
PERMANENT RETENTION OF RECORDS

MCL 710.27 and Child Placing Agency Rule 400.12713 require the permanent retention of children's adoption records. After the final order of adoption has been filed in the case record, the files of all Michigan Department of Health and Human Services (MDHHS) supervised children placed in adoption must be purged of all duplicate documents.

Contents of Records

The foster care record is combined with the adoption record. The contents of the adoption record are listed in [ADM 1020, Adopted Child Case Record](#). The contents of the foster care record are listed in [FOM 722-5, Case Documentation](#), and include at least one photograph of the child. Additional photographs of family members should be given to the child or the adoptive parent(s) prior to finalization and copies of the photos should be filed in the record. The record must not include memorabilia, gifts, or valuables; those items must be given to the child or adoptive parent(s) prior to adoption.

Copies of closing documentation as described in [ADM 0980, Closing Documentation](#), must be included in the adoption case record.

Access to Closed Records

After adoption finalization, all adoption records are closed. The records must be kept in separate locked files and shall not be open to inspection or copying, except as stated in *disposition of records* in this item. Although local MDHHS offices and contracted adoption agencies must not routinely permit persons outside the office or agency to inspect or copy any part of a closed adoption record, persons outside of a local office or agency may access a closed adoption case record through any of the following:

- A court order.
- The Central Adoption Registry [[MCL 710.68](#)].
- A request from the Office of Children's Ombudsman.

**Disposition of
Records for
MDHHS
Supervised
Children**

For both MDHHS and contracted adoption agency cases, the local MDHHS office or contracted agency must retain all adoption case records for one year after finalization of the adoption. One year (between 12-13 months) past the adoption finalization date, a contracted adoption agency must send the original record to the local MDHHS office; copies must not be maintained by the contracted adoption agency; see licensing rule R400.12713-Adoption Placement Record.

The local MDHHS office must forward all records (both MDHHS adoptions and contracted agency adoptions) to MDHHS central office within three months of receipt of file. The contracted adoption agency or local MDHHS office must not retain any adoption records of MDHHS-supervised children or dispose of them in any way other than that described in this policy.

Records **must** be sent to:

Michigan Department of Health and Human Services
Document Control Section
235 S. Grand Avenue
P.O. Box 30037
Lansing, Michigan 48909

**Adoptive Family
Records**

Following the finalization of adoption, adoptive family files must be retained in the local MDHHS office or contracted adoption agency for three years and may be destroyed after the three-year period. Any Criminal History Records Information (CHRI) must be maintained and destroyed as outlined in [SRM 200, Fingerprinting](#).

**LEGAL AUTHORITY
State**

MCL 710.27

Licensing Rule

Licensing Rules for Child Placing Agencies, CWL-PUB11,
R400.12713

POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox](#).