideration should be given to things such as the strength of the relationships between siblings versus the relationship between the child and other individuals such as the children's current caregivers.

Note: Consultation with the Michigan Children's Institute (MCI) office should occur if the adoption plan involves siblings being separated permanently through adoption.

Consideration of Other Families

Consideration of other unrelated persons who have an established relationship that is significant to the child must be explored if the current caregiver and any identified relatives are no longer considered to be a viable adoptive placement option for the child.

Additional efforts must be made to locate an approved recruited family using all available resources including all efforts defined in [ADM 0400, Recruitment Efforts](#), and [ADM 0570, MARE Registration of Approved Families](#). This must include contacting other local Michigan Department of Health and Human Services (MDHHS) adoption programs and contracted adoption agencies serving the area. Make all efforts to achieve the expected performance outcome of adoptive placement within six months.

**CONSIDERATION
PROCESS****Current Placement**

Within three business days of the case assignment, the adoption case manager must notify the current caregivers with whom the child is placed if the child's permanency plan is adoption. Document the current caregiver's interest in adoption in the child's electronic case record. Inform current caregivers that if the child has a strong bond and psychological attachment, they will be given consideration for adoption of the child. The [DHS-4809, Intent to Adopt for Current Placement](#), must be used for notification. Instruct caregivers to return the form to the supervising agency within 14 business days of receiving notification to express their interest.

The following information must be provided and discussed with the caregiver:

- [DHS Publication 538, Michigan's Adoption Assistance Programs](#).
- Indian Child Welfare Act (ICWA) and Michigan Indian Family Preservation Act (MIFPA).

**Following Signed
Intent to Adopt**

The adoption case manager must provide an in-person orientation within 30 business days from receiving a signed [DHS-4809, Intent to Adopt for Current Placement](#), from a prospective adoptive family that indicates they would like to proceed with adoption of a specific child. This orientation may take place in the family home, community setting, agency, or another setting; see [ADM 410, Adoption Orientation](#).

Note: Should a prospective adoptive family live out of state or more than 120 miles from a child placing agency, the adoption case manager may conduct the orientation utilizing a technology method such as zoom or by telephone.

Following an in-person orientation, if the prospective adoptive family wishes to pursue adoption, the child placing agency must provide the family with a [DHS-3153-A, Adoption Application](#). An adoption assessment must be completed on those who submit a [DHS-3153-A, Adoption Application](#). For requirements of the adoptive family assessment; see [ADM 500, Preliminary Adoptive Family Assessment](#), and [ADM 510, Adoptive Family Assessments](#).

Failure to follow through on orientation or return an application within 90 calendar days will result in the prospective adoptive family's interest being considered withdrawn and no further consideration will be given. The child placing agency must show reasonable efforts to engage the prospective adoptive family by attempting at minimum three verbal and three written communication efforts to engage the family in orientation and/or adoptive family assessment.

Should the current placement not be interested in pursuing adoption of the specific child, recruitment efforts should be started; see [ADM 400, Recruitment Efforts](#).

Other Interested Parties

If a family is interested in adoption and does not have placement of the child, the adoption case manager must provide the family with the [MDHHS-6038, Consideration to Adopt](#), within three business days of the family expressing interest in adoption. The family has 14 business days to return the [MDHHS-6038, Consideration to Adopt](#), back to the agency.

Use the [MDHHS-6038, Consideration to Adopt](#), to document a family's interest in being considered for adoption of a specific child. This would include, but not limited to:

- Relatives with whom the child has an established relationship and those relatives with no prior established relationship that express an interest in adopting the child.
- Individuals with whom the child has a strong positive emotional tie or role in the child's life or the child's parent's life if the child is an infant, as determined by the department.
- Former foster parent(s) of the child, unless removed for reasons of abuse or neglect.
- Adoptive parent(s) of previously adopted siblings.
- A recruited family that has expressed interest in the child.

Consideration to Adopt

Upon review of the [MDHHS-6038, Consideration to Adopt](#), the child placing agency must notify the family within 14 business days of

receiving the completed [MDHHS-6038, Consideration to Adopt](#), of their decision.

If the child placing agency has determined to move forward with the assessment, the adoption case manager will start the adoption assessment process; see [ADM 500, Preliminary Adoptive Family Assessment](#), and [ADM 510, Adoptive Family Assessments](#) for time frames and required assessments.

If the child placing agency has determined **not** to move forward with an assessment, they must notify the family using [MDHHS-6044, Consideration to Adopt Response](#), with the reasoning as to why the decision was made by the agency to not go forward with the adoption assessment.

REVIEW PLAN FOR A CHILD WITH AN IDENTIFIED FAMILY

A case review is required for children with an identified family when adoptive placement has not been achieved within six months of the family signing the [DHS-4809, Intent to Adopt for Current Placement](#). The schedule of case review meetings is as follows:

- At six and nine months after the [DHS-4809, Intent to Adopt for Current Placement](#), has been signed, a face-to-face case review meeting must occur and include at a minimum: the adoption case manager, the adoption supervisor, and the prospective adoptive family.
- In cases where an adoptive placement has not occurred within one year of the [DHS-4809, Intent to Adopt for Current Placement](#), being signed, a case review meeting must occur and include at minimum: the adoption case manager, the adoption supervisor, the prospective adoptive family, and an expert engaged by MDHHS with expertise in permanency and adoption process and planning. This review must occur between nine and 12 months of the [DHS-4809, Intent to Adopt for Current Placement](#), being signed and must be held on a quarterly basis thereafter until the Order Placing Child After Consent is issued or a goal change occurs. Documentation of these case reviews and efforts to achieve adoption must be maintained in the child's adoption record for review and, upon request, submitted to the Adoption Program Office for review.

PLANNING FOLLOWING A DISRUPTION

Concurrent planning must be used in the placement of a child for whom an adoptive placement has disrupted. It is critical to place the child in a home that may serve as a permanent placement to minimize additional moves. A written permanency plan must be in place for the child within 45 business days of the determination the adoption placement will end. The plan must include therapy and grief work for the child if appropriate. If there is no identified adoptive placement for the child within six months of the change of placement, the child must be photo listed in MARE unless an exception request has been granted by the MCI superintendent. A face-to-face case review must be held at the time of a disrupted adoption and include at a minimum: the current adoption case manager, the adoption supervisor, and an adoption permanency case manager or adoption resource consultant; see [ADM 0400, Recruitment Efforts](#). This meeting can be held in conjunction with the family team meeting or team decision making meeting, for the child's change in placement, if a change of placement occurs at this time.

RESOURCES

- [DHS Publication 538, Michigan's Adoption Assistance Programs.](#)
- [DHS-3153-A, Adoption Application.](#)
- [DHS-4809, Intent to Adopt for Current Placement.](#)
- [MDHHS-6038, Consideration to Adopt.](#)
- [MDHHS-6044, Consideration to Adopt Response.](#)

LEGAL

Licensing Rule

Michigan Admin Code, R 400.12604 (3)

Michigan Compiled Law

MCL 712A.13a

MCL 722.954a

POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox \(child-welfare-policy@michigan.gov\)](mailto:child-welfare-policy@michigan.gov).