

## **Ask an Attorney**

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### **Q: I am thinking about adopting, but the idea of a home study makes me nervous. What is it, and do I need to be concerned?**

First, be assured that nearly all prospective adoptive parents are anxious about the idea of a home study. It's understandable because, frankly, who wants their life picked apart under a microscope? Yet the purpose of a home study makes sense: to verify that a home is a safe and healthy place for a child, and that the adoptive parents are emotionally and financially capable of caring for the child.

A home study is the general evaluation and information gathering done prior to the placement of a child in someone's home. Usually required by law, it is done by a social worker who is either licensed by the state or works for a licensed child-placement agency. The social worker collects information about the social and medical history, as well as current health information, of prospective adoptive parents. It also often includes an assessment of parenting skills, finances, and knowledge and awareness of adoption issues. In addition, a home study may require potential parents to attend classes that cover issues that face adoptive families.

Home studies also require a criminal background check of each prospective parent. Most states require adoptive parents to give access to private criminal background information, and in some cases background information on other adults living in their home.

Depending on state requirements, at least one home visit with the adoptive parents is mandatory. At this time, the social worker will discuss families of origin, religious preferences, views on punishment techniques, as well as the couple's shared views on ethical, moral, and religious topics.

Bear in mind that home studies are not intended to judge your lifestyle or other personal choices, and no social worker will give the top of your refrigerator the white-glove test to check for dust.

### **When I was a teenager, I was convicted of driving under the influence. It was a long time ago and I am long past those drinking days. Do I need to tell the social worker about it?**

In a home study, it is vitally important that prospective adoptive parents be open and honest with their social worker. It is not the job of the social worker to make judgments, but it is important that

information be shared. This is particularly true of criminal history and convictions since these are sure to surface through background checks. In many cases, minor law and traffic violations will not be significant or of concern to your case worker. As for one long-ago DUI, the social worker is not there to punish a responsible adult for ill-advised teenage indiscretions. However, failure to inform the social worker of such acts prior to their discovery could have a significant and detrimental impact on the outcome of your home study. You do not want to get caught in a lie. You *do* want your social worker to know that you are a thoughtful adult who has learned from past mistakes.

**My wife has some ongoing health issues, but they are not debilitating. Will this be a factor in the home study?**

The home study requires an up-to-date health evaluation from your primary care physician. Your health report needs to show, not that you are perfect, but that you are capable of taking care of and keeping up with an active child. If your health situation is unusual, your physician may need to include on your evaluation phrases such as “normal life expectancy” and “This poses no limitations on the applicant’s ability to parent an adopted child.”

Overall, the home study investigation is designed to gather information about the adoptive parents and also to educate them about the issues that arise in adoption. That process becomes a joint effort between the social worker and the prospective parents, so as to better prepare the adoptive parents for the joys of adoption.