

Joint Council on International Children's Services

Member Agencies' Standards of Practice

Revised April 2006

Glossary:

- Direct Service Provider - individual or agency providing education, home study, and/or post placement services.
- Placing Agency – organization that works with sending country institution/individual that has custody of child, identifies child who is free for adoption and makes referral to family eligible for placement of such child.

JCICS member agencies base their practice on the understanding that children need permanent, loving families in order to reach their full potential, and that children deprived of this care suffer effects which may last a lifetime. JCICS agencies believe that when there is no family in the child's country able to care for the child permanently and without undue delay, then international adoption can be an excellent option. JCICS agencies view international adoption as a child welfare service that focuses on the best interests of the child.

JCICS member agencies follow a professional standard of practice that has as its core values integrity, honesty, transparency, and professional service delivery. JCICS subscribes to the following tenets:

- Member agencies annually renew their commitment to adhere to the JCICS Standards of Practice.
- Failure to comply with the Standards may result in disciplinary action taken within the JCICS association pursuant to the JCICS Grievance Process and Disciplinary Policy.
- These Standards address what agencies shall do to adhere to ethical and professional practices.

Professional Conduct

Member agencies will:

- Be knowledgeable of and adhere to relevant laws and regulations and policies pertaining to adoption-related services provided by the member agency.
- Refrain from posting photos of children on web sites if prohibited by the sending country. Children shall be placed on hold only for families who have a valid Home Study. All efforts shall be made to protect the privacy of listed children.
- Develop written policies and procedures that recognize and respect the rights of families and children, such as response times, support, methods of communication, and payment practices.
- Encourage the continuing education and professional development of agency staff that shall include training in ethics.
- Encourage staff participation and leadership in professional organizations.
- Provide a written grievance policy to clients and staff.
- Maintain records that include case notes, written information given to families about the agency policies, procedures, fees, and current projected costs, as well as characteristics of children eligible for placement.
- Communicate and attempt to resolve professional conduct or practice matters in writing with other agencies or individuals. Should such issues not be resolved in this way, member agencies use the JCICS Grievance and Disciplinary Policy.
- Treat all case records as confidential material. Release of such information shall be done only with informed written consent of the person whose information will

be released (or the parent or legal guardian of such a person who is unable to provide informed consent").

Financial

Member Agencies Will:

Provide to all applicants, prior to the acceptance of any fees, 1) a written schedule of current estimated fees and expenses, 2) a statement on when and how the fees and expenses must be paid, and 3) an explanation of the circumstances under which fees or expenses may be charged, increased, waived, reduced, or refunded. In addition it shall include a statement when and how fees and expenses must be paid. Agencies may also wish to include a statement on the costs beyond their control, including but not limited to immigration fees, travel expenses, and legal fees for adoption or re-adoption in the US.

Prohibit the use of payments or other material transactions meant to 1) induce or encourage any parent or relative to place a child for adoption, 2) induce or encourage any person or entity with jurisdiction over the child to release a child for adoption, or 3) influence a decision to place any child with a particular person or entity over another entity.

Prohibit payments to any international staff or facilitators solely on a contingency basis (such as a minimum number of placements by facilitators) in an effort to curb financial incentive or profiteering as motivation for adoptive placements. Payment for child placement services shall be based on fee for service model based on the average estimated amount of time, and other costs related to that placement and/or other related child welfare services.

Provide an Annual Report or most recent form 990 or 990 EZ to clients upon request.

Acquire professional liability insurance and/or establish an arbitration or mediation process.

Education/Preparation/Home

Member Agencies Will:

Provide their clients with complete and current information about policies and procedures related to the referral and placement of children and post placement requirements. Apprise clients in writing of the services and information they provide.

Provide clients with full and accurate information about their programs before submission of a formal application, including the projected waiting times, the costs, risks, and uncertainties inherent in international adoption.

Disclose to clients in writing the nature of their association with 1) a separate home study/post placement provider (Direct Service Provider), 2) any placement provider the clients might select, or 3) a foreign or domestic entity placing children in the clients' selected program.

If acting as the placing agency, be in compliance with US and International adoption regulations, as well as eligibility requirements of the clients selected country/program.

Ensure that each new adopting parent receives a minimum of 10 hours of pre-adoption education (either through the agency or through other professionals or entities) which goes beyond that provided during the home study but not including meetings with the agency/social workers in preparation for the home study. The pre-adoption education will include the legal, medical, emotional, institution, psychosocial, attachment, and cultural issues that affect all adoptions.

Thoroughly assess the suitability and eligibility of prospective parents with the understanding that some clients may not be appropriate for an international adoption, for a particular international

country program, or for the challenges inherent in the adoption of children with special needs. Based on this assessment, the home study document shall include a recommendation as to the nationality, age range, medical condition, and special circumstances of the child/children to be placed.

Provide accurate information about adoptive parents to other placement agencies or entities and to US government officials and the clients' selected country/program. Confidentiality practices must be adhered to, and agreements/releases of information must be signed by the clients as appropriate.

Placement

We begin with the premise that any international adoption must be in the best interest of the child. Siblings should be placed together when in the best interest of all children concerned. When possible, if member agencies and/or their representatives are involved in the intake of children, should ensure that qualified staff is available to assess such cases for family preservation and/or domestic adoption if requested by the child welfare officials in the country of origin.

Adhere to the adoption rules of sending countries including the use of publications and the Internet to promote the placement of children.

Make a good faith effort to work with reputable, ethical organizations and individuals. Placing Agencies shall keep abreast of travel advisories or warnings and changes in the child welfare and international adoption laws that affect international adoptions. Should such changes occur that impact current or future international adoptions, the agency will inform their clients of these changes as expeditiously as possible. In addition, member agencies should encourage families to visit the State Department Website, to monitor travel advisories, and to check medical care and travel safety information.

Provide to prospective adoptive parents all information received to date and allowed by law pertaining to children eligible for international adoption including copies of documents in the original language. This information must be translated into English. Placing agencies should advise parents that this information and its translation may not be entirely accurate or complete. Such legally allowed documentation should include medical, social, legal, and psychological and/or developmental information.

Allow clients a reasonable period of time to make their decision, and provide support in whatever decision they make.

Strongly encourage families to seek professional help in evaluating child referral information, and provide listings of resources, including medical professionals who specialize in international adoption.

Maintain permanent records of all information received about the children placed through the agency.

Placing Agency will provide adopting parents who are making required overseas trips assistance with:

- receiving the child
- attending the meetings and hearings to complete the adoption
- necessary paperwork to return to the United States with their child
- telephone contact numbers of the nearest US consulate
- 24 hour (or on-call) non-medical emergency contact telephone number(s)

Ensure that systems are established in the US between Direct Service Provider and the Placing Agency regarding the fulfillment of post placement reporting requirements of sending and receiving countries. The Placing Agency shall inform adoptive parents of such post placement reporting requirements prior to departure or before the child's arrival in the US.

Encourage families to learn about and celebrate their child's cultural heritage by providing or referring families to relevant resources.

Provide information about local and national services, educational opportunities, and support to adoptive families as a part of post adoption services.

Provide or refer clients to counseling, respite, or other therapeutic services in the event of placement issues, potential disruption, or potential dissolution of the adoption.

Post Adoption

Member Direct Service Providers and Placing Agencies will designate in writing which agency will be responsible for providing or arranging post adoption services. That agency will:

Advise families to obtain a medical evaluation within 3-4 weeks of arrival as advised by International Medical Professionals.

Follow up with their clients to ensure that they have access to information on the laws and regulations of the foreign country and the United States concerning the finalization process.

Make an effort to see that the post placement reporting requirements of the sending and receiving countries are completed. Placing Agency shall provide written post placement reports, as allowed by law, in the fulfillment of the agreements made with foreign countries.

Encourage families to learn and celebrate their child's cultural heritage by providing or referring families to resources in this regard.

Provide ongoing post adoption services and information about local and national services, educational opportunities and support to adoptive families.

Provide to adoptive parents all additional documentation about a child given to the placing agency after the placement, such as additional siblings eligible for adoption, medical, social, or family history. Attempt to find answers in response to parents' questions within a reasonable period of time.

If requested, make a good faith effort to provide adoptive parents information on any known resources or legal procedure that may assist them in the search for birth families in a foreign country.

Maintain written family crisis intervention procedures with the other agency on managing family adjustment crises and recommendations for appropriate professional counseling options.

Should a family not complete the adoption, and counseling has not succeeded in resolving the crisis, and the placement is disrupting, the Placing Agency and Direct Service Provider shall act promptly and in accord with any applicable legal requirements to 1) remove the child from the pre-adoptive home, 2) assume custody of the child, and 3) arrange another placement of the child.

If the adoption has already been finalized, the Placing Agency shall offer to provide services for the re-placement of the child.

Interagency Relationships

Member agencies will work collaboratively to share information about such issues as changes in adoption procedures in the US and abroad, effective professional practices, new research, community resources, and opportunities for additional support to child welfare sectors of sending countries.

The responsibilities of each collaborating agency will be delineated in a written service agreement that shall include statements on establishing lines of communication, disclosure of information on children, notification of the child's arrival, post placement visit schedule, expectations for the post placement reports and family crisis intervention procedures. (See Post Adoption, lines 189-90).

The Placing Agency shall involve the Direct Service Provider or independent social worker, where allowed by law, in the referral process. Minimally, they should be informed of the referral and receive the child referral information at the same time it is sent to the adoptive parents. Doing so allows the Direct Service Provider both to counsel the prospective adoptive parents in their decision-making process and to provide appropriate post placement services.

Member agencies will respect the communication and marketing boundaries established with each agency's client relationships. Agencies shall not actively recruit clients from another agency to their own adoption programs. The Placing Agency shall provide country specific information, and the Direct Service Provider shall encourage their clients to obtain that information directly from the Placing Agency.

Humanitarian Aid

Member Agencies will:

Support overseas child welfare services that make a positive impact on the welfare of children and families.

Ensure that any humanitarian aid from prospective adoptive families does not create a conflict of interest or a situation in which preferential treatment is given to any family, agency, facilitator, or orphanage.

Encourage Joint Council member agencies to work cooperatively to support and promote humanitarian aid projects that benefit children and families.