

LA FAMILIA, INC.
Adoption Services

ADOPTIVE SEARCH POLICY AND AGREEMENT

La Familia, Inc. and Adoption Services, hereafter referred to as La Familia, strictly adheres to the state of New Mexico Adoption Statute and Regulations concerning post-decree of adoption access to records, section 32A-5-40 NMSA 1978. La Familia will assist search efforts of adoptions performed by other agencies or independent sources within the state of New Mexico from the Children, Youth and Families Department, Central Adoption Unit in Santa Fe once we have been appointed as a confidential intermediary. La Familia will assist any party of the adoption triad. Searches are performed in a professional, discreet, confidential manner. All searches which may result in contact with the sought-after adoptive party are performed on a basis of mutual consent only. We honor all parties desire for privacy.

A. Search Initiated by Birth Parent(s):

1. The adoptee must be eighteen (18) years or older.
2. La Familia must receive the “Search Agreement and Consent” form authorizing La Familia to commence the search.
3. The searcher must provide La Familia with a letter which includes the information that the agency is authorized to give adoptive parents and/or an adoptee (if and when the adoptee reaches/has reached the age of 18), and the conditions under which information may be given or that are ultimately sought(i.e. desires direct contact, desires only additional, non-identifying information, etc.).
4. The searcher is financially responsible for any other direct costs assumed in the search (e.g., charges from other sources, long distance telephone call, etc.). Usually, other added direct expenses are minimal. However, La Familia will need to have in writing authorization regarding the amount of direct expenses incurred for which the searcher is consenting. The searcher is **not** entitled to the actual bill from the other source since this may contain identifying information La Familia cannot release to the searcher, but La Familia will provide the searcher with a statement of expenses upon request.

B. Search Initiated by Adoptee(s):

1. The adoptee must provide proof/La Familia has proof that the adoptee is 18 years of age or older.

Routing:
Client File

2. La Familia must be provided the “Search Agreement and Consent” form authorizing La Familia to commence the search.

3. The searcher must provide La Familia with a letter which includes the information La Familia is authorized to give the birth parent(s). (See # 3 under A above.)

4. The searcher is financially responsible for any other direct costs assumed in the search (e.g., charges from other sources, long distance telephone calls, etc.). Usually, other added direct expenses are minimal. However, La Familia will need to have in writing authorization regarding the amount of direct expenses incurred for which the searcher is consenting. The searcher is not entitled to the actual bill from the other source since this may contain identifying information. La Familia cannot release to the searcher, but La Familia will provide the searcher with a statement of expenses upon request.

C. Search Initiated by Adoptive Parents:

1. If the adoptee is 18 years or older, the request to pursue search services must be initiated by the adoptee.

2. If the adoptee is under 18 years of age, the adoptive parent must place in writing why they wish to pursue a search and what information they hope to obtain.

3. If there is any notation or indication in the record that the birth parent desired no contact, the search process will be terminated at that time.

4. If there is no indication in the record as to the birth parent(s) wishes for anonymity or contact, then a search may be pursued as outlined in Sections A and B, items 2,3, and 4.

D. Steps La Familia Will Pursue:

1. The record of adoption, which is on file with La Familia or the Children, Youth and Families, Central Adoption Unit, will be retrieved. (If someone calls the agency and is unsure whether La Familia was the agency involved, La Familia will verify that information without cost.) The record will be examined for written consent from the sought-after party stating a desire to be located if a search is initiated for him/her. If written consent is not found in the file La Familia will notify the searching party and inform them of the process involved in appointing La Familia as a confidential intermediary. If written consent is located in the file or once La Familia has been appointed as a confidential intermediary, the following steps will be taken.

2. The La Familia representative will attempt (from information in that file) to locate the individual(s) for whom the search is commenced. This will include calls/letters to any individuals listed in the files who may be of assistance in locating the individuals being sought. If the information in our file indicates that only certain family members knew/are to know of the adoption, effort will be made to contact only those persons. La Familia can perform any other file searches, records checks or other types of cross-referencing within its means and scope of service delivery, these will be pursued.

3. If all of the above leads have been followed and they result in not being able to locate said individual(s), the search process by La Familia will be terminated at that time and reasons/results provided in writing to the person(s) initiating the search.

E. Procedures to Initiate Search/Searchee Contact:

1. The searcher must agree to a minimum of one counseling session. A written report is required prior to actual contact. This is not a test. We do not use this information to determine whether a search should continue. If you have reached this stage of your search, an outline of the minimal requirements for the contents of the report can be obtained from La Familia. We will forward a copy of the outline to the counselor/therapist of your choice or directly to you. This counseling session is optional for the adoptive party being sought.

2. If the individual(s) being sought is located, a La Familia representative will inform her/him of only that non-identifying information which the agency has been authorized to give by the person(s) initiating the search.

3. Initially, non-identifying correspondence and a picture, if this is agreeable to all parties, will be shared by the adoptive parties through La Familia.

4. After step #3 of this section has occurred, La Familia will move at a pace agreeable to all parties. This may include more non-identifying information being exchanged or may move right into a direct meeting at the La Familia office with all parties present.

5. If at any stage of this process, any one of the parties feels uncomfortable and wishes to terminate this process, La Familia will honor this wish. Contact must always be by mutual consent. Notification of such will be provided in writing to the other party by La Familia.

6. If the parties (birth and adoptee) wish to meet, they must state in a letter to the agency how they want the meeting to occur. The agency will negotiate differences until a "common ground" can be agreed to in writing by both parties. A social worker can be present to facilitate this meeting on request.

7. If La Familia is unable to make direct contact with an adoptee who is 18 years of age or older because that individual still lives in the home of the adoptive parent(s) and is still being

cared for by them financially, and the adoptive parents refuse to allow us direct communication with the adoptee, La Familia will respect that relationship.

8. Before identifying information can be exchanged, each adoptive party must sign and have notarized a release of information form. Once identifying information has been exchanged between the adoptive parties as a result of such a meeting, La Familia will withdraw as a facilitator. Ongoing contact between parties will then be the responsibility of the adoptive parties involved.

The staff of La Familia is committed to provide professional, quality services to all clients. We make every effort within our means to ascertain the wishes of the involved parties of a search. It is not always possible to locate the sought-after party in a search. La Familia makes no guarantees or promises that the sought-after will be located after paying a search fee and commencing the search. We do promise to make every effort as outlined in this policy to assist in a search.

Signature

Date

Parent/Guardian (if applicable)

Date