De facto adoption under Division 4 of The Adoption Act involves the adoption of a child who has been in the care and custody of the applicants for at least two years. Consent of the legal parent/guardian is not required. Applicants are required to serve a copy of the application on the child and family services agency or the licensed adoption agency serving the area in which they reside and on the legal parent/guardian at least 30 days prior to hearing date.

**STANDARDS**

554.1 **Agency investigation**

On being served a copy of the application, the investigation required by an agency under subsection 75 of the Act is completed prior to the application being heard.

554.2 **Service to court**

Upon completion of the investigation the agency report is submitted to the court prior to the hearing date or as directed by the court. The report includes background information concerning the placement, assessment of the placement, and agency recommendations concerning the application (see Section Appendix 554A).
Report Upon Investigation

De facto adoption

Identifying information: Adoptive applicant(s)
Address and telephone
Child(ren) to be adopted
Date(s) of placement
Legal/birth mother
Referring solicitor

Each child:
Birthdate and place
Physical description
Medical information
Developmental or psychosocial information
School performance
Relationships with adoptive family, opposing parent, siblings
Attitude toward adoption
Sources of information

Each party:
Birthdate and place
Nationality, ethnic and racial origin
Religion
Health
Education and training
Employment and financial circumstances
Hobbies and interests
Personality
Home and neighborhood
Marital status and relationship
Relationships with child(ren)
Sources of information

Other children:
Names
Birthdates and places
Attitude toward adoption
Sources of information

Particulars:
Circumstances leading to placement
Reasons for placing child
Reasons for applying to adopt
Other comments

Recommendations: Adoption/no adoption

Referring agency:

Compiled by: Social worker
Supervisor

Signed and approved by: Regional or executive director

This is my report pursuant to Division 4 of The Adoption Act
Executive Director/Regional Manager