

Implementing the Adam Walsh Child Protection and Safety Act of 2006 Expanded Background Checks for Adoptions

What are the new laws?

- FEDERAL – The Adam Walsh Child Protection and Safety Act of 2006
(Public Law 109-248, Social Security Act Title IV-E)
- STATE – Senate Bill 703 (Ducheny) Chapter 583, Statutes of 2007

Who does this affect?

- Public and Private Licensed Adoption Agencies; and
- California Department of Social Services (CDSS) Adoption District Offices

How will the background check process change for prospective adoptive parents?

- A completed FBI criminal history check is required on every prospective adoption parent and other adults living in the home prior to approval.
- Any prospective adoptive parent or other adult in the home who has lived in another state in the past five years must have a completed out-of-state child abuse/neglect check prior to licensure, certification or approval.
- Existing California Department of Justice criminal history checks and California Child Abuse Central Index requirements for prospective adoptive parents and other adults living in the home still apply.

Do currently approved adoptive parents need to have the new checks?

No, the new requirements are for prospective adoptive parents whose adoption applications are received on or after January 1, 2008.

Will this delay the background check process?

Much will depend on the response time of other states and the FBI. Out-of-state contacts and forms have been developed and are available on the CDSS Community Care Licensing Division web site regarding the Adam Walsh Child Protection and Safety Act of 2006:

http://www.cclcd.ca.gov/AdamWalshI_2609.htm

When do the new requirements become effective?

Adoption applications received on or after January 1, 2008 are subject to the new requirements.

Who will answer questions about the process?

CDSS – Children and Family Services Division – Concurrent Planning Policy Unit

(916) 657-1858