

# Procedures Regarding Unavailability of Documents for Adoption Finalization

(Created 07/20/18)

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## Introduction

In order to finalize an Adoption there are several verifying official documents that need to be submitted with the finalization packet. There are occasions when such documents are not available due to a variety of reasons.

The County of San Diego values helping children and youth achieve their full potential and develop lifelong relationships: SET [Value 3](#), as well as having collaborative partnerships with kinship and resource families: SET [Value 2](#). The process of finalizing adoptions supports this value by creating legal permanence for children.

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## Policy

When a verifying official document is unavailable, the Adoptions SW will request the applicant for adoption to attempt to obtain a letter from the appropriate United States or foreign official stating that the document is not available and the reason it is not available.

Official documents may include, but are not limited, to:

- Birth Certificate
- Marriage Certificate
- Divorce Decree
- Death Certificate

Verification may not be possible due to any of the following circumstances in either the United States or a foreign country:

- war
  - political unrest
  - fire
  - flood
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**Policy (cont.)**

Appropriate official may include, but is not limited to:

- recorder
- court clerk
- coroner
- mayor
- local clergy

Once a letter is received from the US or foreign official, confirming the reason for the missing documentation, it can be submitted with the finalization packet in lieu of the official document.

When a verifying official document is missing, the PSS must inform the Adoption Manager of the missing document prior to submitting for finalization of the Adoption.

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**Inability to Obtain a Letter**

If a letter from the appropriate official is not received within 60 days of the individual's request, the agency shall request the individual's signed and notarized declaration specifying the:

- Type of document not available.
- Factual information contained on the document.
- Measures taken to obtain a copy of the document and to obtain a letter from the appropriate United States or foreign official.
- Certification that includes the following statement:

"I certify under penalty of perjury that the above stated information is a true and accurate accounting."

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**Documentation of Missing Documents**

The agency shall include in the adoption case record:

- Information about the unavailable official document.
- The letter and declaration required by subsections (a) and (b) above, as appropriate

The agency shall include in the court report:

- Information about the unavailable official document
  - An explanation regarding the unavailability of the letter from the appropriate United States or foreign official
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**References**

California Adoption Regulations 35044

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