

PREAMBLE

The Adoption Intermediary Commission was created by C.R.S. § 19-5-303 and has been charged by the Colorado General Assembly with the task of preparing this Manual of Standards for training Confidential Intermediaries. This Manual is the result of many hours of work by persons representing all facets of the adoption experience and is hereby presented to the public with the hope that, by following its standards, Colorado may have a Confidential Intermediary Program that is a model for other states and countries.

It is the purpose of the Commission to provide this Manual of Standards to establish standards for minimum performance by Confidential Intermediaries and to insure confidentiality of the process. It is hoped that these standards will encourage individuals and organizations to develop better standards.

INTERMEDIARY STANDARDS

Introduction

The Commission received a great deal of input as to how Confidential Intermediaries should perform their services. After careful consideration of the overall performance desired in Intermediaries, the Commission decided that a Confidential Intermediary's standards of performance should be divided into four basic categories: knowledge; interpersonal skills; search skills and procedures; and ethics. It is hoped that the standards set forth in this section will provide a good working outline of what makes a good Confidential Intermediary.

KNOWLEDGE

All Intermediaries must have an historical understanding of adoption philosophies and practices. Confidential Intermediaries must also have knowledge of the issues of adoptees, birth parents, adoptive parents, and others involved in the search process.

Intermediaries must be able to maintain confidentiality of information, to handle confidential and sensitive information resulting from the search, and be able to recommend consultation with professionals when appropriate. This would include training in the psychodynamics of grief/loss attachment. Intermediaries have a post-reunion role and must also be able to provide a post-reunion support system by knowledge of, and referrals to, adoptee/birth parent/adoptive parent support groups, when appropriate, as well as adoption and social service organizations.

The Intermediaries' knowledge should also include such technical information as the policies and procedures of the training program under which he or she was trained. Intermediaries must have a thorough working knowledge of the legal processes which result in adoption.

INTERPERSONAL SKILLS

Intermediaries must understand their own attitudes, prejudices, and biases in order to gain an understanding of how these can affect their contact with parties relevant to the search. They must further recognize when a search situation is triggering a personal response which would cloud their management of the search.

Intermediaries must be able to work with all persons, regardless of differing cultural or ethnic backgrounds. This includes the ability to empathize with others, to be discreet in dealing with sensitive feelings, and to recognize the emotions of adoption triad members.

SEARCH SKILLS AND PROCEDURES

The role of Intermediaries is primarily that of a facilitator. As such, Intermediaries should understand that

role as it differs from that of an advocate or counselor.

Intermediaries must demonstrate skill by working cases in a confidential and timely manner. Important skills include an aptitude for speaking with people, either in person or by telephone, and a genuine concern for other family members, friends, and other individuals involved in each case.

Specific procedures must be followed by Intermediaries in conducting their search on behalf of a petitioner. Proper documentation of all phases of the search is necessary. Intermediaries also must maintain the anonymity of all parties and confidentiality of all information until voluntary, informed, and written consent for contact has been received by the court. Upon conclusion of the case, all records, including all copies, must be returned to the Chief Confidential Intermediary, who will close the case with the Court. At the conclusion of the search, but not less than quarterly, the Intermediary shall provide to the petitioner a statement of services rendered without violating the confidentiality.

The Confidential Intermediary must respect the privacy of all parties. Any consent to contact by the sought-after relative must be voluntary, informed and written. In accordance with C.R.S. § 19-5-304(5), Intermediaries must inform both the petitioner and the sought-after relative of the existence of the Voluntary Adoption Registry.

An Oath of Confidentiality shall be signed for each case by both the Chief Confidential Intermediary and the assigned Confidential Intermediary. Intermediaries shall attend all sessions of an approved Training Program and continuing education to stay updated on new search methods, procedures, and policies.

ETHICS

Confidential Intermediaries shall conduct the search within the bounds of the law at all times. Since the Intermediaries act under the jurisdiction of the court, the Commission, and the Training Organization, they shall perform their services in an honest and trustworthy manner and in accordance with this Manual of Standards and the Training Organization's stated policies.

Intermediaries shall maintain the confidentiality of all information acquired during the process of the search and accept only such compensation for Intermediary services as is reasonable.

All Confidential Intermediaries shall maintain the anonymity of all parties and confidentiality of all information until voluntary, informed and written consent for contact has been received by the Court. Intermediaries shall not exert any undue pressure upon a sought-after relative in order to obtain consent for contact. All Intermediaries shall comply with this Manual of Standards and agree that the performance of their services shall be measured by this Manual of Standards and the Training Organization's stated policies. All Intermediaries shall read and understand the Rules For Removal.

If a Confidential Intermediary believes that either the petitioner or the sought-after relative may constitute a threat to other parties, he or she shall consult with the Chief Confidential Intermediary. If the Chief Confidential Intermediary concurs, the Intermediary will submit the concerns to the court for its determination.

ORGANIZATION STANDARDS

Introduction

The Commission has determined that the most effective way to administer and monitor the Confidential Intermediary Program is through organizations that are willing to take certain responsibilities and make regular reports to the Commission concerning compliance by Intermediaries with the standards set forth herein. Since training providers have a vital interest in maintaining quality graduates and will have the necessary skills and facilities to promote excellence in training, prospective Intermediaries must complete Commission-approved training programs and continue beyond the initial training by utilizing continuing

education and support systems built into the organization.

Training Organizations must have at least the following functions: screening; training and certifying; monitoring and support; evaluation of training; and reports to the Commission.

SCREENING

It is the responsibility of the Training Organization to receive, review, and approve appropriate applications from individuals desiring to participate in the training program for Confidential Intermediaries. Those organizations that provide training shall include a screening process that will precede the training itself, or be incorporated within it. This screening process shall assess the integrity and emotional stability of the trainee and the absence of any vested interest on the part of the trainee.

To evaluate the emotional stability of the trainee, organizations shall require completion of a Confidential Intermediary training application form which shall include current identifying information (name, address, phone, height, weight, etc.), employment background, employment references, previous experience, personal references, and reasons why the applicant desires to be trained as an Intermediary. Such stability will be demonstrated in sensitivity to issues of adoption triad members, discretion in dealing with sensitive inter- personal feelings, empathy for all persons involved in a case, and the ability to work with and speak to all persons, regardless of differing cultural or ethnic backgrounds.

All trainees shall be approved by the Chief Confidential Intermediary and the Training Director of the Training Organization before undertaking the training program. It is important that trainees do not have a criminal history which might affect the performance of their services. A Colorado Bureau of Investigation criminal check shall be done for each applicant for training, and each trainee shall be required to sign a release authorizing the Training Organization to receive this information. The Training Organization shall require all prospective Intermediaries to sign and comply with a Commission-approved Oath of Confidentiality.

All prospective Intermediaries shall submit the appropriate application form and participate in a preliminary interview with representatives of the Training Organization. The trainee must have knowledge of, and be in agreement with, all of the Training Organization's policies and be willing to attend all sessions of the training course. The Organization shall instruct all trainees to utilize counselling and support services that are not provided in the Training organization. The Organization shall act to ensure that no Intermediary shall be assigned to a case involving a relative, friend, business associate, or other individual that could constitute a conflict of interest for the intermediary.

TRAIN AND CERTIFY

The Training Organization leadership shall have substantial knowledge and experience in search methods and procedures, in handling confidential information, in the emotional needs of all members of the adoption triad, and a desire to impart this experience and knowledge to others. They must have the ability to develop and teach the content of the training course in its entirety and provide properly administered Commission-approved training for applicants meeting the standards for training.

The Training Organization shall teach Intermediaries specific procedures they can follow in performing their services and shall require them to practice proper standards of documentation throughout each search. All Intermediaries who successfully complete the training program shall be issued a Commission-approved Identification Card with a current photograph of the Intermediary. This card is the sole property of the Training Organization and is to be surrendered to the Training Organization upon the death, resignation, removal, assumption of inactive status by the intermediary, or other disciplinary action requiring its surrender by the Adoption Intermediary Commission.

The Training Organization shall also conduct continuing education on a regular basis, so that all Confidential Intermediaries shall take a minimum of sixteen (16) hours of training every two years.

MONITORING AND SUPPORT

Each Training Organization shall include one Commission-approved Training Director and at least one Commission-approved Chief Confidential Intermediary. The Training Director shall be responsible for the initial training of Intermediaries, as well as for continuing education. The Chief Confidential Intermediary shall be responsible for monitoring the performance of and providing support to Intermediaries. In no case shall the number of Intermediaries on active status under one Chief Confidential Intermediary exceed forty (40).

It shall be the responsibility of the organization to provide an ongoing support system for Intermediaries. Further, the organization must supervise each Intermediary to ensure that his or her caseload does not exceed twenty-five (25) active cases at any given time.

Each Training Organization's Chief Confidential Intermediary shall be responsible for: providing assistance and counsel to all Intermediaries; meeting with an Intermediary whenever a case is not resolved within sixty (60) days; requesting that the Court reassign a case when it is found to be in the best interest of the petitioner or the sought-after relative or the Intermediary; approving all fees, expenses, and all reports submitted to the petitioner by the Intermediary; and maintaining current records of Intermediary performance for each Intermediary under his or her supervision.

Each Training Organization shall forward all written complaints to the Commission for action in accordance with the Commission's Rules For Removal.

EVALUATION OF TRAINING

The Training Organization shall be responsible to conduct ongoing long-term evaluation of all Intermediaries which shall include: an ongoing training program; supervision of all Intermediaries by the Chief Confidential Intermediary; evaluations of the overall effectiveness of the Confidential Intermediary program; and written evaluations from petitioners served by an Intermediary, such evaluations to be included in the permanent records of the intermediary involved.

REPORTS TO THE COMMISSION

It shall be the responsibility of the Training Organization to forward a complete resume of each properly trained Confidential Intermediary to the Commission, including a record of successfully completed training, a signed Oath of Confidentiality, current identifying information, and a current photograph.

The Training Organization shall maintain records of the number of Intermediaries trained, the number and dates of training sessions held, the number and dates of continuing education and attendance, the number of cases accepted by Intermediaries under their supervision, the current status of each case, the number of requests received for Intermediary services, the names and number of active Confidential Intermediaries, and the number of complaints received. These records shall be compiled on a quarterly basis and shall be available for inspection, upon request, by the Commission. This information shall be provided in a written Annual Report to the Commission, along with the names of all Intermediaries who have been removed during the year as a result of disciplinary action, resignation, or for other reasons.

TRAINING STANDARDS

Any Commission-approved curriculum shall provide a minimum of twenty-five (25) hours of instruction and will include training objectives, a time frame for each module and a clear agenda, actual narrative or a complete outline of all lecture material, a full description of all training exercises, all handouts, videos, and overhead transparencies included, a competency assessment test and a method of determining whether or not the student is competent to perform as an Intermediary, preparation of students by teaching investigative skills and knowledge of, and sensitivity to, adoption issues, and a training format which includes both didactic (lecture) and experiential learning experiences. All courses in the training

program shall be taught by persons with sufficient skill and experience in the area(s) they are to teach. The course that addresses the psychodynamics of grief/loss attachment shall have someone teaching it who has experience in that area, and the organization shall maintain an informal contact with the persons, or a person, with that level, of skill, to help deal with a crisis situation.

All approved training courses shall include instruction about the history of adoption practices, addressing the formation of adoption agencies, closed records policies and the reasoning behind them, "best interests of the child," attitudes toward birth parents through the years, development of search issues and support groups, influential adoption literature, changing adoption practice (open placements, open adoption), policies involving release of information (and "good cause"), legislation in various states, black/gray market adoptions, shifts in societal attitudes, the nature of Colorado's Adoption Intermediary Program and the role of the Intermediary, and the history of the adoption process.

Training courses shall include instruction about the adoption triad, addressing typical feelings of adoptees growing up, who searches and who does not - the patterns, the usual reasons for searching and not searching, differences between the searcher and the searchee, the gamut of emotions adoptive parents experience, especially when their child searches, what birth parents experience from pregnancy on, and birth siblings.

Training courses shall include instruction about search techniques, addressing how to understand documents such as court decrees and hospital/agency records, piecing together the story, including looking for and understanding the significance of clues, using directory assistance, whether to speak with relatives, use of discretion throughout the search, interviewing former neighbors and landlords, using city directories and crisscross guides, state records (marriage, divorce, death, voting, motor vehicles, bankruptcy, civil, criminal, real and personal property, probate), school records (yearbooks, alumni, etc.), professional organizations, church records, town newspapers, town historians, worker's compensation records, military records, genealogy records and resources, utility records, foreign adoptions, illegal adoptions (and those with no paperwork), brainstorming techniques, using intuition and creativity, and using other search groups.

Training courses shall also include instruction about counseling the client, addressing the reasons why adoptees and birth parents search, familiarizing the petitioner with the procedure, identifying fears, clarifying expectations for self and the sought-after relative, dealing with anger and guilt from the past, dealing with resentful/uncooperative family members. "sharing the secret." supportive words and phrases, do's and don'ts of the counseling process, key questions to draw out the petitioner, dealing with difficult petitioners, assisting petitioners in dealing with sensitive information, preparing the petitioner for reunion, dealing with rejection, assisting the petitioner with post-reunion issues, other resources, assigning writing exercises and journalizing to assist the petitioner in self-discovery or resolution of certain issues.

Training courses shall include instructions about the role of the Intermediary, addressing maintenance of confidentiality, maintenance of a search log (including contacts, replies, organizing information, keeping track of expenses, etc.), filing progress reports with the Chief Confidential Intermediary or the Court maintenance of regular and timely contact with the petitioner, contact with the sought-after relative, handling various responses, closing a case/uncompleted cases, and a review of the Commission's Manual of Standards, Rules For Removal, Rules of Procedure, and the Training Organization's stated policies.

FEES

The Training Organization shall clearly state its fees in written form and provide this fee schedule to petitioners in advance of services being performed. The Commission encourages Training Organizations to include procedures for providing services to petitioners who are unable to pay.