

### **600.8 Placement investigations and reports.**

1. *a.* A preplacement investigation shall be directed to and a report of this investigation shall answer the following:

(1) Whether the home of the prospective adoption petitioner is a suitable one for the placement of a minor person to be adopted.

(2) How the prospective adoption petitioner's emotional maturity, finances, health, relationships, and any other relevant factor may affect the petitioner's ability to accept, care, and provide a minor person to be adopted with an adequate environment as that person matures.

(3) Whether the prospective adoption petitioner has been convicted of a crime under a law of any state or has a record of founded child abuse. The preplacement investigation and report shall include an examination of the criminal and child abuse records of the prospective adoption petitioner including all of the following:

(a) Criminal, child abuse, and sex offender registries maintained by the state.

(b) Child abuse registries maintained by any other state in which the prospective adoption petitioner has resided during the five years prior to the issuance of the preplacement investigation report.

(c) National biometric identification-based criminal records. For the purposes of international adoption preplacement investigations, the national biometric identification-based criminal record check results obtained pursuant to the standards of the United States department of homeland security shall satisfy the requirement of this subparagraph division.

*b.* A postplacement investigation and a report of this investigation shall:

(1) Consist of no fewer than three face-to-face visits with the minor person to be adopted and the adoption petitioner to be conducted within thirty days, ninety days, and one hundred eighty days following the placement and during completion of the minimum residence period specified in [section 600.10](#).

(2) Verify the allegations of the adoption petition and its attachments and of the report of expenditures required under [section 600.9](#).

(3) Evaluate the progress of the placement of the minor person to be adopted.

(4) Determine whether adoption by the adoption petitioner may be in the best interests of the minor person to be adopted.

(5) Include documentation verifying that any unique needs of the minor person to be adopted are being appropriately met in the placement before the investigator recommends finalization of the adoption.

*c.* (1) A background information investigation of the medical and social history of the biological parents of the minor person to be adopted and a report of the investigation shall be made by the adoption service provider, the department, or a certified adoption investigator prior to the placement of the minor person to be adopted with any prospective adoption petitioner.

(2) The background information investigation and report shall not disclose the identity of the biological parents of the minor person to be adopted.

(3) The completed report shall be filed with the court prior to the holding of the adoption hearing prescribed in [section 600.12](#).

(4) The report shall be in substantial conformance with the prescribed medical and social history forms designed by the department pursuant to [section 600A.4, subsection 2, paragraph "f"](#).

(5) A copy of the background information investigation report shall be furnished to the prospective adoption petitioner prior to placement of the minor person to be adopted with the prospective adoption petitioner.

(6) Any person, including a juvenile court, who has gained relevant background information concerning a minor person subject to an adoption petition shall, upon request, fully cooperate with the conducting of a background information investigation by disclosing any relevant background information, whether contained in sealed records or not.

2. *a.* (1) A preplacement investigation and report of the investigation shall be completed

and the prospective adoption petitioner approved for a placement by the person making the investigation prior to any adoption service provider or department placement of a minor person in the petitioner's home in anticipation of an ensuing adoption.

(2) A report of a preplacement investigation that has approved a prospective adoption petitioner for a placement shall not authorize placement of a minor person with that petitioner after two years from the date of the report's issuance. However, if the prospective adoption petitioner is a relative within the fourth degree of consanguinity who has assumed custody of a minor person to be adopted, a preplacement investigation of this petitioner and a report of the investigation may be completed at a time established by the juvenile court or court or may be waived as provided in [subsection 12](#).

b. (1) The person making the investigation shall not approve a prospective adoption petitioner pursuant to [subsection 1](#), paragraph "a", subparagraph (3), and an evaluation shall not be performed under subparagraph (2), if the petitioner has been convicted of any of the following felony offenses:

- (a) Within the five-year period preceding the petition date, a drug-related offense.
- (b) Child endangerment or neglect or abandonment of a dependent person.
- (c) Domestic abuse.
- (d) A crime against a child, including but not limited to sexual exploitation of a minor.
- (e) A forcible felony.

(2) The person making the investigation shall not approve a prospective adoption petitioner pursuant to [subsection 1](#), paragraph "a", subparagraph (3), unless an evaluation has been made which considers the nature and seriousness of the crime or founded abuse in relation to the adoption, the time elapsed since the commission of the crime or founded abuse, the circumstances under which the crime or founded abuse was committed, the degree of rehabilitation, and the number of crimes or founded abuse committed by the person involved.

c. If the person making the investigation does not approve a prospective adoption petitioner under paragraph "a" of [this subsection](#), the person investigated may appeal the disapproval as a contested case to the director of human services. Judicial review of any adverse decision by the director may be sought pursuant to [chapter 17A](#).

3. The department, an agency, or a certified adoption investigator shall conduct all investigations and reports required under [subsection 2](#).

4. A postplacement investigation and the report of the investigation shall be completed and filed with the juvenile court or court prior to the holding of the adoption hearing prescribed in [section 600.12](#). Upon the filing of an adoption petition pursuant to [section 600.5](#), the juvenile court or court shall immediately appoint the department, an agency, or a certified adoption investigator to conduct and complete the postplacement report. Any person who has gained relevant background information concerning a minor person subject to an adoption petition shall, upon request, fully cooperate with the conducting of the postplacement investigation by disclosing any relevant information requested, whether contained in sealed records or not.

5. Any person conducting an investigation under [subsection 1](#), paragraph "c", [subsection 3](#), or [subsection 4](#), may, in the investigation or subsequent report, include, utilize, or rely upon any reports, studies, or examinations to the extent they are relevant.

6. Any person conducting an investigation under [subsection 1](#), paragraph "c", [subsection 3](#), or [subsection 4](#), may charge a fee which does not exceed the reasonable cost of the services rendered and which is based on a sliding scale schedule relating to the investigated person's ability to pay.

7. Any investigation or report required under [this section](#) shall not apply when the person to be adopted is an adult or when the prospective adoption petitioner or adoption petitioner is a stepparent of the person to be adopted. However, in the case of a stepparent adoption, the juvenile court or court, upon the request of an interested person or on its own motion stating the reasons therefor of record, may order an investigation or report pursuant to [this section](#). Additionally, if an adoption petitioner discloses a criminal conviction or deferred judgment for an offense other than a simple misdemeanor or founded child abuse report pursuant to [section 600.5](#), the petitioner shall notify the court of the inclusion of this information in

the petition prior to the final adoption hearing, and the court shall make a specific ruling regarding whether to waive any investigation or report required under [subsection 1](#).

8. Any person designated to make an investigation and report under [this section](#) may request an agency, certified adoption investigator, or state agency, within or outside this state, to conduct a portion of the investigation or the report, as may be appropriate, and to file a supplemental report of such investigation or report with the juvenile court or court. In the case of the adoption of a minor person by a person domiciled or residing in any other jurisdiction of the United States, any investigation or report required under [this section](#) which has been conducted pursuant to the standards of that other jurisdiction shall be recognized in this state.

9. The department may investigate, on its own initiative or on order of the juvenile court, any placement made or adoption petition filed under [this chapter](#) or [chapter 600A](#) and may report its resulting recommendation to the juvenile court.

10. The department, an agency, or a certified adoption investigator may conduct any investigations required for an interstate or interagency placement. Any interstate investigations or placements shall follow the procedures and regulations under the interstate compact on the placement of children. Such investigations and placements shall be in compliance with the laws of the states involved.

11. Any person who assists in or impedes the placement or adoption of a minor person in violation of the provisions of [this section](#) shall be, upon conviction, guilty of a simple misdemeanor.

12. Any investigation and report required under [subsection 1](#) may be waived by the juvenile court or court if the adoption petitioner is related within the fourth degree of consanguinity to the person to be adopted. However, if an adoption petitioner discloses a criminal conviction or deferred judgment for an offense other than a simple misdemeanor or founded child abuse report pursuant to [section 600.5](#), the petitioner shall notify the court of the inclusion of this information in the petition prior to the final adoption hearing, and the court shall make a specific ruling regarding whether to waive any investigation or report required under [subsection 1](#).

[C27, 31, 35, §10501-b2; C39, §10501.2; C46, 50, 54, 58, 62, 66, 71, 73, 75, §600.2; C77, 79, 81, §600.8]

83 Acts, ch 96, §157, 159; 87 Acts, ch 153, §18, 19; 88 Acts, ch 1134, §101; 94 Acts, ch 1046, §13; 98 Acts, ch 1190, §30; 99 Acts, ch 138, §1, 2; 2000 Acts, ch 1145, §10, 11; 2001 Acts, ch 24, §67, 68, 74; 2006 Acts, ch 1029, §2, 3; 2011 Acts, ch 98, §5; 2014 Acts, ch 1029, §1, 2; 2017 Acts, ch 113, §4 – 6

Referred to in §600.2, 600.6, 600.11, 600.12A, 600.14A, 600.15, 600.16, 600A.2

Interstate compact on placement of children, see §232.158