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(CORRECTED VERSION)**

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Sub. H. B. No. 7

Representative Brinkman

Cosponsors: Representatives Yuko, Hottinger, Huffman, Webster, Jones, DeBose, Letson, Williams, B., Wachtmann, Hagan, R., Adams, Aslanides, Batchelder, Blessing, Boyd, Budish, Celeste, Chandler, Coley, Collier, Combs, Daniels, DeGeeter, Dodd, Dolan, Domenick, Driehaus, Evans, Flowers, Gardner, Gibbs, Goyal, Hagan, J., Heard, Hite, Mallory, Mandel, McGregor, J., Mecklenborg, Newcomb, Oelslager, Patton, Raussen, Sayre, Schindel, Schlichter, Schneider, Setzer, Slesnick, Stebelton, Stewart, J., Uecker, White, Widowfield, Zehringer

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A B I L L

To amend sections 2151.353, 2151.361, 2151.414,	1
2151.415, 3107.033, 3107.055, 3107.06, 3107.07,	2
3107.101, 3107.14, 3107.66, 3313.6011, 3317.024,	3
5103.03, 5107.30, 5153.122, and 5153.123 of the	4
Revised Code regarding adoption law and custody of	5
an abused, neglected, or dependent child.	6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2151.353, 2151.361, 2151.414,	7
2151.415, 3107.033, 3107.055, 3107.06, 3107.07, 3107.101, 3107.14,	8
3107.66, 3313.6011, 3317.024, 5103.03, 5107.30, 5153.122, and	9
5153.123 of the Revised Code be amended to read as follows:	10

Sec. 2151.353. (A) If a child is adjudicated an abused,	11
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neglected, or dependent child, the court may make any of the 12
following orders of disposition: 13

(1) Place the child in protective supervision; 14

(2) Commit the child to the temporary custody of a public 15
children services agency, a private child placing agency, either 16
parent, a relative residing within or outside the state, or a 17
probation officer for placement in a certified foster home, or in 18
any other home approved by the court; 19

(3) Award legal custody of the child to either parent or to 20
any other person who, prior to the dispositional hearing, files a 21
motion requesting legal custody of the child or is identified as a 22
proposed legal custodian in a complaint or motion filed prior to 23
the dispositional hearing by any party to the proceedings. A 24
person identified in a complaint or motion filed by a party to the 25
proceedings as a proposed legal custodian shall be awarded legal 26
custody of the child only if the person identified signs a 27
statement of understanding for legal custody that contains at 28
least the following provisions: 29

(a) That it is the intent of the person to become the legal 30
custodian of the child and the person is able to assume legal 31
responsibility for the care and supervision of the child; 32

(b) That the person understands that legal custody of the 33
child in question is intended to be permanent in nature and that 34
the person will be responsible as the custodian for the child 35
until the child reaches the age of majority. Responsibility as 36
custodian for the child shall continue beyond the age of majority 37
if, at the time the child reaches the age of majority, the child 38
is pursuing a diploma granted by the board of education or other 39
governing authority, successful completion of the curriculum of 40
any high school, successful completion of an individualized 41
education program developed for the student by any high school, or 42

an age and schooling certificate. Responsibility beyond the age of 43
majority shall terminate when the child ceases to continuously 44
pursue such an education, completes such an education, or is 45
excused from such an education under standards adopted by the 46
state board of education, whichever occurs first. 47

(c) That the parents of the child have residual parental 48
rights, privileges, and responsibilities, including, but not 49
limited to, the privilege of reasonable visitation, consent to 50
adoption, the privilege to determine the child's religious 51
affiliation, and the responsibility for support; 52

(d) That the person understands that the person must be 53
present in court for the dispositional hearing in order to affirm 54
the person's intention to become legal custodian, to affirm that 55
the person understands the effect of the custodianship before the 56
court, and to answer any questions that the court or any parties 57
to the case may have. 58

(4) Commit the child to the permanent custody of a public 59
children services agency or private child placing agency, if the 60
court determines in accordance with division (E) of section 61
2151.414 of the Revised Code that the child cannot be placed with 62
one of the child's parents within a reasonable time or should not 63
be placed with either parent and determines in accordance with 64
division (D)(1) of section 2151.414 of the Revised Code that the 65
permanent commitment is in the best interest of the child. If the 66
court grants permanent custody under this division, the court, 67
upon the request of any party, shall file a written opinion 68
setting forth its findings of fact and conclusions of law in 69
relation to the proceeding. 70

(5) Place the child in a planned permanent living arrangement 71
with a public children services agency or private child placing 72
agency, if a public children services agency or private child 73
placing agency requests the court to place the child in a planned 74

permanent living arrangement and if the court finds, by clear and 75
convincing evidence, that a planned permanent living arrangement 76
is in the best interest of the child and that one of the following 77
exists: 78

(a) The child, because of physical, mental, or psychological 79
problems or needs, is unable to function in a family-like setting 80
and must remain in residential or institutional care now and for 81
the foreseeable future beyond the date of the dispositional 82
hearing held pursuant to section 2151.35 of the Revised Code. 83

(b) The parents of the child have significant physical, 84
mental, or psychological problems and are unable to care for the 85
child because of those problems, adoption is not in the best 86
interest of the child, as determined in accordance with division 87
(D)(1) of section 2151.414 of the Revised Code, and the child 88
retains a significant and positive relationship with a parent or 89
relative. 90

(c) The child is sixteen years of age or older, has been 91
counseled on the permanent placement options available to the 92
child, is unwilling to accept or unable to adapt to a permanent 93
placement, and is in an agency program preparing the child for 94
independent living. 95

(6) Order the removal from the child's home until further 96
order of the court of the person who committed abuse as described 97
in section 2151.031 of the Revised Code against the child, who 98
caused or allowed the child to suffer neglect as described in 99
section 2151.03 of the Revised Code, or who is the parent, 100
guardian, or custodian of a child who is adjudicated a dependent 101
child and order any person not to have contact with the child or 102
the child's siblings. 103

(B) No order for permanent custody or temporary custody of a 104
child or the placement of a child in a planned permanent living 105

arrangement shall be made pursuant to this section unless the 106
complaint alleging the abuse, neglect, or dependency contains a 107
prayer requesting permanent custody, temporary custody, or the 108
placement of the child in a planned permanent living arrangement 109
as desired, the summons served on the parents of the child 110
contains as is appropriate a full explanation that the granting of 111
an order for permanent custody permanently divests them of their 112
parental rights, a full explanation that an adjudication that the 113
child is an abused, neglected, or dependent child may result in an 114
order of temporary custody that will cause the removal of the 115
child from their legal custody until the court terminates the 116
order of temporary custody or permanently divests the parents of 117
their parental rights, or a full explanation that the granting of 118
an order for a planned permanent living arrangement will result in 119
the removal of the child from their legal custody if any of the 120
conditions listed in divisions (A)(5)(a) to (c) of this section 121
are found to exist, and the summons served on the parents contains 122
a full explanation of their right to be represented by counsel and 123
to have counsel appointed pursuant to Chapter 120. of the Revised 124
Code if they are indigent. 125

If after making disposition as authorized by division (A)(2) 126
of this section, a motion is filed that requests permanent custody 127
of the child, the court may grant permanent custody of the child 128
to the movant in accordance with section 2151.414 of the Revised 129
Code. 130

(C) If the court issues an order for protective supervision 131
pursuant to division (A)(1) of this section, the court may place 132
any reasonable restrictions upon the child, the child's parents, 133
guardian, or custodian, or any other person, including, but not 134
limited to, any of the following: 135

(1) Order a party, within forty-eight hours after the 136
issuance of the order, to vacate the child's home indefinitely or 137

for a specified period of time;	138
(2) Order a party, a parent of the child, or a physical custodian of the child to prevent any particular person from having contact with the child;	139 140 141
(3) Issue an order restraining or otherwise controlling the conduct of any person which conduct would not be in the best interest of the child.	142 143 144
(D) As part of its dispositional order, the court shall journalize a case plan for the child. The journalized case plan shall not be changed except as provided in section 2151.412 of the Revised Code.	145 146 147 148
(E)(1) The court shall retain jurisdiction over any child for whom the court issues an order of disposition pursuant to division (A) of this section or pursuant to section 2151.414 or 2151.415 of the Revised Code until the child attains the age of eighteen years if the child is not mentally retarded, developmentally disabled, or physically impaired, the child attains the age of twenty-one years if the child is mentally retarded, developmentally disabled, or physically impaired, or the child is adopted and a final decree of adoption is issued, except that the court may retain jurisdiction over the child and continue any order of disposition under division (A) of this section or under section 2151.414 or 2151.415 of the Revised Code for a specified period of time to enable the child to graduate from high school or vocational school. The court shall make an entry continuing its jurisdiction under this division in the journal.	149 150 151 152 153 154 155 156 157 158 159 160 161 162 163
(2) Any public children services agency, any private child placing agency, the department of job and family services, or any party, other than any parent whose parental rights with respect to the child have been terminated pursuant to an order issued under division (A)(4) of this section, by filing a motion with the	164 165 166 167 168

court, may at any time request the court to modify or terminate 169
any order of disposition issued pursuant to division (A) of this 170
section or section 2151.414 or 2151.415 of the Revised Code. The 171
court shall hold a hearing upon the motion as if the hearing were 172
the original dispositional hearing and shall give all parties to 173
the action and the guardian ad litem notice of the hearing 174
pursuant to the Juvenile Rules. If applicable, the court shall 175
comply with section 2151.42 of the Revised Code. 176

(F) Any temporary custody order issued pursuant to division 177
(A) of this section shall terminate one year after the earlier of 178
the date on which the complaint in the case was filed or the child 179
was first placed into shelter care, except that, upon the filing 180
of a motion pursuant to section 2151.415 of the Revised Code, the 181
temporary custody order shall continue and not terminate until the 182
court issues a dispositional order under that section. In 183
resolving the motion, the court shall not order an existing 184
temporary custody order to continue beyond two years after the 185
date on which the complaint was filed or the child was first 186
placed into shelter care, whichever date is earlier, regardless of 187
whether any extensions have been previously ordered pursuant to 188
division (D) of section 2151.415 of the Revised Code. 189

(G)(1) No later than one year after the earlier of the date 190
the complaint in the case was filed or the child was first placed 191
in shelter care, a party may ask the court to extend an order for 192
protective supervision for six months or to terminate the order. A 193
party requesting extension or termination of the order shall file 194
a written request for the extension or termination with the court 195
and give notice of the proposed extension or termination in 196
writing before the end of the day after the day of filing it to 197
all parties and the child's guardian ad litem. If a public 198
children services agency or private child placing agency requests 199
termination of the order, the agency shall file a written status 200

report setting out the facts supporting termination of the order 201
at the time it files the request with the court. If no party 202
requests extension or termination of the order, the court shall 203
notify the parties that the court will extend the order for six 204
months or terminate it and that it may do so without a hearing 205
unless one of the parties requests a hearing. All parties and the 206
guardian ad litem shall have seven days from the date a notice is 207
sent pursuant to this division to object to and request a hearing 208
on the proposed extension or termination. 209

(a) If it receives a timely request for a hearing, the court 210
shall schedule a hearing to be held no later than thirty days 211
after the request is received by the court. The court shall give 212
notice of the date, time, and location of the hearing to all 213
parties and the guardian ad litem. At the hearing, the court shall 214
determine whether extension or termination of the order is in the 215
child's best interest. If termination is in the child's best 216
interest, the court shall terminate the order. If extension is in 217
the child's best interest, the court shall extend the order for 218
six months. 219

(b) If it does not receive a timely request for a hearing, 220
the court may extend the order for six months or terminate it 221
without a hearing and shall journalize the order of extension or 222
termination not later than fourteen days after receiving the 223
request for extension or termination or after the date the court 224
notifies the parties that it will extend or terminate the order. 225
If the court does not extend or terminate the order, it shall 226
schedule a hearing to be held no later than thirty days after the 227
expiration of the applicable fourteen-day time period and give 228
notice of the date, time, and location of the hearing to all 229
parties and the child's guardian ad litem. At the hearing, the 230
court shall determine whether extension or termination of the 231
order is in the child's best interest. If termination is in the 232

child's best interest, the court shall terminate the order. If 233
extension is in the child's best interest, the court shall issue 234
an order extending the order for protective supervision six 235
months. 236

(2) If the court grants an extension of the order for 237
protective supervision pursuant to division (G)(1) of this 238
section, a party may, prior to termination of the extension, file 239
with the court a request for an additional extension of six months 240
or for termination of the order. The court and the parties shall 241
comply with division (G)(1) of this section with respect to 242
extending or terminating the order. 243

(3) If a court grants an extension pursuant to division 244
(G)(2) of this section, the court shall terminate the order for 245
protective supervision at the end of the extension. 246

(H) The court shall not issue a dispositional order pursuant 247
to division (A) of this section that removes a child from the 248
child's home unless the court complies with section 2151.419 of 249
the Revised Code and includes in the dispositional order the 250
findings of fact required by that section. 251

(I) If a motion or application for an order described in 252
division (A)(6) of this section is made, the court shall not issue 253
the order unless, prior to the issuance of the order, it provides 254
to the person all of the following: 255

(1) Notice and a copy of the motion or application; 256

(2) The grounds for the motion or application; 257

(3) An opportunity to present evidence and witnesses at a 258
hearing regarding the motion or application; 259

(4) An opportunity to be represented by counsel at the 260
hearing. 261

(J) The jurisdiction of the court shall terminate one year 262

after the date of the award or, if the court takes any further 263
action in the matter subsequent to the award, the date of the 264
latest further action subsequent to the award, if the court awards 265
legal custody of a child to either of the following: 266

(1) A legal custodian who, at the time of the award of legal 267
custody, resides in a county of this state other than the county 268
in which the court is located; 269

(2) A legal custodian who resides in the county in which the 270
court is located at the time of the award of legal custody, but 271
moves to a different county of this state prior to one year after 272
the date of the award or, if the court takes any further action in 273
the matter subsequent to the award, one year after the date of the 274
latest further action subsequent to the award. 275

The court in the county in which the legal custodian resides 276
then shall have jurisdiction in the matter. 277

Sec. 2151.361. (A) If the parents of a child enter into an 278
agreement with a public children services agency or private child 279
placing agency to place the child into the temporary custody of 280
the agency or the child is committed as provided by this chapter, 281
the juvenile court, at its discretion, may issue an order pursuant 282
to Chapters 3119., 3121., 3123., and 3125. of the Revised Code 283
requiring that the parents pay for the care, support, maintenance, 284
and education of the child if the parents adopted the child. 285

(B) When determining whether to issue an order under division 286
(A) of this section, the juvenile court shall consider all 287
pertinent issues, including, but not limited to, all of the 288
following: 289

(1) The ability of the parents to pay for the care, support, 290
maintenance, and education of the child; 291

(2) The chances for reunification of the parents and child; 292

(3) Whether issuing the order will encourage the reunification of the parents and child or undermine that reunification;	293 294 295
(4) Whether the problem underlying the agreement to place the child into temporary custody existed prior to the parents' adoption of the child and whether the parents were informed of the problem prior to that adoption;	296 297 298 299
(5) Whether the problem underlying the agreement to place the child into temporary custody began after the parents' adoption of the child;	300 301 302
(6) Whether the parents have contributed to the child's problems;	303 304
(7) Whether the parents are part of the solution to the child's problems;	305 306
<u>(8) The ability of the parents to meet the needs of all other children residing in the home.</u>	307 308
Sec. 2151.414. (A)(1) Upon the filing of a motion pursuant to section 2151.413 of the Revised Code for permanent custody of a child, the court shall schedule a hearing and give notice of the filing of the motion and of the hearing, in accordance with section 2151.29 of the Revised Code, to all parties to the action and to the child's guardian ad litem. The notice also shall contain a full explanation that the granting of permanent custody permanently divests the parents of their parental rights, a full explanation of their right to be represented by counsel and to have counsel appointed pursuant to Chapter 120. of the Revised Code if they are indigent, and the name and telephone number of the court employee designated by the court pursuant to section 2151.314 of the Revised Code to arrange for the prompt appointment of counsel for indigent persons.	309 310 311 312 313 314 315 316 317 318 319 320 321 322

The court shall conduct a hearing in accordance with section 323
2151.35 of the Revised Code to determine if it is in the best 324
interest of the child to permanently terminate parental rights and 325
grant permanent custody to the agency that filed the motion. The 326
adjudication that the child is an abused, neglected, or dependent 327
child and any dispositional order that has been issued in the case 328
under section 2151.353 of the Revised Code pursuant to the 329
adjudication shall not be readjudicated at the hearing and shall 330
not be affected by a denial of the motion for permanent custody. 331

(2) The court shall hold the hearing scheduled pursuant to 332
division (A)(1) of this section not later than one hundred twenty 333
days after the agency files the motion for permanent custody, 334
except that, for good cause shown, the court may continue the 335
hearing for a reasonable period of time beyond the 336
one-hundred-twenty-day deadline. The court shall issue an order 337
that grants, denies, or otherwise disposes of the motion for 338
permanent custody, and journalize the order, not later than two 339
hundred days after the agency files the motion. 340

If a motion is made under division (D)(2) of section 2151.413 341
of the Revised Code and no dispositional hearing has been held in 342
the case, the court may hear the motion in the dispositional 343
hearing required by division (B) of section 2151.35 of the Revised 344
Code. If the court issues an order pursuant to section 2151.353 of 345
the Revised Code granting permanent custody of the child to the 346
agency, the court shall immediately dismiss the motion made under 347
division (D)(2) of section 2151.413 of the Revised Code. 348

The failure of the court to comply with the time periods set 349
forth in division (A)(2) of this section does not affect the 350
authority of the court to issue any order under this chapter and 351
does not provide any basis for attacking the jurisdiction of the 352
court or the validity of any order of the court. 353

(B)(1) Except as provided in division (B)(2) of this section, 354

the court may grant permanent custody of a child to a movant if 355
the court determines at the hearing held pursuant to division (A) 356
of this section, by clear and convincing evidence, that it is in 357
the best interest of the child to grant permanent custody of the 358
child to the agency that filed the motion for permanent custody 359
and that any of the following apply: 360

(a) The child is not abandoned or orphaned or has not been in 361
the temporary custody of one or more public children services 362
agencies or private child placing agencies for twelve or more 363
months of a consecutive twenty-two month period ending on or after 364
March 18, 1999, and the child cannot be placed with either of the 365
child's parents within a reasonable time or should not be placed 366
with the child's parents. 367

(b) The child is abandoned. 368

(c) The child is orphaned, and there are no relatives of the 369
child who are able to take permanent custody. 370

(d) The child has been in the temporary custody of one or 371
more public children services agencies or private child placing 372
agencies for twelve or more months of a consecutive twenty-two 373
month period ending on or after March 18, 1999. 374

For the purposes of division (B)(1) of this section, a child 375
shall be considered to have entered the temporary custody of an 376
agency on the earlier of the date the child is adjudicated 377
pursuant to section 2151.28 of the Revised Code or the date that 378
is sixty days after the removal of the child from home. 379

(2) With respect to a motion made pursuant to division (D)(2) 380
of section 2151.413 of the Revised Code, the court shall grant 381
permanent custody of the child to the movant if the court 382
determines in accordance with division (E) of this section that 383
the child cannot be placed with one of the child's parents within 384
a reasonable time or should not be placed with either parent and 385

determines in accordance with division (D) of this section that 386
permanent custody is in the child's best interest. 387

(C) In making the determinations required by this section or 388
division (A)(4) of section 2151.353 of the Revised Code, a court 389
shall not consider the effect the granting of permanent custody to 390
the agency would have upon any parent of the child. A written 391
report of the guardian ad litem of the child shall be submitted to 392
the court prior to or at the time of the hearing held pursuant to 393
division (A) of this section or section 2151.35 of the Revised 394
Code but shall not be submitted under oath. 395

If the court grants permanent custody of a child to a movant 396
under this division, the court, upon the request of any party, 397
shall file a written opinion setting forth its findings of fact 398
and conclusions of law in relation to the proceeding. The court 399
shall not deny an agency's motion for permanent custody solely 400
because the agency failed to implement any particular aspect of 401
the child's case plan. 402

(D)(1) In determining the best interest of a child at a 403
hearing held pursuant to division (A) of this section or for the 404
purposes of division (A)(4) or (5) of section 2151.353 or division 405
(C) of section 2151.415 of the Revised Code, the court shall 406
consider all relevant factors, including, but not limited to, the 407
following: 408

~~(1)~~(a) The interaction and interrelationship of the child 409
with the child's parents, siblings, relatives, foster caregivers 410
and out-of-home providers, and any other person who may 411
significantly affect the child; 412

~~(2)~~(b) The wishes of the child, as expressed directly by the 413
child or through the child's guardian ad litem, with due regard 414
for the maturity of the child; 415

~~(3)~~(c) The custodial history of the child, including whether 416

the child has been in the temporary custody of one or more public 417
children services agencies or private child placing agencies for 418
twelve or more months of a consecutive twenty-two month period 419
ending on or after March 18, 1999; 420

~~(4)~~(d) The child's need for a legally secure permanent 421
placement and whether that type of placement can be achieved 422
without a grant of permanent custody to the agency; 423

~~(5)~~(e) Whether any of the factors in divisions (E)(7) to (11) 424
of this section apply in relation to the parents and child. 425

For the purposes of ~~this~~ division (D)(1) of this section, a 426
child shall be considered to have entered the temporary custody of 427
an agency on the earlier of the date the child is adjudicated 428
pursuant to section 2151.28 of the Revised Code or the date that 429
is sixty days after the removal of the child from home. 430

(2) If all of the following apply, permanent custody is in 431
the best interest of the child and the court shall commit the 432
child to the permanent custody of a public children services 433
agency or private child placing agency: 434

(a) The court determines by clear and convincing evidence 435
that one or more of the factors in division (E) of this section 436
exist and the child cannot be placed with one of the child's 437
parents within a reasonable time or should not be placed with 438
either parent. 439

(b) The child has been in an agency's custody for two years 440
or longer, and no longer qualifies for temporary custody pursuant 441
to division (D) of section 2151.415 of the Revised Code. 442

(c) The child does not meet the requirements for a planned 443
permanent living arrangement pursuant to division (A)(5) of 444
section 2151.353 of the Revised Code. 445

(d) Prior to the dispositional hearing, no relative or other 446

interested person has filed, or has been identified in, a motion 447
for legal custody of the child. 448

(E) In determining at a hearing held pursuant to division (A) 449
of this section or for the purposes of division (A)(4) of section 450
2151.353 of the Revised Code whether a child cannot be placed with 451
either parent within a reasonable period of time or should not be 452
placed with the parents, the court shall consider all relevant 453
evidence. If the court determines, by clear and convincing 454
evidence, at a hearing held pursuant to division (A) of this 455
section or for the purposes of division (A)(4) of section 2151.353 456
of the Revised Code that one or more of the following exist as to 457
each of the child's parents, the court shall enter a finding that 458
the child cannot be placed with either parent within a reasonable 459
time or should not be placed with either parent: 460

(1) Following the placement of the child outside the child's 461
home and notwithstanding reasonable case planning and diligent 462
efforts by the agency to assist the parents to remedy the problems 463
that initially caused the child to be placed outside the home, the 464
parent has failed continuously and repeatedly to substantially 465
remedy the conditions causing the child to be placed outside the 466
child's home. In determining whether the parents have 467
substantially remedied those conditions, the court shall consider 468
parental utilization of medical, psychiatric, psychological, and 469
other social and rehabilitative services and material resources 470
that were made available to the parents for the purpose of 471
changing parental conduct to allow them to resume and maintain 472
parental duties. 473

(2) Chronic mental illness, chronic emotional illness, mental 474
retardation, physical disability, or chemical dependency of the 475
parent that is so severe that it makes the parent unable to 476
provide an adequate permanent home for the child at the present 477
time and, as anticipated, within one year after the court holds 478

the hearing pursuant to division (A) of this section or for the 479
purposes of division (A)(4) of section 2151.353 of the Revised 480
Code; 481

(3) The parent committed any abuse as described in section 482
2151.031 of the Revised Code against the child, caused the child 483
to suffer any neglect as described in section 2151.03 of the 484
Revised Code, or allowed the child to suffer any neglect as 485
described in section 2151.03 of the Revised Code between the date 486
that the original complaint alleging abuse or neglect was filed 487
and the date of the filing of the motion for permanent custody; 488

(4) The parent has demonstrated a lack of commitment toward 489
the child by failing to regularly support, visit, or communicate 490
with the child when able to do so, or by other actions showing an 491
unwillingness to provide an adequate permanent home for the child; 492

(5) The parent is incarcerated for an offense committed 493
against the child or a sibling of the child; 494

(6) The parent has been convicted of or pleaded guilty to an 495
offense under division (A) or (C) of section 2919.22 or under 496
section 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.03, 497
2905.04, 2905.05, 2907.07, 2907.08, 2907.09, 2907.12, 2907.21, 498
2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 499
2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.24, 500
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, or 3716.11 of the 501
Revised Code and the child or a sibling of the child was a victim 502
of the offense or the parent has been convicted of or pleaded 503
guilty to an offense under section 2903.04 of the Revised Code, a 504
sibling of the child was the victim of the offense, and the parent 505
who committed the offense poses an ongoing danger to the child or 506
a sibling of the child. 507

(7) The parent has been convicted of or pleaded guilty to one 508
of the following: 509

(a) An offense under section 2903.01, 2903.02, or 2903.03 of 510
the Revised Code or under an existing or former law of this state, 511
any other state, or the United States that is substantially 512
equivalent to an offense described in those sections and the 513
victim of the offense was a sibling of the child or the victim was 514
another child who lived in the parent's household at the time of 515
the offense; 516

(b) An offense under section 2903.11, 2903.12, or 2903.13 of 517
the Revised Code or under an existing or former law of this state, 518
any other state, or the United States that is substantially 519
equivalent to an offense described in those sections and the 520
victim of the offense is the child, a sibling of the child, or 521
another child who lived in the parent's household at the time of 522
the offense; 523

(c) An offense under division (B)(2) of section 2919.22 of 524
the Revised Code or under an existing or former law of this state, 525
any other state, or the United States that is substantially 526
equivalent to the offense described in that section and the child, 527
a sibling of the child, or another child who lived in the parent's 528
household at the time of the offense is the victim of the offense; 529

(d) An offense under section 2907.02, 2907.03, 2907.04, 530
2907.05, or 2907.06 of the Revised Code or under an existing or 531
former law of this state, any other state, or the United States 532
that is substantially equivalent to an offense described in those 533
sections and the victim of the offense is the child, a sibling of 534
the child, or another child who lived in the parent's household at 535
the time of the offense; 536

(e) A conspiracy or attempt to commit, or complicity in 537
committing, an offense described in division (E)(7)(a) or (d) of 538
this section. 539

(8) The parent has repeatedly withheld medical treatment or 540

food from the child when the parent has the means to provide the 541
treatment or food, and, in the case of withheld medical treatment, 542
the parent withheld it for a purpose other than to treat the 543
physical or mental illness or defect of the child by spiritual 544
means through prayer alone in accordance with the tenets of a 545
recognized religious body. 546

(9) The parent has placed the child at substantial risk of 547
harm two or more times due to alcohol or drug abuse and has 548
rejected treatment two or more times or refused to participate in 549
further treatment two or more times after a case plan issued 550
pursuant to section 2151.412 of the Revised Code requiring 551
treatment of the parent was journalized as part of a dispositional 552
order issued with respect to the child or an order was issued by 553
any other court requiring treatment of the parent. 554

(10) The parent has abandoned the child. 555

(11) The parent has had parental rights involuntarily 556
terminated with respect to a sibling of the child pursuant to this 557
section or section 2151.353 or 2151.415 of the Revised Code ~~with~~ 558
~~respect to a sibling of the child,~~ or under an existing or former 559
law of this state, any other state, or the United States that is 560
substantially equivalent, and the parent has failed to provide 561
clear and convincing evidence to prove that, notwithstanding the 562
prior termination, the parent can provide a legally secure 563
permanent placement and adequate care for the health, welfare, and 564
safety of the child. 565

(12) The parent is incarcerated at the time of the filing of 566
the motion for permanent custody or the dispositional hearing of 567
the child and will not be available to care for the child for at 568
least eighteen months after the filing of the motion for permanent 569
custody or the dispositional hearing. 570

(13) The parent is repeatedly incarcerated, and the repeated 571

incarceration prevents the parent from providing care for the 572
child. 573

(14) The parent for any reason is unwilling to provide food, 574
clothing, shelter, and other basic necessities for the child or to 575
prevent the child from suffering physical, emotional, or sexual 576
abuse or physical, emotional, or mental neglect. 577

(15) The parent has committed abuse as described in section 578
2151.031 of the Revised Code against the child or caused or 579
allowed the child to suffer neglect as described in section 580
2151.03 of the Revised Code, and the court determines that the 581
seriousness, nature, or likelihood of recurrence of the abuse or 582
neglect makes the child's placement with the child's parent a 583
threat to the child's safety. 584

(16) Any other factor the court considers relevant. 585

(F) The parents of a child for whom the court has issued an 586
order granting permanent custody pursuant to this section, upon 587
the issuance of the order, cease to be parties to the action. This 588
division is not intended to eliminate or restrict any right of the 589
parents to appeal the granting of permanent custody of their child 590
to a movant pursuant to this section. 591

Sec. 2151.415. (A) Except for cases in which a motion for 592
permanent custody described in division (D)(1) of section 2151.413 593
of the Revised Code is required to be made, a public children 594
services agency or private child placing agency that has been 595
given temporary custody of a child pursuant to section 2151.353 of 596
the Revised Code, not later than thirty days prior to the earlier 597
of the date for the termination of the custody order pursuant to 598
division ~~(F)~~(G) of section 2151.353 of the Revised Code or the 599
date set at the dispositional hearing for the hearing to be held 600
pursuant to this section, shall file a motion with the court that 601
issued the order of disposition requesting that any of the 602

following orders of disposition of the child be issued by the court:

(1) An order that the child be returned home and the custody of the child's parents, guardian, or custodian without any restrictions;

(2) An order for protective supervision;

(3) An order that the child be placed in the legal custody of a relative or other interested individual;

(4) An order permanently terminating the parental rights of the child's parents;

(5) An order that the child be placed in a planned permanent living arrangement;

(6) In accordance with division (D) of this section, an order for the extension of temporary custody.

(B) Upon the filing of a motion pursuant to division (A) of this section, the court shall hold a dispositional hearing on the date set at the dispositional hearing held pursuant to section 2151.35 of the Revised Code, with notice to all parties to the action in accordance with the Juvenile Rules. After the dispositional hearing or at a date after the dispositional hearing that is not later than one year after the earlier of the date on which the complaint in the case was filed or the child was first placed into shelter care, the court, in accordance with the best interest of the child as supported by the evidence presented at the dispositional hearing, shall issue an order of disposition as set forth in division (A) of this section, except that all orders for permanent custody shall be made in accordance with sections 2151.413 and 2151.414 of the Revised Code. In issuing an order of disposition under this section, the court shall comply with section 2151.42 of the Revised Code.

(C)(1) If an agency pursuant to division (A) of this section 633
requests the court to place a child into a planned permanent 634
living arrangement, the agency shall present evidence to indicate 635
why a planned permanent living arrangement is appropriate for the 636
child, including, but not limited to, evidence that the agency has 637
tried or considered all other possible dispositions for the child. 638
A court shall not place a child in a planned permanent living 639
arrangement, unless it finds, by clear and convincing evidence, 640
that a planned permanent living arrangement is in the best 641
interest of the child and that one of the following exists: 642

(a) The child, because of physical, mental, or psychological 643
problems or needs, is unable to function in a family-like setting 644
and must remain in residential or institutional care. 645

(b) The parents of the child have significant physical, 646
mental, or psychological problems and are unable to care for the 647
child because of those problems, adoption is not in the best 648
interest of the child, as determined in accordance with division 649
(D)(1) of section 2151.414 of the Revised Code, and the child 650
retains a significant and positive relationship with a parent or 651
relative; 652

(c) The child is sixteen years of age or older, has been 653
counseled on the permanent placement options available, is 654
unwilling to accept or unable to adapt to a permanent placement, 655
and is in an agency program preparing for independent living. 656

(2) If the court issues an order placing a child in a planned 657
permanent living arrangement, both of the following apply: 658

(a) The court shall issue a finding of fact setting forth the 659
reasons for its finding; 660

(b) The agency may make any appropriate placement for the 661
child and shall develop a case plan for the child that is designed 662
to assist the child in finding a permanent home outside of the 663

home of the parents. 664

(D)(1) If an agency pursuant to division (A) of this section 665
requests the court to grant an extension of temporary custody for 666
a period of up to six months, the agency shall include in the 667
motion an explanation of the progress on the case plan of the 668
child and of its expectations of reunifying the child with the 669
child's family, or placing the child in a permanent placement, 670
within the extension period. The court shall schedule a hearing on 671
the motion, give notice of its date, time, and location to all 672
parties and the guardian ad litem of the child, and at the hearing 673
consider the evidence presented by the parties and the guardian ad 674
litem. The court may extend the temporary custody order of the 675
child for a period of up to six months, if it determines at the 676
hearing, by clear and convincing evidence, that the extension is 677
in the best interest of the child, there has been significant 678
progress on the case plan of the child, and there is reasonable 679
cause to believe that the child will be reunified with one of the 680
parents or otherwise permanently placed within the period of 681
extension. In determining whether to extend the temporary custody 682
of the child pursuant to this division, the court shall comply 683
with section 2151.42 of the Revised Code. If the court extends the 684
temporary custody of the child pursuant to this division, upon 685
request it shall issue findings of fact. 686

(2) Prior to the end of the extension granted pursuant to 687
division (D)(1) of this section, the agency that received the 688
extension shall file a motion with the court requesting the 689
issuance of one of the orders of disposition set forth in 690
divisions (A)(1) to (5) of this section or requesting the court to 691
extend the temporary custody order of the child for an additional 692
period of up to six months. If the agency requests the issuance of 693
an order of disposition under divisions (A)(1) to (5) of this 694
section or does not file any motion prior to the expiration of the 695

extension period, the court shall conduct a hearing in accordance 696
with division (B) of this section and issue an appropriate order 697
of disposition. In issuing an order of disposition, the court 698
shall comply with section 2151.42 of the Revised Code. 699

If the agency requests an additional extension of up to six 700
months of the temporary custody order of the child, the court 701
shall schedule and conduct a hearing in the manner set forth in 702
division (D)(1) of this section. The court may extend the 703
temporary custody order of the child for an additional period of 704
up to six months if it determines at the hearing, by clear and 705
convincing evidence, that the additional extension is in the best 706
interest of the child, there has been substantial additional 707
progress since the original extension of temporary custody in the 708
case plan of the child, there has been substantial additional 709
progress since the original extension of temporary custody toward 710
reunifying the child with one of the parents or otherwise 711
permanently placing the child, and there is reasonable cause to 712
believe that the child will be reunified with one of the parents 713
or otherwise placed in a permanent setting before the expiration 714
of the additional extension period. In determining whether to 715
grant an additional extension, the court shall comply with section 716
2151.42 of the Revised Code. If the court extends the temporary 717
custody of the child for an additional period pursuant to this 718
division, upon request it shall issue findings of fact. 719

(3) Prior to the end of the extension of a temporary custody 720
order granted pursuant to division (D)(2) of this section, the 721
agency that received the extension shall file a motion with the 722
court requesting the issuance of one of the orders of disposition 723
set forth in divisions (A)(1) to (5) of this section. Upon the 724
filing of the motion by the agency or, if the agency does not file 725
the motion prior to the expiration of the extension period, upon 726
its own motion, the court, prior to the expiration of the 727

extension period, shall conduct a hearing in accordance with 728
division (B) of this section and issue an appropriate order of 729
disposition. In issuing an order of disposition, the court shall 730
comply with section 2151.42 of the Revised Code. 731

(4) No court shall grant an agency more than two extensions 732
of temporary custody pursuant to division (D) of this section and 733
the court shall not order an existing temporary custody order to 734
continue beyond two years after the date on which the complaint 735
was filed or the child was first placed into shelter care, 736
whichever date is earlier, regardless of whether any extensions 737
have been previously ordered pursuant to division (D) of this 738
section. 739

(E) After the issuance of an order pursuant to division (B) 740
of this section, the court shall retain jurisdiction over the 741
child until the child attains the age of eighteen if the child is 742
not mentally retarded, developmentally disabled, or physically 743
impaired, the child attains the age of twenty-one if the child is 744
mentally retarded, developmentally disabled, or physically 745
impaired, or the child is adopted and a final decree of adoption 746
is issued, unless the court's jurisdiction over the child is 747
extended pursuant to division (E) of section 2151.353 of the 748
Revised Code. 749

(F) The court, on its own motion or the motion of the agency 750
or person with legal custody of the child, the child's guardian ad 751
litem, or any other party to the action, may conduct a hearing 752
with notice to all parties to determine whether any order issued 753
pursuant to this section should be modified or terminated or 754
whether any other dispositional order set forth in divisions 755
(A)(1) to (5) of this section should be issued. After the hearing 756
and consideration of all the evidence presented, the court, in 757
accordance with the best interest of the child, may modify or 758
terminate any order issued pursuant to this section or issue any 759

dispositional order set forth in divisions (A)(1) to (5) of this 760
section. In rendering a decision under this division, the court 761
shall comply with section 2151.42 of the Revised Code. 762

(G) If the court places a child in a planned permanent living 763
arrangement with a public children services agency or a private 764
child placing agency pursuant to this section, the agency with 765
which the child is placed in a planned permanent living 766
arrangement shall not remove the child from the residential 767
placement in which the child is originally placed pursuant to the 768
case plan for the child or in which the child is placed with court 769
approval pursuant to this division, unless the court and the 770
guardian ad litem are given notice of the intended removal and the 771
court issues an order approving the removal or unless the removal 772
is necessary to protect the child from physical or emotional harm 773
and the agency gives the court notice of the removal and of the 774
reasons why the removal is necessary to protect the child from 775
physical or emotional harm immediately after the removal of the 776
child from the prior setting. 777

(H) If the hearing held under this section takes the place of 778
an administrative review that otherwise would have been held under 779
section 2151.416 of the Revised Code, the court at the hearing 780
held under this section shall do all of the following in addition 781
to any other requirements of this section: 782

(1) Determine the continued necessity for and the 783
appropriateness of the child's placement; 784

(2) Determine the extent of compliance with the child's case 785
plan; 786

(3) Determine the extent of progress that has been made 787
toward alleviating or mitigating the causes necessitating the 788
child's placement in foster care; 789

(4) Project a likely date by which the child may be returned 790

to the child's home or placed for adoption or legal guardianship; 791

(5) Approve the permanency plan for the child consistent with 792
section 2151.417 of the Revised Code. 793

Sec. 3107.033. Not later than January 1, ~~2008~~ 2009, the 794
director of job and family services shall adopt rules in 795
accordance with Chapter 119. of the Revised Code specifying both 796
of the following: 797

(A) The manner in which a home study is to be conducted and 798
the information and documents to be included in a home study 799
report, which shall include, pursuant to section 3107.034 of the 800
Revised Code, a summary report of a search of the uniform 801
statewide automated child welfare information system established 802
in section 5101.13 of the Revised Code~~+~~. The director shall ensure 803
that rules adopted under this section align the home study 804
content, time period, and process with any foster care home study 805
content, time period, and process required by rules adopted under 806
section 5103.03 of the Revised Code. 807

(B) A procedure under which a person whose application for 808
adoption has been denied as a result of a search of the uniform 809
statewide automated child welfare information system established 810
in section 5101.13 of the Revised Code as part of the home study 811
may appeal the denial to the agency that employed the assessor who 812
filed the report. 813

Sec. 3107.055. (A) Notwithstanding section 3107.01 of the 814
Revised Code, as used in this section, "agency" does not include a 815
public children services agency. 816

(B) An agency or attorney, whichever arranges a minor's 817
adoption, shall file with the court a preliminary estimate 818
accounting not later than the time the adoption petition for the 819
minor is filed with the court. The agency or attorney, whichever 820

arranges the adoption, also shall file a final accounting with the 821
court before a final decree of adoption is issued or an 822
interlocutory order of adoption is finalized for the minor. The 823
agency or attorney shall complete and file accountings in a manner 824
acceptable to the court. 825

An accounting shall specify all disbursements of anything of 826
value the petitioner, a person on the petitioner's behalf, and the 827
agency or attorney made and has agreed to make in connection with 828
the minor's permanent surrender under division (B) of section 829
5103.15 of the Revised Code, placement under section 5103.16 of 830
the Revised Code, and adoption under this chapter. The agency or 831
attorney shall include in an accounting an itemization of each 832
expense listed in division (C) of this section. The itemization of 833
the expenses specified in divisions (C)(3) and (4) of this section 834
shall show the amount the agency or attorney charged or is going 835
to charge for the services and the actual cost to the agency or 836
attorney of providing the services. An accounting shall indicate 837
whether any expenses listed in division (C) of this section do not 838
apply to the adoption proceeding for which the accounting is 839
filed. 840

The agency or attorney shall include with a preliminary 841
estimate accounting and a final accounting a written statement 842
signed by the petitioner that the petitioner has reviewed the 843
accounting and attests to its accuracy. 844

(C) No petitioner, person acting on a petitioner's behalf, or 845
agency or attorney shall make or agree to make any disbursements 846
in connection with the minor's permanent surrender, placement, or 847
adoption other than for the following: 848

(1) Physician expenses incurred on behalf of the birth mother 849
or minor in connection with prenatal care, delivery, and 850
confinement prior to or following the minor's birth; 851

(2) Hospital or other medical facility expenses incurred on behalf of the birth mother or minor in connection with the minor's birth;	852 853 854
(3) Expenses charged by the attorney arranging the adoption for providing legal services in connection with the placement and adoption, including expenses incurred by the attorney pursuant to sections 3107.031, 3107.032, 3107.081, 3107.082, 3107.09, 3107.101, and 3107.12 of the Revised Code;	855 856 857 858 859
(4) Expenses charged by the agency arranging the adoption for providing services in connection with the permanent surrender and adoption, including the agency's application fee and the expenses incurred by the agency pursuant to sections 3107.031, 3107.032, 3107.09, 3107.101, 3107.12, 5103.151, and 5103.152 of the Revised Code;	860 861 862 863 864 865
(5) Temporary costs of routine maintenance and medical care for a minor required under section 5103.16 of the Revised Code if the person seeking to adopt the minor refuses to accept placement of the minor;	866 867 868 869
(6) Guardian ad litem fees incurred on behalf of the minor in any court proceedings;	870 871
(7) Foster care expenses incurred in connection with any temporary care and maintenance of the minor;	872 873
(8) Court expenses incurred in connection with the minor's permanent surrender, placement, and adoption;	874 875
<u>(9) Living expenses not exceeding three thousand dollars for the birth mother that are incurred during pregnancy through the sixtieth day after the date the minor is born and paid by the petitioner to the birth mother through the attorney or agency arranging the minor's adoption.</u>	876 877 878 879 880
(D) If a court determines from an accounting that an amount	881

that is going to be disbursed for an expense listed in division 882
(C) of this section is unreasonable, the court may order a 883
reduction in the amount to be disbursed. If a court determines 884
from an accounting that an unreasonable amount was disbursed for 885
an expense listed in division (C) of this section, the court may 886
order the person who received the disbursement to refund to the 887
person who made the disbursement an amount the court orders. 888

If a court determines from an accounting that a disbursement 889
for an expense not permitted by division (C) of this section is 890
going to be made, the court may issue an injunction prohibiting 891
the disbursement. If a court determines from an accounting that a 892
disbursement for an expense not permitted by division (C) of this 893
section was made, the court may order the person who received the 894
disbursement to return it to the person who made the disbursement. 895

If a court determines that a final accounting does not 896
completely report all the disbursements that are going to be made 897
or have been made in connection with the minor's permanent 898
surrender, placement, and adoption, the court shall order the 899
agency or attorney to file with the court an accounting that 900
completely reports all such disbursements. 901

The agency or attorney shall file the final accounting with 902
the court not later than ten days prior to the date scheduled for 903
the final hearing on the adoption. The court may not issue a final 904
decree of adoption or finalize an interlocutory order of adoption 905
of a minor until at least ten days after the agency or attorney 906
files the final accounting. 907

(E) This section does not apply to an adoption by a 908
stepparent whose spouse is a biological or adoptive parent of the 909
minor. 910

Sec. 3107.06. Unless consent is not required under section 911
3107.07 of the Revised Code, a petition to adopt a minor may be 912

granted only if written consent to the adoption has been executed	913
by all of the following:	914
(A) The mother of the minor;	915
(B) The father of the minor, if any of the following apply:	916
(1) The minor was conceived or born while the father was	917
married to the mother;	918
(2) The minor is his child by adoption;	919
(3) Prior to the date the petition was filed, it was	920
determined by a court proceeding pursuant to sections 3111.01 to	921
3111.18 of the Revised Code, a court proceeding in another state,	922
an administrative proceeding pursuant to sections 3111.38 to	923
3111.54 of the Revised Code, or an administrative proceeding in	924
another state that he has a parent and child relationship with the	925
minor;	926
(4) He acknowledged paternity of the child and that	927
acknowledgment has become final pursuant to section 2151.232,	928
3111.25, or 3111.821 of the Revised Code.	929
(C) The putative father of the minor;	930
(D) Any person or agency having permanent custody of the	931
minor or authorized by court order to consent;	932
(E) The juvenile court that has jurisdiction to determine	933
custody of the minor, if the legal guardian or custodian of the	934
minor is not authorized by law or court order to consent to the	935
adoption;	936
(F) The minor, if more than twelve years of age, unless the	937
court, finding that it is in the best interest of the minor,	938
determines that the minor's consent is not required.	939
Sec. 3107.07. Consent to adoption is not required of any of	940

the following: 941

(A) A parent of a minor, when it is alleged in the adoption 942
petition and the court finds after proper service of notice and 943
hearing, that the parent has failed without justifiable cause to 944
do either of the following as required by law or judicial decree 945
for a period of at least one year immediately preceding either the 946
filing of the adoption petition or the placement of the minor in 947
the home of the petitioner: 948

(1) Regularly communicate with the minor ~~or to provide;~~ 949

(2) Significantly provide for the maintenance and support of 950
the minor ~~as required by law or judicial decree for a period of at~~ 951
~~least one year immediately preceding either the filing of the~~ 952
~~adoption petition or the placement of the minor in the home of the~~ 953
~~petitioner.~~ 954

(B) The putative father of a minor if either of the following 955
applies: 956

(1) The putative father fails to register as the minor's 957
putative father with the putative father registry established 958
under section 3107.062 of the Revised Code not later than thirty 959
days after the minor's birth; 960

(2) The court finds, after proper service of notice and 961
hearing, that any of the following are the case: 962

(a) The putative father is not the father of the minor; 963

(b) The putative father has willfully abandoned or failed to 964
care for and support the minor; 965

(c) The putative father has willfully abandoned the mother of 966
the minor during her pregnancy and up to the time of her surrender 967
of the minor, or the minor's placement in the home of the 968
petitioner, whichever occurs first. 969

(C) Except as provided in section 3107.071 of the Revised 970

Code, a parent who has entered into a voluntary permanent custody 971
surrender agreement under division (B) of section 5103.15 of the 972
Revised Code; 973

(D) A parent whose parental rights have been terminated by 974
order of a juvenile court under Chapter 2151. of the Revised Code; 975

(E) A parent who is married to the petitioner and supports 976
the adoption; 977

(F) The father, or putative father, of a minor if the minor 978
is conceived as the result of the commission of rape by the father 979
or putative father and the father or putative father is convicted 980
of or pleads guilty to the commission of that offense. As used in 981
this division, "rape" means a violation of section 2907.02 of the 982
Revised Code or a similar law of another state. 983

(G) A legal guardian or guardian ad litem of a parent 984
judicially declared incompetent in a separate court proceeding who 985
has failed to respond in writing to a request for consent, for a 986
period of thirty days, or who, after examination of the written 987
reasons for withholding consent, is found by the court to be 988
withholding consent unreasonably; 989

(H) Any legal guardian or lawful custodian of the person to 990
be adopted, other than a parent, who has failed to respond in 991
writing to a request for consent, for a period of thirty days, or 992
who, after examination of the written reasons for withholding 993
consent, is found by the court to be withholding consent 994
unreasonably; 995

(I) The spouse of the person to be adopted, if the failure of 996
the spouse to consent to the adoption is found by the court to be 997
by reason of prolonged unexplained absence, unavailability, 998
incapacity, or circumstances that make it impossible or 999
unreasonably difficult to obtain the consent or refusal of the 1000
spouse; 1001

(J) Any parent, legal guardian, or other lawful custodian in 1002
a foreign country, if the person to be adopted has been released 1003
for adoption pursuant to the laws of the country in which the 1004
person resides and the release of such person is in a form that 1005
satisfies the requirements of the immigration and naturalization 1006
service of the United States department of justice for purposes of 1007
immigration to the United States pursuant to section 101(b)(1)(F) 1008
of the "Immigration and Nationality Act," 75 Stat. 650 (1961), 8 1009
U.S.C. 1101(b)(1)(F), as amended or reenacted. 1010

(K) Except as provided in divisions (G) and (H) of this 1011
section, a juvenile court, agency, or person given notice of the 1012
petition pursuant to division (A)(1) of section 3107.11 of the 1013
Revised Code that fails to file an objection to the petition 1014
within fourteen days after proof is filed pursuant to division (B) 1015
of that section that the notice was given; 1016

(L) Any guardian, custodian, or other party who has temporary 1017
custody of the child. 1018

Sec. 3107.101. (A) Not later than seven days after a minor to 1019
be adopted is placed in a prospective adoptive home pursuant to 1020
section 5103.16 of the Revised Code, the assessor providing 1021
placement or post placement services in the prospective adoptive 1022
home shall ~~conduct a~~ begin monthly prospective adoptive home ~~visit~~ 1023
visits in that home, ~~every thirty days,~~ until the court issues a 1024
final decree of adoption. During the prospective adoptive home 1025
visits, the assessor shall evaluate the progression of the 1026
placement in the prospective adoptive home. The assessor shall 1027
include the evaluation in the prefinalization assessment required 1028
under section 3107.12 of the Revised Code. 1029

(B) During the prospective home visit required under division 1030
(A) of this section, the assessor shall make face-to-face contact 1031
with the prospective adoptive parent and the minor to be adopted. 1032

The assessor shall make contact, as prescribed by rule under 1033
division (C) of this section, with all other children or adults 1034
residing in the prospective adoptive home. 1035

(C) The director of job and family services shall adopt rules 1036
in accordance with Chapter 119. of the Revised Code necessary for 1037
the implementation and execution of this section. 1038

(D) This section does not apply to an adoption by a 1039
stepparent whose spouse is a biological or adoptive parent of the 1040
minor to be adopted. 1041

Sec. 3107.14. (A) The petitioner and the person sought to be 1042
adopted shall appear at the hearing on the petition, unless the 1043
presence of either is excused by the court for good cause shown. 1044

(B) The court may continue the hearing from time to time to 1045
permit further observation, investigation, or consideration of any 1046
facts or circumstances affecting the granting of the petition, and 1047
may examine the petitioners separate and apart from each other. 1048

(C) If, at the conclusion of the hearing, the court finds 1049
that the required consents have been obtained or excused and that 1050
the adoption is in the best interest of the person sought to be 1051
adopted as supported by the evidence, it may issue, subject to 1052
division (C)(1) of section 2151.86, section 3107.064, and division 1053
(E) of section 3107.09 of the Revised Code, and any other 1054
limitations specified in this chapter, a final decree of adoption 1055
or an interlocutory order of adoption, which by its own terms 1056
automatically becomes a final decree of adoption on a date 1057
specified in the order, which, except as provided in division (B) 1058
of section 3107.13 of the Revised Code, shall not be less than six 1059
months or more than one year from the date ~~of issuance of the~~ 1060
~~order~~ the person to be adopted is placed in the petitioner's home, 1061
unless sooner vacated by the court for good cause shown. In 1062
determining whether the adoption is in the best interest of the 1063

person sought to be adopted, the court shall not consider the age 1064
of the petitioner if the petitioner is old enough to adopt as 1065
provided by section 3107.03 of the Revised Code. 1066

In an interlocutory order of adoption, the court shall 1067
provide for observation, investigation, and a further report on 1068
the adoptive home during the interlocutory period. 1069

(D) If the requirements for a decree under division (C) of 1070
this section have not been satisfied or the court vacates an 1071
interlocutory order of adoption, or if the court finds that a 1072
person sought to be adopted was placed in the home of the 1073
petitioner in violation of law, the court shall dismiss the 1074
petition and may determine the agency or person to have temporary 1075
or permanent custody of the person, which may include the agency 1076
or person that had custody prior to the filing of the petition or 1077
the petitioner, if the court finds it is in the best interest of 1078
the person as supported by the evidence, or if the person is a 1079
minor, the court may certify the case to the juvenile court of the 1080
county where the minor is then residing for appropriate action and 1081
disposition. 1082

(E) The issuance of a final decree or interlocutory order of 1083
adoption for an adult adoption under division (A)(4) of section 1084
3107.02 of the Revised Code shall not disqualify that adult for 1085
services under section 2151.82 or 2151.83 of the Revised Code. 1086

Sec. 3107.66. (A) As used in this section: 1087

(1) "Adopted person" includes both an "adopted person" as 1088
defined in section 3107.39 of the Revised Code and an "adopted 1089
person" as defined in section 3107.45 of the Revised Code. 1090

(2) "Adoptive parent" means a person who adopted an adopted 1091
person. 1092

(3) "Birth parent" means the biological parent of an adopted 1093

person. 1094

(4) "Birth sibling" means a biological sibling of an adopted 1095
person. 1096

(5) "Nonidentifying information" means information that is 1097
not identifying information as defined in section 3107.01 of the 1098
Revised Code. 1099

(B) An adopted person age eighteen or older, an adoptive 1100
parent of an adopted person under age eighteen, or an adoptive 1101
family member of a deceased adopted person may submit a written 1102
request to the agency or attorney who arranged the adopted 1103
person's adoption, or the probate court that finalized the adopted 1104
person's adoption, for the agency, attorney, or court to provide 1105
the adopted person, adoptive parent, or adoptive family member 1106
information about the adopted person's birth parent or birth 1107
sibling contained in the agency's, attorney's, or court's adoption 1108
records that is nonidentifying information. Except as provided in 1109
division (C) of this section, the agency, attorney, or court shall 1110
provide the adopted person, adoptive parent, or adoptive family 1111
member the information sought within a reasonable amount of time. 1112
The agency, attorney, or court may charge a reasonable fee for 1113
providing the information. 1114

A birth parent of an adopted person eighteen years of age or 1115
older, a birth sibling age eighteen or older, or a birth family 1116
member of a deceased birth parent may submit a written request to 1117
the agency or attorney who arranged the adopted person's adoption, 1118
or the probate court that finalized the adoption, for the agency, 1119
attorney, or court to provide the birth parent, birth sibling, or 1120
birth family member information about the adopted person or 1121
adoptive parent contained in the agency's, attorney's, or court's 1122
adoption records that is nonidentifying information. Except as 1123
provided in division (C) of this section, the agency, attorney, or 1124
court shall provide the birth parent, birth sibling, or birth 1125

family member the information sought within a reasonable amount of 1126
time. The agency, attorney, or court may charge a reasonable fee 1127
for providing the information. 1128

(C) An agency or attorney that has permanently ceased to 1129
arrange adoptions is not subject to division (B) of this section. 1130
If the adoption records of such an agency or attorney are held by 1131
a probate court, person, or other governmental entity pursuant to 1132
section 3107.67 of the Revised Code, the adopted person, adoptive 1133
parent, adoptive family member, birth parent, birth sibling, or 1134
birth family member may submit the written request that otherwise 1135
would be submitted to the agency or attorney under division (B) of 1136
this section to the court, person, or other governmental entity 1137
that holds the records. On receipt of the request, the court, 1138
person, or other governmental entity shall provide the information 1139
that the agency or attorney would have been required to provide 1140
within a reasonable amount of time. The court, person, or other 1141
governmental entity may charge a reasonable fee for providing the 1142
information. 1143

(D) Prior to providing nonidentifying information pursuant to 1144
division (B) or (C) of this section, the person or governmental 1145
entity providing the information shall review the record to ensure 1146
that all identifying information about any person contained in the 1147
record is deleted. 1148

Sec. 3313.6011. (A) As used in this section, "sexual 1149
activity" has the same meaning as in section 2907.01 of the 1150
Revised Code. 1151

(B) Instruction in venereal disease education pursuant to 1152
division (A)(5)(c) of section 3313.60 of the Revised Code shall 1153
emphasize that abstinence from sexual activity is the only 1154
protection that is one hundred per cent effective against unwanted 1155
pregnancy, sexually transmitted disease, and the sexual 1156

transmission of a virus that causes acquired immunodeficiency 1157
syndrome. 1158

(C) In adopting minimum standards under section 3301.07 of 1159
the Revised Code, the state board of education shall require 1160
course material and instruction in venereal disease education 1161
courses taught pursuant to division (A)(5)(c) of section 3313.60 1162
of the Revised Code to do all of the following: 1163

(1) Stress that students should abstain from sexual activity 1164
until after marriage; 1165

(2) Teach the potential physical, psychological, emotional, 1166
and social side effects of participating in sexual activity 1167
outside of marriage; 1168

(3) Teach that conceiving children out of wedlock is likely 1169
to have harmful consequences for the child, the child's parents, 1170
and society; 1171

(4) Stress that sexually transmitted diseases are serious 1172
possible hazards of sexual activity; 1173

(5) Advise students of the laws pertaining to financial 1174
responsibility of parents to children born in and out of wedlock; 1175

(6) Advise students of the circumstances under which it is 1176
criminal to have sexual contact with a person under the age of 1177
sixteen pursuant to section 2907.04 of the Revised Code; 1178

(7) Emphasize adoption as an option for unintended 1179
pregnancies. 1180

(D) Any model education program for health education the 1181
state board of education adopts shall conform to the requirements 1182
of this section. 1183

(E) On and after March 18, 1999, and notwithstanding section 1184
3302.07 of the Revised Code, the superintendent of public 1185
instruction shall not approve, pursuant to section 3302.07 of the 1186

Revised Code, any waiver of any requirement of this section or of 1187
any rule adopted by the state board of education pursuant to this 1188
section. 1189

Sec. 3317.024. In addition to the moneys paid to eligible 1190
school districts pursuant to section 3317.022 of the Revised Code, 1191
moneys appropriated for the education programs in divisions (A) to 1192
(I), (K), (L), and (N) of this section shall be distributed to 1193
school districts meeting the requirements of section 3317.01 of 1194
the Revised Code; in the case of divisions (G) and (L) of this 1195
section, to educational service centers as provided in section 1196
3317.11 of the Revised Code; in the case of divisions (D) and (J) 1197
of this section, to county MR/DD boards; in the case of division 1198
(N) of this section, to joint vocational school districts; in the 1199
case of division (H) of this section, to cooperative education 1200
school districts; and in the case of division (M) of this section, 1201
to the institutions defined under section 3317.082 of the Revised 1202
Code providing elementary or secondary education programs to 1203
children other than children receiving special education under 1204
section 3323.091 of the Revised Code. The following shall be 1205
distributed monthly, quarterly, or annually as may be determined 1206
by the state board of education: 1207

(A) An amount for each island school district and each joint 1208
state school district for the operation of each high school and 1209
each elementary school maintained within such district and for 1210
capital improvements for such schools. Such amounts shall be 1211
determined on the basis of standards adopted by the state board of 1212
education. 1213

(B) An amount for each school district operating classes for 1214
children of migrant workers who are unable to be in attendance in 1215
an Ohio school during the entire regular school year. The amounts 1216
shall be determined on the basis of standards adopted by the state 1217

board of education, except that payment shall be made only for 1218
subjects regularly offered by the school district providing the 1219
classes. 1220

(C) An amount for each school district with guidance, 1221
testing, and counseling programs approved by the state board of 1222
education. The amount shall be determined on the basis of 1223
standards adopted by the state board of education. 1224

(D) An amount for the emergency purchase of school buses as 1225
provided for in section 3317.07 of the Revised Code; 1226

(E) An amount for each school district required to pay 1227
tuition for a child in an institution maintained by the department 1228
of youth services pursuant to section 3317.082 of the Revised 1229
Code, provided the child was not included in the calculation of 1230
the district's average daily membership for the preceding school 1231
year. 1232

(F) An amount for adult basic literacy education for each 1233
district participating in programs approved by the state board of 1234
education. The amount shall be determined on the basis of 1235
standards adopted by the state board of education. 1236

(G) An amount for the approved cost of transporting eligible 1237
pupils with disabilities attending a special education program 1238
approved by the department of education whom it is impossible or 1239
impractical to transport by regular school bus in the course of 1240
regular route transportation provided by the district or service 1241
center. No district or service center is eligible to receive a 1242
payment under this division for the cost of transporting any pupil 1243
whom it transports by regular school bus and who is included in 1244
the district's transportation ADM. The state board of education 1245
shall establish standards and guidelines for use by the department 1246
of education in determining the approved cost of such 1247
transportation for each district or service center. 1248

(H) An amount to each school district, including each cooperative education school district, pursuant to section 3313.81 of the Revised Code to assist in providing free lunches to needy children and an amount to assist needy school districts in purchasing necessary equipment for food preparation. The amounts shall be determined on the basis of rules adopted by the state board of education.

(I) An amount to each school district, for each pupil attending a chartered nonpublic elementary or high school within the district. The amount shall equal the amount appropriated for the implementation of section 3317.06 of the Revised Code divided by the average daily membership in grades kindergarten through twelve in nonpublic elementary and high schools within the state as determined during the first full week in October of each school year.

(J) An amount for each county MR/DD board, distributed on the basis of standards adopted by the state board of education, for the approved cost of transportation required for children attending special education programs operated by the county MR/DD board under section 3323.09 of the Revised Code;

(K) An amount for each school district that establishes a mentor teacher program that complies with rules of the state board of education. No school district shall be required to establish or maintain such a program in any year unless sufficient funds are appropriated to cover the district's total costs for the program.

(L) An amount to each school district or educational service center for the total number of gifted units approved pursuant to section 3317.05 of the Revised Code. The amount for each such unit shall be the sum of the minimum salary for the teacher of the unit, calculated on the basis of the teacher's training level and years of experience pursuant to the salary schedule prescribed in the version of section 3317.13 of the Revised Code in effect prior

to July 1, 2001, plus fifteen per cent of that minimum salary 1281
amount, plus two thousand six hundred seventy-eight dollars. 1282

(M) An amount to each institution defined under section 1283
3317.082 of the Revised Code providing elementary or secondary 1284
education to children other than children receiving special 1285
education under section 3323.091 of the Revised Code. This amount 1286
for any institution in any fiscal year shall equal the total of 1287
all tuition amounts required to be paid to the institution under 1288
division (A)(1) of section 3317.082 of the Revised Code. 1289

(N) A grant to each school district and joint vocational 1290
school district that operates a "graduation, reality, and 1291
dual-role skills" (GRADS) program for pregnant and parenting 1292
students that is approved by the department. The amount of the 1293
payment shall be the district's state share percentage, as defined 1294
in section 3317.022 or 3317.16 of the Revised Code, times the 1295
GRADS personnel allowance times the full-time-equivalent number of 1296
GRADS teachers approved by the department. The GRADS personnel 1297
allowance is \$47,555 in fiscal years 2008 and 2009. The GRADS 1298
program shall include instruction on adoption as an option for 1299
unintended pregnancies. 1300

The state board of education or any other board of education 1301
or governing board may provide for any resident of a district or 1302
educational service center territory any educational service for 1303
which funds are made available to the board by the United States 1304
under the authority of public law, whether such funds come 1305
directly or indirectly from the United States or any agency or 1306
department thereof or through the state or any agency, department, 1307
or political subdivision thereof. 1308

Sec. 5103.03. (A) The director of job and family services 1309
shall adopt rules as necessary for the adequate and competent 1310
management of institutions or associations. The director shall 1311

ensure that foster care home study rules adopted under this 1312
section align any home study content, time period, and process 1313
with any home study content, time period, and process required by 1314
rules adopted under section 3107.033 of the Revised Code. 1315

(B)(1) Except for facilities under the control of the 1316
department of youth services, places of detention for children 1317
established and maintained pursuant to sections 2152.41 to 2152.44 1318
of the Revised Code, and child day-care centers subject to Chapter 1319
5104. of the Revised Code, the department of job and family 1320
services every two years shall pass upon the fitness of every 1321
institution and association that receives, or desires to receive 1322
and care for children, or places children in private homes. 1323

(2) When the department of job and family services is 1324
satisfied as to the care given such children, and that the 1325
requirements of the statutes and rules covering the management of 1326
such institutions and associations are being complied with, it 1327
shall issue to the institution or association a certificate to 1328
that effect. A certificate is valid for two years, unless sooner 1329
revoked by the department. When determining whether an institution 1330
or association meets a particular requirement for certification, 1331
the department may consider the institution or association to have 1332
met the requirement if the institution or association shows to the 1333
department's satisfaction that it has met a comparable requirement 1334
to be accredited by a nationally recognized accreditation 1335
organization. 1336

(3) The department may issue a temporary certificate valid 1337
for less than one year authorizing an institution or association 1338
to operate until minimum requirements have been met. 1339

(4) An institution or association that knowingly makes a 1340
false statement that is included as a part of certification under 1341
this section is guilty of the offense of falsification under 1342
section 2921.13 of the Revised Code and the department shall not 1343

certify that institution or association. 1344

(C) The department may revoke a certificate if it finds that 1345
the institution or association is in violation of law or rule. No 1346
juvenile court shall commit a child to an association or 1347
institution that is required to be certified under this section if 1348
its certificate has been revoked or, if after revocation, the date 1349
of reissue is less than fifteen months prior to the proposed 1350
commitment. 1351

(D) Every two years, on a date specified by the department, 1352
each institution or association desiring certification or 1353
recertification shall submit to the department a report showing 1354
its condition, management, competency to care adequately for the 1355
children who have been or may be committed to it or to whom it 1356
provides care or services, the system of visitation it employs for 1357
children placed in private homes, and other information the 1358
department requires. 1359

(E) The department shall, not less than once each year, send 1360
a list of certified institutions and associations to each juvenile 1361
court and certified association or institution. 1362

(F) No person shall receive children or receive or solicit 1363
money on behalf of such an institution or association not so 1364
certified or whose certificate has been revoked. 1365

(G) The director may delegate by rule any duties imposed on 1366
it by this section to inspect and approve family foster homes and 1367
specialized foster homes to public children services agencies, 1368
private child placing agencies, or private noncustodial agencies. 1369

(H) If the director of job and family services determines 1370
that an institution or association that cares for children is 1371
operating without a certificate, the director may petition the 1372
court of common pleas in the county in which the institution or 1373
association is located for an order enjoining its operation. The 1374

court shall grant injunctive relief upon a showing that the 1375
institution or association is operating without a certificate. 1376

(I) If both of the following are the case, the director of 1377
job and family services may petition the court of common pleas of 1378
any county in which an institution or association that holds a 1379
certificate under this section operates for an order, and the 1380
court may issue an order, preventing the institution or 1381
association from receiving additional children into its care or an 1382
order removing children from its care: 1383

(1) The department has evidence that the life, health, or 1384
safety of one or more children in the care of the institution or 1385
association is at imminent risk. 1386

(2) The department has issued a proposed adjudication order 1387
pursuant to Chapter 119. of the Revised Code to deny renewal of or 1388
revoke the certificate of the institution or association. 1389

Sec. 5107.30. (A) As used in this section: 1390

(1) "Equivalent of a high school diploma" and "good cause" 1391
have the meanings established in rules adopted under section 1392
5107.05 of the Revised Code. 1393

(2) "Participating teen" means an individual to whom all of 1394
the following apply: 1395

(a) The individual is a participant of Ohio works first; 1396

(b) The individual is under age eighteen or is age eighteen 1397
and in school and is a natural or adoptive parent or is pregnant; 1398

(c) The individual is subject to the LEAP program's 1399
requirements. 1400

(3) "School" means an educational program that is designed to 1401
lead to the attainment of a high school diploma or the equivalent 1402
of a high school diploma. 1403

(B) The director of job and family services may conduct a program titled the "LEAP program" in accordance with rules adopted under section 5107.05 of the Revised Code. The purpose of the LEAP program is to encourage teens to complete school. The LEAP program shall provide information on adoption as an option for unintended pregnancies to participating teens.

Every participating teen shall attend school in accordance with the requirements governing the LEAP program unless the participating teen shows good cause for not attending school. The department shall provide, in addition to the cash assistance payment provided under Ohio works first, an incentive payment, in an amount determined by the department, to every participating teen who attends school in accordance with the requirements governing the LEAP program. In addition to the incentive payment, the department may provide other incentives to participating teens who attend school in accordance with the LEAP program's requirements. The department shall reduce the cash assistance payment, in an amount determined by the department, under Ohio works first to every participating teen who fails or refuses, without good cause, to meet the LEAP program's requirements.

Every participating teen shall enter into a written agreement with the county department of job and family services that specifies all of the following:

(1) The participating teen, to be eligible to receive the incentive payment and other incentives, if any, under this section, must meet the requirements of the LEAP program.

(2) The incentive payment and other incentives, if any, will be provided if the participating teen meets the requirements of the LEAP program.

(3) The participating teen's cash assistance payment under Ohio works first will be reduced if the participating teen fails

or refuses without good cause to attend school in accordance with 1435
the requirements governing the LEAP program. 1436

(C) A minor head of household's participation in the LEAP 1437
program shall be counted in determining whether a county 1438
department of job and family services meets the requirement of 1439
section 5107.44 of the Revised Code. 1440

(D) Subject to the availability of funds, county departments 1441
of job and family services shall provide for participating teens 1442
to receive support services the county department determines to be 1443
necessary for LEAP participation. Support services may include 1444
publicly funded child care under Chapter 5104. of the Revised 1445
Code, transportation, and other services. 1446

Sec. 5153.122. Each PCSA caseworker hired after January 1, 1447
2007, shall complete at least one hundred two hours of in-service 1448
training during the first year of the caseworker's continuous 1449
employment as a PCSA caseworker, except that the executive 1450
director of the public children services agency may waive the 1451
training requirement for a school of social work graduate who 1452
participated in the university partnership program described in 1453
division (D) of section 5101.141 of the Revised Code. The training 1454
shall consist of courses in ~~recognizing~~ all of the following: 1455

(A) Recognizing, accepting reports of, and preventing child 1456
abuse, neglect, and dependency; ~~assessing~~ 1457

(B) Assessing child safety; ~~assessing~~ 1458

(C) Assessing risks; ~~interviewing~~ 1459

(D) Interviewing persons; ~~investigating~~ 1460

(E) Investigating cases; ~~intervening~~ 1461

(F) Intervening; ~~providing~~ 1462

(G) Providing services to children and their families; ~~the~~ 1463

<u>(H) The importance of and need for accurate data; preparation</u>	1464
	1465
<u>(I) Preparation for court; maintenance</u>	1466
<u>(J) Maintenance of case record information; and other</u>	1467
<u>(K) Other topics relevant to child abuse, neglect, and</u>	1468
<u>dependency. The training shall also include courses in the;</u>	1469
<u>(L) The legal duties of PCSA caseworkers to protect the</u>	1470
<u>constitutional and statutory rights of children and families from</u>	1471
<u>the initial time of contact during investigation through treatment</u>	1472
<u>that shall include, including instruction regarding parents'</u>	1473
<u>rights and the limitations that the Fourth Amendment to the United</u>	1474
<u>States Constitution places upon caseworkers and their</u>	1475
<u>investigations;</u>	1476
<u>(M) Educating pregnant or parenting persons who are the</u>	1477
<u>subjects of the caseworker's cases on adoption as an option for</u>	1478
<u>unintended pregnancies.</u>	1479
After a PCSA caseworker's first year of continuous employment	1480
as a PCSA caseworker, the caseworker annually shall complete	1481
thirty-six hours of training in areas relevant to the caseworker's	1482
assigned duties.	1483
During the first two years of continuous employment as a PCSA	1484
caseworker, each PCSA caseworker shall complete at least twelve	1485
hours of training in recognizing the signs of domestic violence	1486
and its relationship to child abuse as established in rules the	1487
director of job and family services shall adopt pursuant to	1488
Chapter 119. of the Revised Code. The twelve hours may be in	1489
addition to the training required during the caseworker's first	1490
year of employment or part of the training required during the	1491
second year of employment.	1492
Sec. 5153.123. Each PCSA caseworker supervisor shall complete	1493

at least sixty hours of in-service training during the first year 1494
of the supervisor's continuous employment as a PCSA caseworker 1495
supervisor. The training shall include courses in screening 1496
reports of child abuse, neglect, or dependency, and promoting the 1497
education of pregnant or parenting persons who are the subjects of 1498
a PCSA caseworker's cases on adoption as an option for unintended 1499
pregnancies. After a PCSA caseworker supervisor's first year of 1500
continuous employment as a PCSA caseworker supervisor, the 1501
supervisor annually shall complete thirty hours of training in 1502
areas relevant to the supervisor's assigned duties. During the 1503
first two years of continuous employment as a PCSA caseworker 1504
supervisor, each PCSA caseworker supervisor shall complete at 1505
least twelve hours of training in recognizing the signs of 1506
domestic violence and its relationship to child abuse as 1507
established in rules the director of job and family services shall 1508
adopt pursuant to Chapter 119. of the Revised Code. The twelve 1509
hours may be in addition to the training required during the 1510
supervisor's first year of employment or part of the training 1511
required during the second year of employment. 1512

Section 2. That existing sections 2151.353, 2151.361, 1513
2151.414, 2151.415, 3107.033, 3107.055, 3107.06, 3107.07, 1514
3107.101, 3107.14, 3107.66, 3313.6011, 3317.024, 5103.03, 5107.30, 1515
5153.122, and 5153.123 of the Revised Code are hereby repealed. 1516
1517

Section 3. The Director of Job and Family Services shall 1518
establish a Child-Centered Recruitment Task Force. The Task Force 1519
shall consist of the Director of Job and Family Services, adoption 1520
professionals, and at least one professional from a public 1521
children services agency, private noncustodial agency, and private 1522
child placing agency. One member of the Task Force shall represent 1523
an agency that has created, utilized, or is currently utilizing, 1524
child-centered recruitment. Members of the Task Force shall serve 1525

without compensation. 1526

The Department of Job and Family Services shall provide the 1527
Task Force with meeting space and administrative support. 1528

The Task Force shall compile all effective procedures, 1529
models, and other relevant information regarding child-centered 1530
recruitment that public children services agencies, private 1531
noncustodial agencies, and private child placing agencies 1532
currently using child-centered recruitment utilize when seeking 1533
adoptive families for children in permanent custody. 1534

After compiling the procedures, models, or other relevant 1535
information, the Task Force shall create a uniform child-centered 1536
recruitment model based on the information compiled. The model 1537
shall include recommendations for finding an adoptive family for 1538
both of the following: (1) a child who has been in the custody of 1539
a public children services agency for at least one year and (2) a 1540
child who is nine years of age or older, in the custody of a 1541
public children services agency, and does not have a potential 1542
adoptive family identified. Not later than December 1, 2008, the 1543
Task Force shall disseminate the model to all public children 1544
services agencies, private noncustodial agencies, and private 1545
child placing agencies in this state. Upon dissemination of the 1546
uniform child-centered recruitment model, the Task Force shall 1547
cease to exist. 1548