

Child and Family Services PROGRAM STANDARDS MANUAL	Section: 554	Effective: Oct 1/88 Revised: Dec 1/99	Page: 1
Subject: DE FACTO ADOPTION			

De facto adoption under Division 4 of *The Adoption Act* involves the adoption of a child who has been in the care and custody of the applicants for at least **two years**. Consent of the legal parent/guardian is not required. Applicants are required to serve a copy of the application on the child and family services agency or the licensed adoption agency serving the area in which they reside and on the legal parent/guardian **at least 30 days** prior to hearing date.

STANDARDS

554.1 **Agency investigation**

On being served a copy of the application, the investigation required by an agency under subsection 75 of the Act is completed prior to the application being heard.

554.2 **Service to court**

Upon completion of the investigation the agency report is submitted to the court prior to the hearing date or as directed by the court. The report includes background information concerning the placement, assessment of the placement, and agency recommendations concerning the application (see Section Appendix 554A).

Report Upon Investigation**De facto adoption****Identifying information:**

Adoptive applicant(s)
 Address and telephone
 Child(ren) to be adopted
 Date(s) of placement
 Legal/birth mother
 Referring solicitor

Each child:

Birthdate and place
 Physical description
 Medical information
 Developmental or psychosocial information
 School performance
 Relationships with adoptive family, opposing parent, siblings
 Attitude toward adoption
 Sources of information

Each party:

Birthdate and place
 Nationality, ethnic and racial origin
 Religion
 Health
 Education and training
 Employment and financial circumstances
 Hobbies and interests
 Personality
 Home and neighborhood
 Marital status and relationship
 Relationships with child(ren)
 Sources of information

Other children:

Names
 Birthdates and places
 Attitude toward adoption
 Sources of information

Particulars:

Circumstances leading to placement
 Reasons for placing child
 Reasons for applying to adopt
 Other comments

Recommendations:

Adoption/no adoption

Referring agency:**Compiled by:**

Social worker
 Supervisor

Signed and approved by:

Regional or executive director

This is my report pursuant to Division 4 of *The Adoption Act*
 Executive Director/Regional Manager