

**JUDICIAL COUNCIL OF CALIFORNIA**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee  
Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs  
Kelly Lynn Beck, Attorney, 415-865-8011, kelly.beck@jud.ca.gov

DATE: September 17, 2007

SUBJECT: Family Law and Juvenile Law: Confidential Intermediary  
Appointment for Sibling Contact After Adoption (adopt Cal. Rules  
of Court, rule 5.410; adopt forms ADOPT-330 and ADOPT-331)  
(Action Required)

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Issue Statement

Family Code section 9205 was recently amended to enable adopted siblings under the age of 18 to contact each other. This statute further provides that siblings can ask the court to appoint a confidential intermediary if either or both siblings have been adopted and the other sibling has not signed a waiver and consent for contact. Although the statute does not require the Judicial Council to adopt a rule or form for this process, the proposed form ADOPT-330 and rule 5.410 are needed to guide individuals, most likely self-represented litigants, through the multistep procedure.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that, effective January 1, 2008, the Judicial Council:

1. Adopt rule 5.410 of the California Rules of Court to assist the self-represented, guardian ad litem, and attorneys in the process of seeking contact for a sibling;
2. Adopt form ADOPT-330, *Request for Appointment of Confidential Intermediary*, to simplify the process for requesting sibling contact; and
3. Adopt form ADOPT-331, *Order for Appointment of Confidential Intermediary*.

The text of the proposed rule is attached at pages 6–9; the text of the proposed forms is attached at pages 10–12.

#### Rationale for Recommendation

In order to implement Family Code section 9205, the committee recommends that the council adopt a new rule of court and two mandatory forms to facilitate contact between siblings who have lost contact with each other as a result of adoption. The statute provides a new and somewhat confusing procedure for sibling contact. The proposed new rule and forms are necessary to help siblings who are under age 18 and/or unrepresented understand and follow the new procedure.

The procedure for sibling contact involves multiple steps and court and agency forms. The first step is for a sibling seeking contact to submit a completed California Department of Social Services (CDSS) waiver form AD 904A or AD 904B to the department or agency that provided adoption services; a signed waiver means that this person wants to exchange information with his or her sibling. Next, CDSS or the agency that provided adoption services looks to see if the other sibling has a waiver on file. If there is a waiver, CDSS or the agency that finalized the adoption facilitates contact. If there is no waiver on file, then CDSS sends a letter explaining the court process to the sibling seeking contact.

AOC staff worked closely with CDSS staff to revise the agency’s waiver forms and develop the proposed Judicial Council forms and rule of court. The CDSS’ revised waiver form now includes language explaining the process for siblings under the age of 18 years and a new section for dependency court judicial officers to consent to the waiver, when a sibling is currently a dependent of the court and a parent is unavailable.

AOC staff consulted with CDSS to update and revise the form letter that CDSS sends to the sibling seeking contact if the other sibling has not filed a waiver. The letter explains that in order to help facilitate contact, the sibling must file a request for appointment of confidential intermediary pursuant to Family Code section 9205 with the court that finalized the adoption of either sibling. CDSS has agreed to provide in the letter the court’s name, address, and telephone number to ensure that ADOPT-330 is filed in the proper court.

These collaborative efforts between AOC staff and CDSS staff have resulted in a procedure that will promote connection and contact between adopted siblings.

#### Alternative Actions Considered

The proposed rule and form are necessary to provide assistance to persons seeking contact with siblings as well as guidance for court personnel in the handling of these requests. No alternative actions were considered.

### Comments from Interested Parties

The invitation to comment on the proposal was circulated from April 25, 2007, to June 20, 2007, to the regular rules and forms mailing list and to the standard mailing list for family and juvenile law proposals, which includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals.

The committee received a total of 21 comments. Of that total, 4 commentators agreed with the proposal, 15 agreed with the proposal if modified and suggested both substantive and technical changes, 1 disagreed with the proposal and provided recommended changes, and 1 did not offer a position. A chart summarizing the comments is attached at pages 13–32.

Several of the commentators suggested technical changes related to spelling, punctuation, typographical issues, and sentence structure; these have been made in a manner consistent with the Administrative Office of the Courts' style guidelines.

The original proposal combined the two forms into one. Substantive comments related to the length of the form, notice procedures, venue, and the application of the procedure to adoptions finalized outside of California; these are summarized and addressed below.

#### *Length of form*

Three persons commented that the combined form was too long and suggested dividing it into separate request and order forms. One of the commentators indicated that the request could not be filed with the court unless the order was signed by a judge. The committee agreed and developed an additional form, ADOPT-331, *Order for Appointment of Confidential Intermediary*.

#### *Notice procedures*

Three persons stated concerns that neither the statute nor the rule included a notice procedure. They questioned how family members would be able to give information to the court if they believed contact was detrimental to either or both siblings. The committee determined that the confidential intermediary will have access, as will the court if necessary, to all adoption records. If there is any indication of detriment, the court can ask either for further information or make the finding that contact would be detrimental to either or both siblings.

Several commentators expressed concern that the adoption agency would not receive notice and thus would not have the opportunity to present information regarding the economic hardship of serving as confidential intermediary. The statute provides for initial notification of the request for contact to the department or the adoption agency. If a signed waiver for the other sibling is not in the department or agency's file, a letter is forwarded to the sibling requesting contact

referring the sibling to the proper court in which to file ADOPT-330. The agency can disclose its intent to claim economic hardship in this letter, which must be attached to ADOPT-330 when filed with the court.

#### *Venue*

Three persons pointed out that the rule did not specify the proper court for filing the request. The committee agreed and modified rule 5.410(d) to state that the request should be made in the court that finalized the adoption of either sibling.

#### *Adoptions outside of California*

Two persons requested that the rule extend the procedure to adoptions that occur outside California. This request is outside the scope of this proposal since the adoption would have been finalized in another state under its statutes.

#### *Confidential intermediary*

The CDSS recommended that the rule not allow family members or any other individual to serve as alternate confidential intermediaries. CDSS was concerned that because the files are confidential, the information could be distributed or used for improper purposes. CDSS suggested the use of “Another California licensed adoption agency or the California Department of Social Services’ Adoptions Support Bureau when no other individuals are available.” The committee agreed to this modification as it allows CDSS to decide who would be best to handle the records if the first adoption agency could not assist as a confidential intermediary.

#### *Inspection of adoption records*

Two persons raised concern about the courts ability to maintain the confidentiality of the records if the records were forwarded to the confidential intermediary for inspection.

The committee agrees that confidentiality is paramount and amended the rule to limit the confidential intermediary’s use of records for authorized purposes only. Rule 5.410 and ADOPT-331, *Order for Appointment of Confidential Intermediary* includes cautionary language regarding the use of the confidential information.

#### *Identifying information*

Two persons commented that ADOPT-330 and ADOPT-331 did not contain enough information to assist the confidential intermediary in locating and contacting the other sibling. The committee explained that the CDSS waiver form requires the sibling seeking contact to include the date and place of birth and the full names of the birth mother and adoptive parents of the sibling being sought.

#### *Revocation of waiver*

Two persons commented that rule 5.410 did not outline a revocation procedure. Family Code section 9205(c) provides that “an adoptee may revoke a waiver filed

pursuant to this section by giving written notice of revocation to the department or agency.” The committee believes that since notice of revocation must be sent to the department or agency, procedures for revocation are not appropriate in the rules of court.

*Agency or department*

Two persons wanted to know how the sibling seeking contact could obtain the name of the agency that provided adoption services. The CDSS staff recommended that the Adoption Support Unit’s address and telephone number be listed on ADOPT-330 and that CDSS provide the name and telephone number of the correct agency.

The comments are attached at pages 13–32.

Implementation Requirements and Costs

The court will be required to review the adoption file and sign the order appointing a confidential intermediary and further to provide the confidential intermediary access to the court file. The clerk’s office will complete a proof of service and forward the form to the proper persons. Standard reproduction costs will be incurred in distributing the new forms.

Attachments

Rule 5.410 of the California Rules of Court is adopted, effective January 1, 2008, to read:

1 **Rule 5.410. Request for sibling contact information under Family Code**  
2 **section 9205**

3  
4 **(a) Applicability of rule**

5  
6 This rule applies to all persons wishing to exchange contact information with  
7 their adopted siblings and all adopted persons wishing to have contact with  
8 their siblings, regardless of whether the adoption occurred in juvenile or  
9 family court.

10  
11 **(b) Definitions**

12  
13 As used in this rule:

- 14  
15 (1) “Adoptee” means any person adopted under California law.  
16  
17 (2) “Department” means the California Department of Social Services.  
18  
19 (3) “Licensed adoption agency” means an agency licensed by the  
20 department to provide adoption services and includes a licensed county  
21 adoption agency and a licensed private adoption agency under Family  
22 Code sections 8530, 8521, and 8533.  
23  
24 (4) “Confidential intermediary” means either the department or a licensed  
25 adoption agency that provided adoption services for either sibling.  
26  
27 (5) “Alternate confidential intermediary” means a named entity or person  
28 designated by the court in place of a licensed adoption agency when the  
29 court finds that the agency would experience economic hardship by  
30 serving as confidential intermediary.  
31  
32 (6) “Sibling” means a biological sibling, half-sibling, or stepsibling of the  
33 adoptee.  
34  
35 (7) “Waiver” means *Waiver of Rights to Confidentiality for Siblings,*  
36 department form AD 904A (used for adoptees or siblings over the age  
37 of 18 years) or AD 904B (used for adoptees or siblings under the age of  
38 18).  
39

1 (8) “Consent” means the consent contained within the Department form  
2 AD 904B. It is the approval of the filing of a waiver by a person under  
3 the age of 18 years obtained from an adoptive parent, a legal parent, a  
4 legal guardian, or a dependency court when a child is currently a  
5 dependent of the court.

6  
7 (9) “Petition” means Judicial Council form *Request for Appointment of*  
8 *Confidential Intermediary* (form ADOPT-330).

9  
10 (10) “Order” means Judicial Council form *Order for Appointment of*  
11 *Confidential Intermediary* (form ADOPT-331).

12  
13 **(c) Waiver submitted by person under the age of 18 years under Family**  
14 **Code section 9205(f)**

15  
16 (1) *Adoptee or sibling waiver*

17  
18 Each adoptee or sibling under the age of 18 years may submit a waiver to the  
19 department or the licensed adoption agency, provided that a consent is also  
20 completed.

21  
22 (2) *Court consent*

23  
24 If the sibling is currently under the jurisdiction of the juvenile court and his  
25 or her parent or legal guardian is unable or unavailable to sign the consent,  
26 the court may sign it.

27  
28 **(d) No waiver on file—sibling requesting contact under Family Code section**  
29 **9205(g)**

30  
31 If, after contacting the department or licensed adoption agency, the sibling  
32 who is seeking contact learns that no waiver is on file for the other sibling,  
33 the sibling seeking contact should use the following procedure to ask the  
34 court that finalized the adoption of either sibling to designate a confidential  
35 intermediary to help locate the other sibling:

36  
37 (1) *Sibling’s request*

38  
39 (A) A sibling requesting contact under Family Code section 9205  
40 must file a petition and submit a blank order to the court that  
41 finalized the adoption of either sibling.

1 (B) If the sibling requesting contact is under the age of 18 years, the  
2 petition must be filed through the sibling's duly appointed  
3 guardian ad litem under Code of Civil Procedure section 373 or  
4 through the sibling's attorney.  
5

6 (2) Appointment of a confidential intermediary  
7

8 (A) The court must grant the petition unless the court finds that it  
9 would be detrimental to the adoptee or sibling with whom contact  
10 is sought. The court may consider any and all relevant  
11 information in making this determination, including, but not  
12 limited to, a review of the court file.  
13

14 (B) The court will appoint the department or licensed adoption agency  
15 that provided adoption services for either sibling as the  
16 confidential intermediary.  
17

18 (C) If the court finds that the licensed adoption agency that conducted  
19 the adoptee's adoption is unable to serve as the intermediary,  
20 owing to economic hardship, the court may then appoint any one  
21 of the following who agrees to serve as an alternate confidential  
22 intermediary:  
23

24 (i) A CASA volunteer or CASA program staff member;

25 (ii) A court-connected mediator;

26 (iii) An adoption service provider as defined in Family Code  
27 section 8502(a);

28 (iv) An attorney; or

29 (v) Another California licensed adoption agency or the  
30 California Department of Social Services' Adoptions  
31 Support Bureau when no other individuals are available.  
32

33 (D) When an alternate confidential intermediary is appointed, the  
34 licensed adoption agency must provide to the court all records  
35 related to the adoptee or sibling for inspection by the alternate  
36 confidential intermediary.  
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(3) Role of the confidential intermediary

(A) The confidential intermediary must:

- (i) have access to all records of the adoptee or the sibling, including the court adoption file and adoption agency or CDSS files of either sibling;
- (ii) make all reasonable efforts to locate the adoptee, the sibling, or the adoptive or birth parent;
- (iii) attempt to obtain the consent of the adoptee, the sibling, or the adoptive or birth parent; and
- (iv) notify any located adoptee, sibling, or adoptive or birth parent that consent is optional, not required by law, and does not affect the status of the adoption.

(B) The confidential intermediary must not make any further attempts to obtain consent if the individual denies the request for consent.

(C) The confidential intermediary must use information found in the records of the adoptee or the sibling for authorized purposes only and must not disclose any information obtained in this procedure unless specifically authorized.

(4) Adopted sibling seeking contact with a sibling who is a dependent child

An adoptee seeking contact with his or her sibling who is a dependent child must follow the procedure set forth under Welfare and Institutions Code section 388(b) to seek contact with the sibling.

**ADOPT-330****Request for Appointment of Confidential Intermediary**

Use this form if you are seeking contact with your sibling who is not currently a dependent of the court and one of you has been adopted. If your sibling is currently a dependent of the court, you must follow the procedure in Welfare and Institutions Code section 388(b) instead of using this form.

Before completing this form, you must ask for contact with your sibling from the department or licensed adoption agency that joined in your adoption or your sibling's adoption. If you do not know the name of the department or agency, ask the California Department of Social Services, Adoption Support Unit, 916-651-8088.

After filling out this form, bring it and a blank copy of the proposed Order (ADOPT-331) to the clerk of the court where the adoption was finalized. After the court signs the order, a copy of this Request and the Order will be forwarded to the California Department of Social Services or the adoption agency, as designated by the court, and copies will be given to you.

Clerk stamps date here when form is filed.

**DRAFT 26**  
**09/17/07 mc**  
**Not approved by the**  
**Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Clerk fills in case number when form is filed.

**Case Number:**

- ① I am asking the court to appoint a confidential intermediary to help me get contact information for my sibling.
- a. My name: \_\_\_\_\_
- b. My address: \_\_\_\_\_
- c. My phone number: \_\_\_\_\_
- ② a.  The person helping me complete this request for the appointment of a confidential intermediary is:
- (1) Name: \_\_\_\_\_
- My attorney (State Bar No. \_\_\_\_\_)  My guardian ad litem
- (2) Address: \_\_\_\_\_
- (3) Phone number: \_\_\_\_\_
- b.  I do not have an attorney or guardian ad litem who is helping me complete this request for the appointment of a confidential intermediary.
- ③  An attorney used to represent me.
- a. Name of former attorney: \_\_\_\_\_
- b. Address of attorney: \_\_\_\_\_
- c. Phone number of attorney: \_\_\_\_\_
- d. This attorney used to represent me because: \_\_\_\_\_
- ④ The department or the licensed adoption agency that joined in the adoption petition for:
- me
- my sibling
- a. Name of agency: \_\_\_\_\_
- b. Address: \_\_\_\_\_
- c. Phone number: \_\_\_\_\_



Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

- 5 The sibling whom I would like to contact is:
- a. My sibling's name: \_\_\_\_\_
  - b. My sibling's current address (if known): \_\_\_\_\_
  - c.  My sibling is under the age of 18 years.
    - (1) My sibling currently lives with (name and relationship to my sibling, if known): \_\_\_\_\_
    - (1) My sibling used to live with (name and relationship to my sibling, if known): \_\_\_\_\_

6 My sibling was adopted in this county:  Yes  No  Unknown

7 My sibling was previously a dependent of the court in this county:  Yes  No  Unknown

- 8 The following are true (check all that apply):
- a.  I submitted a written California Department of Social Services waiver form AD 904A or AD 904B to the agency listed in 4 before I completed this form.
  - b.  The agency in 4 sent a letter to me stating that no waiver for my sibling is in its file. A copy of the letter from the agency is attached to this request.
  - c.  I am asking the court to appoint a confidential intermediary to help me get contact information for my sibling.
  - d.  I am under the age of 18 years.
    - (1) My parent/guardian signed a consent giving me permission to contact my sibling:  Yes  No
    - (2) The court signed a consent giving me permission to contact my sibling:  Yes  No
  - e.  My sibling is under the age of 18 years.
  - f.  To the best of my knowledge, there is not now, and never has been, an order stating that I cannot have contact with the sibling named in 5.

9 Any other information that would be helpful to the court:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information in items 1 through 9, and in all attachments, is true and correct, which means that if I lie on this form, I am committing a crime.

Date: \_\_\_\_\_ Type or print your name \_\_\_\_\_ Sign your name \_\_\_\_\_

Person who helped the applicant complete the form:  
Date: \_\_\_\_\_ Type or print name \_\_\_\_\_ Signature \_\_\_\_\_

Attorney  Guardian ad litem

*COURT WILL FILL OUT SECTION BELOW*

The judicial officer has read and reviewed the *Request for Appointment of Confidential Intermediary* (ADOPT-330) filed by

(Name): \_\_\_\_\_

asking the court to appoint a confidential intermediary. The court orders as follows:

- ①  The request for appointment of confidential intermediary is granted.
- ②  One or both siblings are adoptees. The following is hereby appointed as the confidential intermediary:
- a.  California Department of Social Services
- b.  A licensed adoption agency (*name of agency*): \_\_\_\_\_
- ③  The licensed adoption agency will not serve as a confidential intermediary because of economic hardship. The following entity or person is appointed as the alternate confidential intermediary:
- a. Name: \_\_\_\_\_
- b. Address: \_\_\_\_\_
- c. Phone number: \_\_\_\_\_
- ④  The request is denied because the court finds that granting this request would be detrimental to the adoptee or the sibling with whom contact is sought.
- ⑤ A copy of this order and the request (ADOPT-330) is to be forwarded to the person making this request.
- ⑥  A copy of this order and the request (ADOPT-330) is to be provided to the confidential intermediary named above.

Date: \_\_\_\_\_



\_\_\_\_\_  
*Judge (or Judicial Officer)*

*Clerk stamps date here when form is filed.*

**DRAFT 8**  
**09/17/07 mc**  
**Not approved by the**  
**Judicial Council**

*Fill in court name and street address:*

**Superior Court of California, County of**

*Clerk fills in case number when form is filed.*

**Case Number:**

**IMPORTANT: A confidential intermediary must not use any information found in the records of the adoptee or sibling unless the use is authorized in the Family Code, section 9205(g) and rule 5.410 of the California Rules of Court.**

**SPRING 07-24**

**Family Law: Sibling Contact After Adoption (adopt Cal. Rules of Court, rule 5.410; and adopt form ADOPT- 330)**

<b>GENERAL POSITIONS AND COMMENTS</b>					
<b>List of All Commentators and Their Overall Positions on the Proposal</b>					
	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment Excerpt or Summary</b>	<b>Committee Response</b>
1	Sandy Almansa, Supervising Legal Clerk II Family Law, Probate and IVD Division Superior Court of Stanislaus County	AM	Y	See comments on specific items below.	See response below.
2	Grace Andres Program Manager Superior Court of Solano County	AM	N	See comments on specific items below.	See response below.
3	Paula Forthun-Baldwin Administrative Analyst Inland Regional Center	A	Y	No narrative comments.	No response required.
4	Hon. Ronald Bauer Chair, Rules and Forms Committee Superior Court of Orange County	AM	N	See comments on specific items below.	See response below.
5	L. David Casey Senior Deputy County Counsel Superior Court of San Diego County	AM	Y	See comments on specific items below.	See response below.
6	Joseph L. Chairez President Orange County Bar Association	A	Y	No narrative comments.	No response required.
7	Hon. Tari L. Cody Dependency Court Judge Superior Court of Ventura County	N	Y	See comments on specific items below.	See response below.

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8	Steven Dickerson Child Welfare Services State of California	AM	N	See comments on specific items below.	See response below.
9	Rolanda Pierre-Dixon Asst. District Attorney Santa Clara County District Attorney's Office	A	Y	No narrative comments.	No response required.
10	David Harriman Program Specialist Human Services Superior Court of San Bernardino County	AM	N	See comments on specific items below.	See response below.
11	Dennis B. Jones Executive Officer Superior Court of Sacramento County	AM	Y	See comments on specific items below.	See response below.
12	Superior Court of Los Angeles County 111 N. Hill Street	A	Y	No narrative comments.	No response required.
13	Andrea Nelson Director of Operations Superior Court of Butte County	AM	N	See comments on specific items below.	See response below.

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14	Mary A. Oaklund Attorney Oaklund & Oaklund	None	N	See comments on specific items below.	See response below.
15	Kathleen A. O'Connor Assistant County Counsel Sacramento Department of Health and Human Services—Children's Services	AM	Y	See comments on specific items below.	See response below.
16	James M. Owens Assistant County Counsel Monterey Park	AM	N	See comments on specific items below.	See response below.
17	Hon. Kenneth G. Peterson Presiding Judge of the Juvenile Court Superior Court of Sacramento County	AM	Y	See comments on specific items below.	See response below.
18	Michael M. Roddy Executive Officer Superior Court of San Diego County	AM	Y	See comments on specific items below.	See response below.
19	Teresa Rodriguez Adoption Consultant Department of Social Services Adoptions Services Bureau	AM	Y	See comments on specific items below.	See response below.

**SPRING 07-24**

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment Excerpt or Summary</b>	<b>Committee Response</b>
20	Cameryn Schmidt Writ Supervisor, CLC 3 Children's Law Center of Los Angeles	AM	Y	See comments on specific items below.	See response below.
21	Jennifer Troia Director of Advocacy California CASA Association	AM	Y	See comments on specific items below.	See response below.

**COMMENTS ABOUT SPECIFIC RULES AND FORMS**  
**Rule 5.410**

<b>Commentator</b>	<b>Comment Excerpt or Summary</b>	<b>Committee Response</b>
Dennis B. Jones Executive Officer Superior Court of Sacramento County	a. The rule is confusing in that it applies to juvenile court and family law but only defines consent by approval of adoptive parent, legal parent, guardian or dependency court of the filing of a waiver. The potential impact is that family law cases that did not include the waiver will be filed in dependency court to obtain consent.	a. The consent is a consent to file the waiver with the Department of Social Services. If a sibling under the age of 18 wants to file a waiver with CDSS, a consent of the legal parent or guardian is required. If a dependent child wants to file a waiver with CDSS and a parent is unavailable to sign the consent, the dependency court can sign the waiver. This provision applies only to children who are currently under the jurisdiction of the dependency court and not to any other sibling seeking contact with a sibling who was adopted. It therefore would not apply in family law cases.



**SPRING 07-24**

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	<p>b. Subsection (c)(2) permits the juvenile court to sign a waiver of consent when the parent or legal guardian of a dependent child is unavailable. Subsection (d) lays out the process to follow when there is no waiver on file. It seems the dependency court could sign a consent in every adoption case, where siblings were not adopted, to avoid (d).</p> <p>c. The rule does not set forth a process by which the adoptee may revoke a waiver that has been filed.</p>	<p>b. A consent of the court is necessary to submit the waiver to CDSS if the legal parent or legal guardian of a dependent child is unavailable. The waiver is not filed with the court. Subsection (d) deals directly with the issue of whether or not the other sibling has submitted a waiver to CDSS.</p> <p>c. Family Code section 9205(c) provides a procedure to revoke a waiver signed under this section. This procedure does not involve the court.</p>
<p>Kathleen A. O'Connor Assistant County Counsel Sacramento Department of Health and Human Services—Children's Services</p>	<p>a. At page 1, under (b)(6) recommend changing the definition of sibling to the definition contained in Family Code section 9205(h).</p> <p>b. At page 2, subsection (c)(2)(A), Court consent, suggest deletion of the word "unwilling" and change the language to include the term "legal parent or guardian."</p> <p>The language constricts the class of those who can consent to the waiver (limiting to "parents" rather than the broader group of persons having a legally defined parental relationship with the child.</p> <p>c. At page 2, (d)(1)(B), suggest removing subsection (B) in its entirety. This would needlessly complicate this process, generate unnecessary costs and thereby discourage its use by minors and possibly enlarge the unfunded mandates already created by Family Code section 9205, which requires the minor siblings to have parental consent for the waiver but is silent as to the consent for the minor to petition the court for appointment of confidential intermediary. This</p>	<p>a. Agree with proposed modification.</p> <p>b. Agree with proposed modification to delete the word "unwilling" and to add the term "legal" parent and "legal" guardian.</p> <p>c. The appointment of a guardian ad litem is necessary for a minor sibling filing this action. Rule 5.410 (d)(1)(B) is consistent with the statute.</p>

**SPRING 07-24**

**Family Law: Sibling Contact After Adoption (adopt Cal. Rules of Court, rule 5.410; and adopt form ADOPT- 330)**

	<p>suggests that the intent was to permit the adoptee or his/her sibling to petition the court directly.</p> <p>d. Pages 2–3, (d)(2)(C), suggest wording be changed to “if the court finds economic hardship to the licensed adoption agency, then the agency must provide all records related to the adoptee or sibling to the court.”</p> <p>e. Page 3, (d)(3) add subsection (b) to 388 to conform to Family Code section 9205(g).</p>	<p>d. The committee agrees to add new (d)(2)(C) and (D) to read:</p> <p>(C) “If the court finds that the licensed adoption agency that conducted the adoptee’s adoption is unable to serve as the intermediary owing to economic hardship, the court may then appoint any one of the following who agrees to serve as an alternate confidential intermediary....”</p> <p>(D) When an alternate confidential intermediary is appointed, the licensed adoption agency must provide to the court all records related to the adoptee or sibling to the court for inspection by the alternate confidential intermediary.</p> <p>e. Agree with proposed addition.</p>
<p>James M. Owens Assistant County Counsel Monterey Park</p>	<p>a. The definition of adoptee should <i>not</i> be limited to the laws of this state because either sibling could have been adopted in another state.</p> <p>b. Where would an adoptee file ADOPT-330 if he or she were previously a dependent of a California court but was adopted in another state and wanted to contact</p>	<p>a. This concern is outside the scope of this proposal as it relates to broadening the statutory meaning of “adoptee.” Family Code section 9205 is a California statute that regulates the procedure for sibling contact after adoption. Another state may not have the same procedure. If another state has a similar statute, the sibling could file in that state. Further, the other state may not have a procedure such as the California Department of Social Services waiver form.</p> <p>b. This comment is outside the scope of this proposal. The comment relates to whether an adoptee, who was a previous dependent of the court, and whose adoption</p>

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	<p>a sibling still in California?</p> <p>c. Suggestion: Add notice provisions to other interested persons.</p> <p>There is no notice provision in the statute, rule or form. There may be relatives, guardians, adoptive parents, birth parents, or some other siblings whose whereabouts are known to the adoptee and who may possess information relevant to the court's determination as to whether or not the granting of the petition would be detrimental.</p>	<p>was finalized outside of California, can file an action in California seeking contact with a California sibling who has not been adopted. The laws of the state that finalized the adoption would apply.</p> <p>c. Adding noticing requirements would not assist the court and would place unnecessary hurdles for siblings seeking contact with each other. The statute provides sufficient safeguards. The first part of this statute requires the sibling to submit a waiver to the department or agency that was involved in the adoption.</p> <p>Further, an adoptee or a sibling under the age of 18 must have parental consent to submit a completed waiver to the department. If the adoptive parent or legal guardian has concerns about contact, he or she would not sign the consent for the waiver, and thus there would be no filing of the waiver.</p> <p>If the sibling seeking contact brings an ADOPT-330 petition to seek contact with a sibling under 18 whose legal parent refused to sign the consent, the confidential intermediary (if appointed) must first seek consent of the parent. If the parent still feels contact is detrimental, that parent can once again refuse to sign the consent for the waiver. The statute allows the confidential intermediary to use only the following procedure:</p> <p>“The confidential intermediary shall notify any located adoptee, sibling, or adoptive or birth parent that consent is optional, not required by law... If that individual denies the request for consent, the confidential intermediary shall not make any further attempts to obtain consent.”</p>
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		<p>Therefore, there is a safeguard for children under 18, and there does not need to be further notice to other individuals. The court can also review the record to determine detriment when appointing a confidential intermediary, and the court “may consider any and all relevant information in making this determination ...” (Rule 5.140(d)(2)(A).)</p>
<p>Hon. Kenneth G. Peterson Presiding Judge of the Juvenile Court Superior Court of Sacramento County</p>	<p>a. Rule 5.410(b)(8)—This definition could be misunderstood by attorneys in that they may seek a consent from the dependency court, when the adoption occurred in family court. Suggest adding “or dependency court for a child who is still a dependent of the court.”</p> <p>b. Rule 5.410(d)—Suggest adding language to identify which sibling is referenced. In the first sentence, add “the sibling who is seeking contact learns that no waiver is on file...” Also suggest adding language to address which court the request must be filed in.</p> <p>c. Rule 5.410(c)—The rule does not specify if or how one may revoke a consent. Suggest adding a paragraph that explains a revocation procedure.</p>	<p>a. The committee agrees to the proposed additional language.</p> <p>b. The committee agrees to add language in first sentence as proposed. The committee agrees to add the following language for jurisdictional issues: “...the sibling seeking contact may ask the court that finalized the adoption of either sibling to designate a confidential intermediary...”</p> <p>c. Family Code section 9205(c) provides a procedure to revoke a waiver signed under this section. This procedure does not involve the court.</p>
<p>Michael M. Roddy Executive Officer Superior Court of San Diego County</p>	<p>Rule 5410(d)(1)(B)—The statute does not require that the request be made through a guardian ad litem or an attorney.</p>	<p>Since the statute does not expressly authorize a minor to bring an action on his or her own, a guardian ad litem is necessary.</p>

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<p>Teresa Rodriquez Adoptions Consultant Department of Social Services Adoptions Bureau</p>	<p>a. Rule 5.410(d)(2)(C) (i through viii)—Suggest the following be removed as alternate confidential intermediary:</p> <ul style="list-style-type: none"><li>(vi) An appropriate family member of either sibling;</li><li>(vii) Any appropriate individual from a list provided by the adoption agency; or</li><li>(viii) any other appropriate individual as designated by the court.</li></ul> <p>Suggest adding the following:</p> <ul style="list-style-type: none"><li>(v) Another California licensed adoption agency or the California Department of Social Services’ Adoptions Support Bureau when no other individuals are available.</li></ul> <p>The individuals listed in (vi),(vii), and (viii) would have access to confidential adoption records that are sealed. Release of the case information to these alternatives is contrary to current laws governing adoption records. Also, many of the individuals listed may have little or no adoption casework or clinical experience.</p> <p>b. Rule 5.410(d)(2)(D)—Suggested wording: “When an alternate confidential intermediary is appointed, the licensed adoption agency must provide all records related to the adoptee or sibling to the court.”</p>	<p>a. Agree with recommended modification.</p> <p>b. The committee agrees to add clarifying language as follows:</p> <p>(d)(2)(C): “If the court finds that the licensed adoption agency that conducted the adoptee’s adoption is unable to serve as the intermediary, owing to economic hardship, the court may then appoint any one of the following who agrees to serve as an alternate confidential intermediary.</p>
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		<p>(D): “When an alternate confidential intermediary is appointed, the licensed adoption agency must provide to the court all records related to the adoptee or sibling for inspection by the alternate confidential intermediary...”</p>
<p>Cameryn Schmidt Writ Supervisor, CLC 3 Children’s Law Center of Los Angeles</p>	<p>a. Conform Rule 5.410(b)(6) to Family Code section 9205(h): “Sibling” means a biological sibling, half-sibling or step-sibling of the adoptee.</p> <p>b. Clarify in Rule 5.410(b)(7) that “waiver” means the California Department of Social Services (CDSS) form AD 904(A) (used for adoptees or siblings over the age of 18 years) or CDSS form AD 904(B) (used for adoptees or siblings under the age of 18), <i>Waiver of Rights to Confidentiality for Siblings</i>, and that these two waiver forms are required of both adoptees and siblings.</p> <p>c. Rule 5.410(d)—Would like the words adoptee or sibling to be included throughout this section in order to clarify that both an adoptee and sibling may request appointment of a confidential intermediary.</p> <p>d. Rule 5.410(2)—Add (d)(2)(C) to include: “If the sibling being sought was formerly under the juvenile court jurisdiction, but is not an adoptee, the court will appoint the department, the county child welfare agency that provided services to the former dependent child or the licensed adoption agency that provided adoption services to the adoptee seeking contact.”</p>	<p>a. Agree to change.</p> <p>b. Agree to proposed clarifying language. Language will be added to subsection (b)(7).</p> <p>c. Rule 5.410(a), “Applicability of Rule” already clarifies that the rule applies to all persons wanting to exchange contact information with their adopted siblings and all adopted persons wishing to have contact with their siblings.</p> <p>d. The California State Department of Social Services has confirmed that even though this language is in the statute, the confidential intermediary will always be the department or the agency that provided adoption services to the other (adopted) sibling.</p>

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<p>Jennifer Troia Director of Advocacy California CASA Association</p>	<p>a. At subsection (d)(1)(B) change reference from Civil Code to Code of Civil Procedure for appointment of guardian ad litem.</p> <p>b. At subsection (d)(2)(B) change the wording from “agency named in the request” to “that provided adoption services” as confidential intermediary.</p> <p>There could be circumstances where individuals who are seeking contact may not have the correct department or agency name that provided services.</p> <p>c. At subsection (d)(2)(c)(i) modify this language to include either “A CASA volunteer or CASA program staff member.”</p> <p>In the event there was not a CASA assigned to a sibling identified in the request, a CASA program staff member may still be willing to act as a confidential intermediary.</p> <p>d. At subsection (d)(2)(D), is the information also provided to the intermediary?</p>	<p>a. Agree with proposed correction.</p> <p>b. Agree with proposed modification.</p> <p>c. Agree with proposed modification.</p> <p>d. Committee agrees to add new (d)(2)(C) and (D) to read:</p> <p>(d)(2)(C): “If the court finds that the licensed adoption agency that conducted the adoptee’s adoption is unable to serve as the intermediary, owing to economic hardship, the court may then appoint any one of the following who agrees to serve as an alternate confidential intermediary....”</p> <p>(D): “When an alternate confidential intermediary is appointed, the licensed adoption agency must provide to the court all records related to the adoptee or sibling for inspection by the alternate confidential</p>
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**COMMENTS ABOUT SPECIFIC RULES AND FORMS  
ADOPT-330**

<b>Commentator</b>	<b>Comment Excerpt or Summary:</b>	<b>Committee Response</b>
Sandy Almansa Supervising Legal Clerk II, Family Law, Probate and IV–D Division Superior Court of Stanislaus County	Modify item 5c and item 5d to include an option of a check box for “unknown” in case the names of the persons the sibling is living with are unknown to the person requesting contact.	Agree to add additional box for unknown under item 5c and item 5d.
Grace Andres Program Manager Superior Court of Solano County	<p>a. The request and order should be two separate forms. Otherwise, it will not be filed by the clerk until after the judge signs it.</p> <p>b. Are there service requirements or standards?</p> <p>c. How will the court determine if it will be an economic hardship on the adoption agency?</p> <p>Under (2) and (5) remove wording “information about the” and just start with Sibling.</p>	<p>a. The committee agrees and will prepare a separate order, form ADOPT-331.</p> <p>b. The statute requires notice to the department or agency only, until an alternate confidential intermediary is appointed. The clerk should file a proof of service for ADOPT-330 and ADOPT-331 once it is signed by the judge.</p> <p>c. The adoption agency, having received a copy of the waiver, will notify the sibling if there is no waiver on file for the other sibling. The agency will return a letter to the sibling advising him or her that there is no waiver and in that letter will be information that directs the sibling to the court to seek the appointment of a confidential intermediary. In this letter the agency can check a box to claim economic hardship and a space to provide the reason for the hardship. Since this letter must be filed with the court along with the request, the court will have notice and can either call the agency for more information or appoint an alternate confidential intermediary.</p>



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	<p>d. Is the request and order submitted ex parte?</p> <p>e. Does the request have to be filed in the county where the adoption occurred?</p>	<p>d. It appears that the procedure was meant to be filed ex parte as the only other entity involved is the agency, department, or alternate confidential intermediary.</p> <p>e. The only county that would have access to the court records and easy access to the department or agency records would be the county in which the court finalized the adoption. The committee clarified the process by adding language to subsection (d): “the sibling seeking contact may ask the court <i>that finalized the adoption of either sibling</i> to designate a confidential intermediary...”</p>
<p>Hon. Ronald Bauer Chair, Rules and Forms Committee Superior Court of Orange County</p>	<p>a. Requires editing: Wherever a sibling is referred to as #1 or B, change to reflect (1) or (2).</p> <p>b. Change the numbering of the form to be (1), 1.1,1.2, 1.3 and then (2), 2.1, 2.2; and then (3), (4).</p> <p>c. Under (2) and (5) remove wording “information about the” and just start with Sibling.</p> <p>Comments: The above corrections would make the form more compact.</p>	<p>a. The committee agrees and adopts a uniform numbering system.</p> <p>b. The recommended numbering scheme is inconsistent with plain language formatting and would be confusing to self-represented litigants.</p> <p>c. Agree to modifications.</p>
<p>L. David Casey Senior Deputy County Counsel San Diego County</p>	<p>Paragraph 3d. This needs to be clarified to make it easier to understand.</p>	<p>The committee agrees to change the format of item 3d, which will include the following language:</p> <p>“The agency named above joined in the adoption petition or provided adoption services for the person identified in: <input type="checkbox"/> (2) or <input type="checkbox"/> (5).”</p>

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<p>Hon. Tari L. Cody Juvenile Dependency Judge Superior Court of Orange County</p>	<p>a. Court orders should be separate stand,-alone forms. The clerk cannot file it until the court signs the order.</p> <p>b. It is difficult for the clerk/court to easily discern who the party filing the form is, unless there is a place to identify the attorney at the top.</p> <p>c. If the person filing the request is required to first request contact with his/her sibling through the agency that joined in the adoption, then at the very beginning of the form, there should be something filled out by the person stating that he/she has done that and the date it was done and the result of the request.</p> <p>d. What does paragraph 2 mean when it refers to “information about sibling #1” and then immediately states “information about sibling #5? It is not clear at all.</p>	<p>a. The committee agrees and will prepare a separate order, form ADOPT-331.</p> <p>b. The committee agrees to change the order of the individuals listed on the form so that the attorney or guardian ad litem completing the form will be item 1 at the top of the form.</p> <p>c. Agree to clarify by adding the following opening language at the top of the form:</p> <p><i>Use this form if you are seeking contact with your sibling, and one of you has been adopted. Before completing this form, you must ask for contact from the department or agency that joined in your adoption or your sibling. If you do not know the name of the department or agency, you can ask the California Department of Social Services, Adoption Support Unit, 744 P Street, M/S 3-31, Sacramento, CA 95814 CA (phone: 916-651-8088).</i></p> <p>d. The committee agrees to change the format of item 2, which will include the following language:</p> <p>“The agency named above joined in the adoption petition or provided adoption services for the person identified in: <input type="checkbox"/> (2) or <input type="checkbox"/> (5).”</p>
<p>Steven Dickerson Child Welfare Services State of California</p>	<p>How are adoptive parents going to be required to maintain sibling contact when these cases usually dismiss outside of the CPS system and many adoptive parents do not want to maintain contact between parents or siblings that are either not adopted and return</p>	<p>The first part of this statute requires the sibling to submit a waiver to the department or agency that was involved in the adoption.</p> <p>Further, an adoptee or sibling under the age of 18 must</p>

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	<p>home at some point in time or that are adopted by other parents.</p>	<p>have parental consent to submit a completed waiver to the department. If the adoptive parent or legal guardian has concerns about contact, he or she would not sign the consent for the waiver and, thus, the waiver would not be filed.</p> <p>If the sibling seeking contact files an ADOPT-330 to seek contact with the siblings whose legal parent refused to sign the consent, the confidential intermediary (if appointed) must first seek consent of the parent for a child under 18. If the parent still feels contact is detrimental, that parent can once again refuse to sign the consent for the waiver. The statute allows the confidential intermediary to use only the following procedure:</p> <p>“The confidential intermediary shall notify any located adoptee, sibling, or adoptive or birth parent that consent is optional, not required by law... If that individual denies the request for consent, the confidential intermediary shall not make any further attempts to obtain consent.”</p> <p>Therefore, there is a safeguard for children under 18, and there does not need to be further notice to other individuals. The court can also review the record to determine detriment when appointing a confidential intermediary, and the court “may consider any and all relevant information in making this determination ...”</p>
<p>David Harryman Program Specialist Department of Human Services County of San Bernardino</p>	<p>a. Need to accommodate request for contact with multiple siblings or instruction to complete additional request for additional siblings to be contacted.</p>	<p>a. The committee agrees with the proposed modification and has added a sentence to item 5: “<i>A separate request must be completed for any additional siblings to be contacted.</i>”</p>

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	b. Need identifying information such as date of birth, social security number or other identifying information.	b. The Department of Social Services forms 904A and 904B, which are the waiver forms, must be filled out prior to requesting a court order for a confidential intermediary. Those two forms contain identifying information about the sibling or adoptee signing the form. The forms also ask specific information about the adoption, including birthday, city and state of birth, all names used by the birth mother, and full names of the adoptive parents. The form as well as the entire record will be available to the confidential intermediary.
Dennis B. Jones Executive Officer Superior Court of Sacramento County	a. Suggest uniformity when referencing paragraphs.  b. The citations on bottom of the form are incorrect and should list the new rule and Family Code.	a. Agree with proposed corrections.  b. Agree with proposal corrections.
Andrea Nelson Director of Operations Superior Court of Butte County	Suggest making Court Order a separate document. Comment: Form is too large.	The committee agrees and has prepared a separate order, form ADOPT-331.
Mary A. Oaklund Attorney Oaklund & Oaklund	I am concerned how post-adoptive sibling contact would be used in pre-adoptive and termination of rights cases [See Welf. & Inst. Code, 366.26(c)(1)(E)]. The rule should limit the use to the contact issue post adoption rather than a measure of “sibling relationship” and interference in the .26 hearing choosing adoption as the plan.	Rule 5.410(a), Applicability of rule, has clarifying language:  “This rule applies to all persons wishing to exchange contact information with their adopted siblings and all adopted persons wishing to have contact with their siblings, regardless of whether the adoption occurred in juvenile or family court.”  Further, ADOPT-330 contains clarifying opening language as follows:  “One of you has been adopted.”
James M. Owens Assistant County Counsel Monterey Park	There is too little information regarding the petitioner to enable the intermediary to conduct a meaningful search and allow the court to begin to make a	The Department of Social Services forms 904A and 904B which are waiver forms, must be filled out prior to requesting a court order for a confidential

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	<p>meaningful ruling on the question of detriment.                  Suggestions: change format of the form to allow more information, including date and place of birth, previous names, adoptive parents' names, court case number and further information regarding a previous social worker, if you were arrested or involuntarily hospitalized.</p>	<p>intermediary. Those two forms contain identifying information about the sibling or adoptee signing the form. The forms also ask specific information about the adoption, including birthday, city and state of birth, all names used by the birth mother, and full names of the adoptive parents. The form as well as the entire record will be available to the confidential intermediary.</p>
<p>Hon. Kenneth G. Peterson                  Presiding Judge of the Juvenile Court                  Superior Court of Sacramento County</p>	<p>Citation in the footer is incorrect. Reference should be Family Code section 9205(f) and rule 5.410.</p>	<p>The committee agrees with the proposed modification.</p>
<p>Michael Roddy                  Executive Officer                  Superior Court of San Diego County</p>	<p>a. See the corrections that are contained in the attached documents containing the proposal revisions to rule 5.410 and form ADOPT-330.</p> <p>b. Item 3 would be more in line with the statute if it read: "Information about the Department of Social Services office or the adoption agency that provided services in connection with the adoption of either sibling."</p> <p>c. On the combined petition and order form, page 3, item 11(b) (now in ADOPT-331 item 2(b)) should have a space for the name of the agency to be filled in. This would enable the order to stand alone, without the need to flip back to the request.</p>	<p>a. The commentator raises numerous grammatical errors of a technical nature. All requests for modification have been incorporated except for the following:</p> <p>Commentator requests that under item 7, the words "is or" was previously a dependent of this court. The language in the statute specifies that Welfare and Institution Code section 388(b) be used in the event a sibling is currently under the jurisdiction of the dependency court.</p> <p>b. The committee agrees in part and has added the language "Department of Social Services office or adoption agency that joined in the adoption petition of either sibling." The statute refers to all both throughout the body of the statute; therefore it is appropriate to have all both listed.</p> <p>c. The committee agrees to add a line to identify the name of the agency.</p>

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	<p>d. On the combined petition and order form, page 3, item 12, should read “The sibling with whom contact is being sought.”</p>	<p>d. This change is moot because this item has been deleted in the new order form.</p>
<p>Teresa Rodriquez Adoptions Consultant Department of Social Services Adoptions Bureau</p>	<p>a. At page 2, item 8(a), delete the words “Department of Social Services” and “A copy is attached to this request.”</p> <p>It is not necessary to require that the petitioner submit a copy of the AD904A or AD 904B. They only need to submit a copy of the agency letter informing them that no waiver is on file.</p> <p>b. At page 3 item 13, recommend removing the letters b and c, as we are suggesting that no family members be appointed as alternate confidential intermediaries.</p> <p>c. The Department recommends that whoever is appointed as a confidential intermediary be required to sign a confidentiality statement or clause.</p>	<p>a. Deleted the words “A copy is attached to this request,” but the words “Department of Social Services” are necessary to clarify that it is the California Department of Social Services waiver form that is referenced.</p> <p>Agree to delete the words “a copy of the AD 904A or AD 904B is attached” to the request.</p> <p>b. Agree with proposed modification.</p> <p>c. The committee agrees that confidentiality is of the utmost importance. Since the confidential intermediary must come to court to inspect the records, the form is revised to include the following language:</p> <p><b>IMPORTANT: If you are appointed as confidential intermediary, you are allowed to use information found in the records of the adoptee or the sibling for authorized purposes only.</b> This wording is contained in Family Code, § 9205(g).</p> <p>The order will also indicate that a copy of the request and the order be provided to the confidential intermediary.</p>
<p>Cameryn Schmidt Writ Supervisor, CLC 3 Children’s Law Center of Los Angeles</p>	<p>a. Change 3.d. to delete the word “identified.”</p>	<p>a. The committee agrees that the wording in this section is confusing as it asks for the name and contact information of the agency that joined in the adoption</p>

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	<p>b. Change 5(c) and 5(d) to add “if known”</p> <p>c. Change 8(f) to: “To the best of my knowledge, there is not now, and never has been, an order declaring that I have no contact with my sibling named in 5.”</p> <p>d. References to the Welfare and Institutions Code should be changed to Family Code § 9205(f), (g), (h) and Cal. Rules of Court, rule 5.410.</p>	<p>petition of either sibling, and clarified it by adding a new item d:</p> <p>“The agency named above joined in the adoption petition or provided adoption services for the person in <input type="checkbox"/> (2) or <input type="checkbox"/> (5).</p> <p>b. Agree to modifications.</p> <p>c. Agree to modifications.</p> <p>d. Agree to correct.</p>
<p>Jennifer Troia Director of Advocacy California CASA Association</p>	<p>a. Request modification of opening paragraph as follows:</p> <p>“This form is meant to be used by individuals who are seeking contact with their siblings after an adoption of either sibling. Before completing this form, the sibling seeking contact must first request contact through the agency or department that joined in the adoption. If you do not know which agency or department joined in the adoption, you can contact the California State Department of Social Services to help you find out.”</p> <p>This language would be helpful if someone does not know how to determine which agency joined in the petition.</p>	<p>a. Agree to clarify by adding the following opening language at the top of the form:</p> <p><i>Use this form if you are seeking contact with your sibling, and one of you has been adopted. Before completing this form, you must ask contact from the department or agency that joined in your adoption or your sibling. If you do not know the name of the department or agency, you can ask the California Department of Social Services, Adoption Support Unit, 744 P Street, M/S 3-31, Sacramento, CA 95814 CA (phone: (916-651-8088).</i></p>

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	<p>b. Suggestion: Change the form to identify who is filling out the form and then refer to “you” throughout the form instead of referencing #1 or #5 above. Comment: Referring to siblings by #1 or #5 throughout the form can be confusing.</p> <p>c. Question 5 (c) and (d): Add language “if known” to both subsections.</p> <p>d. Question 8 (f): Add language “To the best of my knowledge....”</p>	<p>b. Disagree with proposed modification. The term “siblings” is used through out the statute, rule, and form. This is the most accurate way to determine who is referred to in each paragraph.</p> <p>c. Agree to modification.</p> <p>d. Agree to modification.</p>
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