



## WRITTEN PROCEDURE FOR DENIAL OF PROSPECTIVE ADOPTIVE FAMILY

### UT Admin Code R 501-2

Once all adoptive family paperwork has been submitted to AGAA the file will be submitted for approval. The Adoptive Family Approval Committee will review and consider all approved home studies from prospective adoptive families.

Families with significant histories of mental health, physical health, sexual or drug/alcohol abuse, pornography, etc. may be required to complete additional paperwork and/or send in additional references/letters/evaluations from professionals familiar with their circumstances prior to being reviewed. Families must be compliant with these requests in order to be considered.

Families who have worked with AGAA in the past and were uncooperative in any way are not guaranteed to be a prospective adoptive family in the future.

This would include but not be limited to, not following through on post placement commitments to a birth mother, not being forthcoming an honest with AGAA, mistreatment of staff or not paying legal, medical or AGAA fees in a timely manner.

The Adoptive Family Approval Committee will evaluate all information to determine whether or not they could present the prospective adoptive family's profile to birth parents in good conscience.

AGAA promises the highest of standards in adoptive families to our expectant mothers. If the Committee doesn't feel as though the family would be able to be shown to an expectant as meeting those standards or if the committee does not feel comfortable with any of the information that is received from outside sources related to the prospective adoptive family, the committee will send a written denial of the home study to the family within five business days of the decision being made. The letter will also include the appeals process which would include the right to submit a written appeal for the committee to reconsider.

Situations where denial of a prospective adoptive family may include, but are not limited to meeting one or more of the items mentioned below:

- Multiple criminal charges (even if resolved).
- Any past assault charge (even if resolved).
- Previous adoptive family not sending post placement reports in a timely fashion.
- Previous adoptive family not following through on post placement commitments to birth mother.
- Families who backed out of a situation after being matched.
- Significant history of pornography or sexual abuse (recent or without treatment and sober for 10 years).
- Significant history of pornography or drug or alcohol abuse (recent or without treatment and sober for 10 years).
- Any other issue that may prevent agency staff from showing a family's profile in good conscience to a birth mother.

In addition, as found in the Utah Adoption Code **78B-6-117. Who may adopt -- Adoption of minor**, the following would disqualify a family/individual from adopting in the State of Utah.

(5) Except as provided in Subsection (6), an adult may not adopt a child if, before adoption is finalized, the adult has been convicted of, pleaded guilty to, or pleaded no contest to a felony or attempted felony involving conduct that constitutes any of the following:

- (a) child abuse, as described in Section 76-5-109;
- (b) child abuse homicide, as described in Section 76-5-208;
- (c) child kidnapping, as described in Section 76-5-301.1;
- (d) human trafficking of a child, as described in Section 76-5-308.5;
- (e) sexual abuse of a minor, as described in Section 76-5-401.1;
- (f) rape of a child, as described in Section 76-5-402.1;
- (g) object rape of a child, as described in Section 76-5-402.3;
- (h) sodomy on a child, as described in Section 76-5-403.1;
- (i) sexual abuse of a child or aggravated sexual abuse of a child, as described in Section 76-5-404.1;
- (j) sexual exploitation of a minor, as described in Section 76-5b-201; or
- (k) an offense in another state that, if committed in this state, would constitute an offense described in this Subsection (5).