

- Child 10 years of age and older must sign a consent to be adopted.
7. Mediation and agreements as an alternative to trial.
- Mediation is required in most CINA cases at the pretrial stage.
 - Mediation is available at the Permanency Planning and TPR stage.
 - Foster parents may be invited to participate at the TPR mediation if an agreement for post-adoption contact is anticipated.
 - Mediated agreements to TPR cause less stress, are more humane and less painful for everyone, and eliminate delays caused by appeals.
8. “Open Adoptions” = Agreements to Post Adoption Contact
- New statute, effective January 1, 2006, provides for direct adoption without a TPR but only with the CONSENT of the Department. A parent can sign a consent for a specific foster parent or relative to adopt the child.
 - Agreements to Post-Adoption contact are agreements between the biological parent and the adoptive parent. Disputes arising from post adoption contact agreements can be referred to mediation. The agreement can be enforced by a court if the court determines that enforcement is in the child’s best interest.
 - Terms of agreement might include limited visits with the child, phone calls, letters and pictures, or contact b/w the child and biological relatives.
 - Terms may depend on the age and needs of the child, the child’s relationship with the parent, the wishes of the child, the needs/wishes of the adoptive family.
 - Adoptive parents can seek private counsel for advice and assistance.