

Request for Waiver of Home Study and Placement Report Criteria and Instructions

Adoption home study

According to ORS 109.276(7)(b), *except when the court finds there is reason to know that the child being adopted is an Indian child*, the Oregon Department of Human Services (ODHS) may file a waiver of the home study required under ORS 109.276(7)(a). As described in OAR 413-140-0032(2)(b), ODHS may consider waiving the adoption home study under the following circumstances:

1. One biological or adoptive parent is retaining parental rights;
2. One of the petitioners is the biological or adoptive sibling or half-sibling, aunt, uncle, grandparent, great-aunt, great-uncle or great-grandparent of the child **and either:**
 - (a) The child has resided with the petitioner on a continuous basis since birth and for at least six months immediately prior to the petitioner's request to waive the home study requirement; or
 - (b) The child has lived with the petitioner on a continuous basis for at least one year immediately prior to the filing of the petitioner's request to waive the home study requirement; or
3. In an adoption of a child born to a surrogate mother, the following conditions are met:
 - (a) At least one of the petitioners is the biological parent of the child; and
 - (b) When the surrogate mother is married:
 - (i) Their husband has consented to the adoption; or
 - (ii) There is a joint affidavit of non-paternity completed by the surrogate and their husband.
 - (iii) There is a Stipulated General Declaratory Judgment of Parentage finding the surrogate's husband is not the genetic or legal parent of the child.

Additionally, a petitioner must submit all of the following documents to ODHS:

- Copy of the petition for adoption;
- Request for Waiver of Adoption Home Study and Placement Report Form (CF 249D);
- Background checks as described in OAR 413-140-0065;
- Verification that adoptee shares a residence with petitioner;
- Verification of American Indian/Alaska Native Membership or Enrollment for Non-Departmental Adoptions (Form 1270A) addressing each biological parent's ancestry;

- Signed court order which includes the court’s finding as to whether there is reason to know the child being adopted is an Indian child; and
- Additional information, when requested by ODHS, to clarify any concerns.

For those requiring a background check through the Oregon State Police, please submit the “Request for Oregon Criminal History Information” form (CF 0249g) and required fee to: **Oregon State Police, CJIS Division, Unit 11, PO Box 4395, Portland OR 97208-4395.**

**Visit the ODHS web page for additional information on how to obtain background checks: <https://www.oregon.gov/dhs/CHILDREN/ADOPTION/INDADOPTIONS/Pages/Background-Check.aspx>.

Placement report

According to ORS 109.276(8)(a)(B)(i), *except when the court finds there is reason to know that the child being adopted is an Indian child*, ODHS may file a waiver of the placement report required under ORS 109. 276 (8)(a)(A). Per OAR 413-140-0032(3), ODHS may consider waiving the placement report for any of the following circumstances:**

1. ODHS previously waived the home study requirement;
2. The adoptee is 14 years of age or older, has consented to their adoption, and an Oregon licensed adoption agency provides a written recommendation that the adoption is in the best interest of the child; or
3. In an independent or out-of-state public agency adoption, where the petitioner and child are currently receiving services from ODHS or a licensed adoption agency or have received such services in the previous 12 months **and** ODHS or an Oregon licensed adoption agency provides a written recommendation that the adoption is in the child’s best interest.

Pursuant to ORS ORS 109.276(8)(a)(B)(ii), except when the court finds there is reason to know the child being adopted is an Indian child, ODHS shall waive the placement report requirement in an adoption where the biological or adoptive parent retains parental rights.

A copy of the petition for adoption must accompany all waiver request forms when submitted to ODHS. Send by registered or certified mail to:

Oregon Department of Human Services
Attn: Non-Departmental Adoptions Program
500 Summer Street NE, Ste. E-71
Salem OR 97301-1068



Request for Waiver of Home Study and Placement Report

Petitioner(s): .
In the Matter of the Adoption of: .
Court or ODHS case number:

The Petitioner(s) listed above hereby requests a waiver of the:

- Adoption home study Placement report

1. What is the relationship between the child(ren) and the Petitioner(s)?
2. How long has Petitioner(s) had the child(ren) continuously in their care?
3. State the number of children currently residing in the home of Petitioner(s):
4. How long has Petitioner(s) and each adult household member resided in Oregon?
5. Has any adult household member resided outside of Oregon for a period of more than 60 consecutive days within the last five years?
6. If YES, list each individual's previous state or country of residence:
7. For non-Oregon residents, please indicate length of residency in current state for Petitioner(s) and any other adult household member:

Each household member age 18 and older must sign below.

All the information in this request is accurate to the best of my knowledge. I consent to a check of the ODHS Child Abuse registry and a criminal history check based on the above information.

I request that ODHS waive the adoption home study or placement report requirement.

Printed name	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

You can get this document in other languages, large print, braille or a format you prefer. Contact ADA.dhs@dhsosha.state.or.us. We accept all relay calls or you can dial 711.