

EXHIBIT 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NEW HOPE FAMILY SERVICES, INC.,

Plaintiff,

vs.

SHEILA J. POOLE, in her official capacity
as Acting Commissioner for the Office of
Children and Family Services for the State
of New York,

Defendant.

No.: 5:18-cv-1419 (MAD/TWD)

**SUPPLEMENTAL AFFIDAVIT
OF KATHLEEN JERMAN IN
SUPPORT OF NEW HOPE
FAMILY SERVICES' MOTION
FOR PRELIMINARY
INJUNCTION**

I, KATHLEEN JERMAN, hereby declare:

1. I am the Executive Director of New Hope Family Services (“New Hope”). I assumed this position on February 25, 2019.

2. I make this declaration to further explain details of New Hope’s operations as an adoption agency, and to further explain the harm that New Hope will suffer if its motion for preliminary injunction is denied.

I. New Hope places only infants and toddlers for adoption, including primarily children who are considered “hard to place.”

3. As my predecessor Judith Geyer said in her affidavit dated December 11, 2018, “New Hope’s primary focus is providing placements for newborns, infants, and toddlers up to two years of age.” Aff. of Judith A. Geyer in Supp. of New Hope Family Services’ Mot. for Prelim. Inj. (“Geyer Aff.”) ¶ 57, ECF No. 15-2. In fact, New Hope does not place older children. Within the last 20 years, New Hope has not placed any child older than three years of age.

4. New Hope often receives referrals of birthmothers from hospitals, social service agencies, or crisis pregnancy centers, in part because New Hope has a reputation that it will never say “no” to an infant in need of a loving family. New

Hope often receives these referrals within a month or less of the expected birth of the child—or even after the child is born.

5. New Hope often places infants considered “hard to place.” This includes infants born with addiction due to the mother’s addiction, infants with physical disabilities or unusual medical needs, infants whose mothers suffer from mental health problems, and infants of a race different than the race shared by most parents seeking to adopt. Among the last 20 infants New Hope has placed, a substantial majority fell into these “hard to place” categories, with many of them bearing multiple disadvantaging characteristics. Yet New Hope found a loving adoptive home comprised of a married mother and father for each of these children.

6. In part because of our own faith-based orientation, and also because of the faith and sense of ministry and mission that many of the couples who come to New Hope as adoptive parents bring with them, New Hope has never to my knowledge turned away any infant that it was asked to place because that infant was “hard to place,” and New Hope has in every case found a loving home even for newborn infants with hard-to-place characteristics.

7. For example, about five years ago we successfully placed an infant with Down Syndrome in a loving adoptive home. Three years ago, we did the same for a baby girl who had been born with many of her organs outside her body—an extremely rare condition that required emergency surgery and countless doctors’ appointments since. We also regularly place children born with Neonatal Abstinence Syndrome (NAS), which means the child was exposed to drugs in-utero and often requires time in the Neonatal Intensive Care Unit (NICU).

II. New Hope does and must engage in extensive, discretionary, and value-laden speech throughout its provision of adoption-related services.

A. New Hope speaks discretionary and value-laden messages to birthmothers.

8. As Mrs. Geyer has said, “New Hope provides counseling concerning adoption and the adoption process to its prospective birthparents.” Geyer Aff. ¶ 67.

9. Often, prospective birthmothers grew up in single parent or severely dysfunctional homes and wish for their child to have a better family and home life experience than they had.

10. When birthmothers are ready to choose adoptive parents for their infant, New Hope offers to them portfolios of up to six adoptive couples. In so doing, New Hope represents to birthmothers that placement with any of the adoptive couples in those portfolios would be in the best interests of their infant. New Hope does not, and could not consistent with its ministry and convictions, present to birthmothers adoptive couples whom New Hope does not believe could provide a family that is consistent with the best interests of the child.

11. If New Hope were forced to work with unmarried or same-sex couples to approve them as adoptive parents, in light of its faith-based beliefs about family and the best interests of children, New Hope would be compelled by conscience— informed by its faith—to advise birthmothers whom it serves that it does not believe that an unmarried or same-sex couple could provide the best home for their child.

12. In my experience and to my knowledge, before the events described in New Hope’s complaint in this litigation, OCFS has never tried to compel or censor what New Hope says to the birthmothers it serves about what will be in the best interests of their children.

B. New Hope speaks discretionary and value-laden messages to adoptive parents.

13. New Hope's counseling with adoptive parents includes counseling about building a healthy family environment for the child they will adopt.

14. If New Hope were required to work with unmarried or same-sex couples in the counseling and home study process, New Hope would be compelled by conscience—informed by its faith—to advise those couples that New Hope does not believe that an unmarried or same-sex couple can provide the best home for adopted children, because the best home for each infant is a family comprised of a mother and father committed to each other—and thus together to their children—for life in marriage.

15. Before the events described in New Hope's complaint in this litigation, to my knowledge, OCFS has never tried to compel, censor, or alter New Hope's counselling to adoptive parents about family relationships.

16. When New Hope approves a prospective adoptive couple for adoption generally, New Hope then helps them create a portfolio about themselves to inform birthmothers about who they are, what they believe, why they seek to adopt, and other important background characteristics of themselves and their home. New Hope regularly advises adoptive parents about the content that should go into this portfolio and assists them in its preparation, reviewing drafts, making suggestions, and editing the content before it is finalized. In this process, New Hope seeks to help adoptive couples present themselves and their family in a positive and appealing manner, while at the same time remaining consistent with New Hope's obligation to birthmothers and infants by ensuring that the content of this portfolio is in New Hope's understanding truthful and accurate.

17. I do not believe that New Hope staff could meaningfully and in good faith assist unmarried or same-sex couples in preparing such a portfolio while

remaining true to New Hope's faith-based beliefs about family and the best interests of children, and to New Hope's obligation to seek the best interests of infants entrusted to its care.

18. Before the events described in New Hope's complaint in this litigation, to my knowledge, OCFS has never tried to compel, censor, or alter New Hope's counsel and editorial assistance to adoptive parents about their portfolios.

C. New Hope is required to and does exercise judgment and wide discretion in the course of its evaluation of applicant adoptive parents and specific placements.

19. New Hope's role in working with an applicant adoptive couple, and potentially approving that couple for adoption, and approving a specific adoption for a couple, is very far from a narrowly clerical or administrative role. New Hope's role does not consist of and could not be satisfied by merely "checking the boxes" on a list of criteria provided by the state. Instead, in its role as an adoption agency New Hope is required to and does exercise judgment and wide discretion in the course of its evaluation of applicant adoptive parents, and its evaluation of specific placements.

20. Notably, as part of its evaluation of prospective adoptive parents, New Hope must determine whether the placement of any infant with them is "in the best interests of children awaiting adoptions." 18 NYCRR § 421.15(g)(2)(iii). A great deal of judgment is necessarily involved in making this decision, and that judgment is necessarily guided by one's beliefs about human nature, healthy relationships, and the nature of a healthy family.

21. To illustrate with examples that New Hope has actually encountered, if New Hope concludes that a prospective adoptive parent has a problem with pornography or alcohol use, New Hope believes that these are issues that are likely to interfere with healthy and stable family life and relationships, and that as a

result, placement of an infant with this adoptive parent would not be in the best interests of a child. As a result, New Hope will require that he or she obtain counseling and resolve this problem before moving forward in the adoption process. The State does not specifically mandate this response to these particular personal issues, and New Hope recognizes that other agencies may not require such counseling because they may view these issues, or at least the import of them for healthy family and emotional life, differently than New Hope does.

22. As part of the process to determine whether placement of an infant with a candidate adoptive couple could be in the best interests of a child, the State requires New Hope to complete certain forms, while New Hope uses additional standard forms of its own creation. But these forms cannot and do not eliminate judgment and discretion.

23. For example, OCFS requires New Hope to complete form OCFS-5183F, titled "Household Composition and Relationships Form." I have attached this form as Exhibit A to this affidavit.

24. That form requires New Hope to complete it using "information [about the adoptive couples] gathered from interviews, observations, and other information acquired during the certification/approval process." Ex. A at 1. This form further specifies that New Hope is to make use of its "engagement and assessment skills to explore" topics like the prospective adoptive parent's past and present marriage situation. *Id.* at 4. OCFS allows New Hope wide discretion to conduct this evaluation. The form poses a wide range of questions, such as "How are stressors in your relationship handled?" and "How do you spend a typical weekday?", but OCFS does not specify what answers should be considered positive, and which negative, nor how the answers to the many questions should be weighed by the adoption worker in reaching an overall conclusion. *Id.* at 1-2. After completing the form,

OCFS requires a New Hope adoption worker and his or her “supervisor” to sign it and keep it on file. *Id.* at 1.

25. Similarly, New Hope must exercise its independent judgment and assessment skills to develop an adoptive home study report. This is not a State-provided form. In this report, New Hope evaluates a host of factors about the adoptive family, including the adoptive parents’ marriage relationship.

26. If, in New Hope’s independent judgment, approval of the prospective adoptive parents is in the best interests of children awaiting adoption, New Hope will express its approval in the home study report. New Hope will also express its approval to the adoptive parents themselves through a letter congratulating them and indicating that New Hope believes approving them for adoption is in the best interests of children awaiting adoption. New Hope will then place the approved couple in its pool of couples waiting to adopt.

27. If, on the other hand, in New Hope’s independent judgment, approval of the prospective adoptive parents is not in the best interests of children awaiting adoption, New Hope will first try to counsel that couple into withdrawing their application. This is because if New Hope (or any agency) formally rejects an application submitted by a prospective adoptive couple, that couple must admit in future adoption applications—no matter the agency they choose to work with—that they were rejected before, which is likely to make it more difficult for them to obtain approval to adopt in the future, even if that couple has resolved the issues in their lives or relationship that resulted in a rejection.

28. For this reason, it is not likely to be in the best interests of a potential adoptive couple to work with an adoption agency that has religious beliefs about families and the best interests of children that are at odds with basic beliefs and choices of that couple about these topics.

29. If such a couple rejects New Hope's counsel to withdraw their application, New Hope will be obliged to express in its final determination that approval of those applicants as adoptive parents will not be in the best interests of children awaiting adoption.

30. Before the events described in New Hope's complaint in this litigation, to my knowledge, OCFS has never suggested that it could ever be required—or even acceptable—for New Hope to state in a home study report (or any required report) that it approves an adoptive couple when, in fact, New Hope does not believe that approving them would be in the best interests of children awaiting adoption.

31. After New Hope places a child with approved adoptive parents, it conducts field studies, which culminate in a final "supervisory report." These field studies occur at New Hope and at the adoptive couple's home, where New Hope evaluates how the adoptive child and parents are adjusting to the placement.

32. In these field studies, New Hope asks about the adoptive child's health and development, physical characteristics, eating and sleeping habits, and mental and emotional condition. In addition, New Hope gathers information about how the family is adjusting to the placement. Based on the information it receives in these field studies, New Hope assesses whether finalization of this specific adoption is consistent with the best interests of this specific child.

D. New Hope speaks discretionary and value-laden messages to the State.

33. When New Hope completes the home study, including the Household Composition and Relationships Form, it then uses that information to complete a different State form, OCFS-5183K, titled "Final Assessment and Determination." I have attached this form as Exhibit B to this affidavit. OCFS requires New Hope to complete and retain this form as part of its adoptive-parent evaluation, and to

provide it to OCFS upon request. OCFS may and has required New Hope to produce these forms in agency reviews.

34. According to OCFS, the “purpose” of this form is for adoption agencies “to apply their critical thinking skills to assess all the information they have received.” *Administrative Directive*, 18-OCFS-ADM-07 at 7 (OCFS 2018), https://ocfs.ny.gov/main/policies/external/ocfs_2018/ADM/18-OCFS-ADM-07.pdf.

35. Section VI of that form is titled, “Agency Determination.” Ex. B at 5. Under that, it asks, “Based on the application, home study, safety review form, medical report(s), references, and background checks, is this applicant(s) ready to parent a child in foster care?” *Id.* Beneath that are three blank boxes, one beside “Yes: Foster/Adoptive,” another beside “Yes: Foster Only,” and the last beside “No.” *Id.* at 6. The form then instructs adoption agencies like New Hope, in the event they disapprove of an applicant, to “Explain the reason(s) for denial.” *Id.*

36. This Section VI, according to OCFS, is where New Hope must record its “determination on whether to approve or not approve the application.” *Administrative Directive* at 8. That is, agency workers must make “a final decision on whether the home can be certified or approved.” *Id.*

37. If, in New Hope’s independent judgment, it is in the best interests of children awaiting adoption to approve the adoptive couple, New Hope will express its approval in Section VI of that form. Similarly, if, in New Hope’s independent judgment, it is not in the best interests of children awaiting adoption to approve that couple, New Hope will express its disapproval in Section VI (or will counsel that couple to withdraw their application, as I have explained above).

38. Before making this final decision, in Section I of that form, New Hope must certify whether the “current marital status of the applicant(s) affects the ability of the parent(s) to provide adequate care.” Ex. B at 1. New Hope must answer “Yes” or “No” and then give its “explanation” for that answer. *Id.*

39. In Section IV of that form, New Hope must analyze the prospective adoptive parents' relationship to one another. In so doing, New Hope must give its view on the couple's "strengths," the "supports" they need, and the "considerations" New Hope applied in performing this relationship analysis. *Id.* at 3.

40. As my predecessor Judy Geyer explained in her declaration, based on its religious beliefs New Hope does believe that the marital status of adoptive parents is an important consideration bearing on the best interests of children who might be entrusted to their care.

41. New Hope must reject prospective adoptive parents if, after completing its evaluation process, New Hope believes their "approval would not be in the best interests of children awaiting adoptions." 18 NYCRR § 421.15(g)(2)(iii).

42. OCFS requires a New Hope adoption worker and his or her supervisor to sign this Final Assessment and Determination after completing it.

43. By completing this form, and marking "Yes" in Section VI, New Hope believes it is certifying its judgment and opinion to OCFS and to the adoptive couple that it is in the best interests of children awaiting adoptions to approve for adoption the adoptive couple discussed therein.

44. Before the events described in New Hope's complaint in this litigation, to my knowledge, OCFS has never suggested that it could be required—or even acceptable—for New Hope to state in a Final Assessment and Determination that it approves adoptive parents when, in fact, New Hope does not believe that approving them would be in the best interests of children awaiting adoption.

45. After New Hope places a child with adoptive parents, New Hope works with the adoptive family toward finalization. As my predecessor, Mrs. Geyer has said, in this process New Hope prepares and notarizes "the homestudy report," "the homestudy update" and "supervisory reports." Geyer Aff. ¶¶ 124-25. New Hope exercises its independent judgment in completing these reports.

46. I described the home-study and supervisory reports above. In the home-study update, New Hope evaluates information it gathers on much of the same topics discussed in the home-study report, only this time the evaluation occurs after New Hope places a child with adoptive parents and thus includes an evaluation of how the adoptive family is adjusting to placement. And in this home-study update, New Hope determines whether the placement of a *specific child* with the adoptive parents is in the best interests of *that child*. Again, New Hope is required to and does exercise its independent judgment in making this recommendation.

47. After New Hope completes the home-study report, the home-study update, and supervisory report, a New Hope worker and I must sign them and have them notarized. New Hope then sends these documents, along with others, to its attorney who prepares legal papers necessary for finalization. That attorney will then send two documents for me to sign, the “Adoption and Consent” and “Verified Schedule,” both of which are necessary to complete the adoption. New Hope’s attorney will then file each of these documents with the court.

48. Without New Hope’s expressed approval, no child in New Hope’s custody may be placed with, nor finally adopted by, adoptive parents whom New Hope serves.

49. Before the events described in New Hope’s complaint in this litigation, to my knowledge, OCFS has never suggested that it could be required—or even acceptable—for New Hope to give its approval and consent to a placement of a child with, or an adoption of a child by, adoptive parents it serves when, in fact, New Hope does not believe that doing so would be in the best interests of that child awaiting adoption.

III. New Hope engages in expressive association throughout the adoption process.

A. New Hope expressively associates with adoptive couples.

50. In my judgment and based on conversations I have had over the years with adoptive parents whom New Hope has served, the majority of adoptive parents choose to work with New Hope initially, and continue working with New Hope, because they value and want to work with an adoption agency that shares their faith, or because they value the faith-based perspective and values that New Hope brings to its work, regardless of their own religious faith.

51. For example, two couples, who have completed our orientation program, are currently waiting to continue the adoption process with New Hope. These couples could choose to work with a different agency and thus expedite their schedule for receiving a child placement. Instead, these couples have told me that they have chosen to delay their adoption in order to work with New Hope specifically, in important part because they value and want to work with an adoption agency that shares their faith.

52. As Mrs. Geyer explained in her Affidavit (Geyer Aff. ¶¶ 86, 90, 94, 105), Christian prayer is a regular part of New Hope's group meetings with potential applicants. This includes prayers for the applicants, for children in need of homes, for birthparents, and for God's blessings on the formation of new families through adoption. Because New Hope and most of the adoptive couples who choose to work with New Hope share or value similar faith-based beliefs about marriage, family, and children, these beliefs underpin and inform New Hope's instruction to and counseling of adoptive couples about the adoption process, both in group meetings at earlier stages of the process, and in meetings with individual couples

later in the process. It is not uncommon for a New Hope adoption worker to pray with an applicant couple, if they wish, at any one of their meetings.

53. Christian evangelism is also a part of New Hope's ministry to birthmothers and adoptive couples, but only to those who *desire* to hear about the Gospel. In these conversations, New Hope team members often discuss Scripture and share about the Christian doctrine of our adoption as children of God. However, New Hope only engages in these conversations with those who wish to have them.

54. New Hope team members believe that Christian truths—about the Gospel and healthy families—will profoundly help infants, birthparents, and adoptive parents. All New Hope team members have associated together in part because they can convey those shared beliefs and values more effectively through their adoption work at New Hope.

55. I am concerned that 18 NYCRR § 421.3(d) may be interpreted by OCFS to require New Hope to correct or discipline employees who, sharing New Hope's religious beliefs, act on, or even express, those beliefs in interacting with birthparents or prospective adoptive parents. I fear that OCFS would treat New Hope's refusal to correct or discipline its team members in this way as a violation of law.

56. In my opinion, it would be difficult for New Hope to maintain the faith-informed nature of its group instruction and discussions, and to teach what it believes to be true about family and the best interests of children, if New Hope were required to include in these group discussions individuals or couples who are strongly hostile to New Hope's faith and to its faith-based convictions on these topics.

B. New Hope expressively associates with its employees.

57. For each New Hope employee, working with New Hope is primarily a calling and a ministry, and only secondarily a job.

58. I have spoken with multiple New Hope employees who have told me that if New Hope began placing children with unmarried or same-sex couples, they could no longer associate with New Hope, because by doing so New Hope would be endorsing and expressing a message that they believe to be wrong and inconsistent with their faith. Indeed, this is true for me.

59. I have spoken with multiple New Hope employees who have told me that they could receive higher pay working somewhere else but choose to work with New Hope because they view their work with and through New Hope primarily as a ministry motivated by their faith, not primarily as a means of earning income.

60. For example, one of New Hope's Adoptive Parent Caseworkers, Amber Doody, has a master's degree in social work. She has told me that she could earn a higher income working somewhere else but chooses to work with New Hope because she views her work with and through New Hope primarily as a ministry motivated by her faith, not primarily as a means of earning income.

61. New Hope team members desire to declare to the world around them, by word and example, God's love for birthmothers and infants, and His good plan for healthy marriage and families. Many team members have told me this. Indeed, I also share this desire and commitment.

62. New Hope's employees meet regularly to pray for the work of New Hope, and to pray for all the people whom New Hope serves—including infants, birthparents, adoptive couples, and the many additional mothers and infants who are served by New Hope's crisis pregnancy ministry.

63. New Hope's employees and board members also work together each year to host a gala dinner which combines fund-raising for New Hope's ministries

with an explicit pro-life, pro-family, and Christian message to the attendees, through speakers and prayer.

IV. New Hope will suffer irreparable injury if this Court does not enter the requested preliminary injunction.

A. The existing injunction.

64. Last August, while this case was on appeal and without warning, OCFS issued a sudden demand that New Hope violate its beliefs and change its policies within 15 days or be shut down.

65. That demand prompted New Hope to file an emergency motion for interim relief, in which New Hope's counsel accurately said, "[t]his threat, if carried out, would destroy or cripple New Hope's adoption ministry even if [the] Court later" reinstates New Hope's complaint. Appellant's Emergency Mot. for Interim Protection at 3, *New Hope Family Services, Inc. v. Poole*, No. 19-1715 (2d Cir. Aug. 13, 2019), ECF No. 52-1.

66. I understand that on November 4, 2019, the Second Circuit entered an interim order proposed by New Hope's counsel. This order allowed New Hope, "pending a decision on [] appeal," to "continue to accept surrenders of children and to place out children with approved adoptive applicants." However, consistent with a proposal made by New Hope only for the period of that appeal, that interim order prevents New Hope from "accept[ing] any new prospective adoptive parents for adoption services."

67. In its most recent order reinstating New Hope's complaint, I understand that the Second Circuit kept this injunction in place "unless and until vacated or modified by the district court." New Hope has complied with these provisions. However, in my opinion New Hope will suffer irreparable harm if the interim injunction remains in place unchanged much longer, and certainly if New

Hope faces even a temporary shutdown. I explain the bases for these views in the paragraphs that follow.

B. Even temporarily shutting down New Hope's adoption services would severely harm birthmothers who have come to trust New Hope and are relying on New Hope to find homes for their newborns.

68. New Hope presently serves four birthmothers, each of whom expects to place her child within the next three months. These women have depended on New Hope during a time of crisis. They have developed an intense relationship of trust with one of New Hope's counselors; they have asked New Hope to find wonderful families to adopt their children; and they have chosen to rely on New Hope's judgment and experience to find that family.

69. These birthmothers, of course, cannot wait for the district court to hear and decide New Hope's case. If New Hope is forced to turn away these birthmothers, they will be forced to shift, on almost no notice, to working with another placement agency and staff with whom they have not developed a relationship or a trust, and whose values and judgment they do not know and may not share.

70. In my experience, birthmothers who come to New Hope to place their children need and value close relationships and as much stability as possible. An abrupt, unexpected, and forced breaking of this relationship with New Hope would be extremely distressing and stressful for these women, each of whom is already in distressing life circumstances, and already grieved about giving up her baby.

C. Even temporarily shutting down New Hope's adoption services would severely harm adoptive parents who have already invested time working and developing a relationship with New Hope.

71. New Hope is currently working with a total of 18 adoptive couples. Of these, eight are approved and waiting for placement; five are at earlier stages of the

application and home study process; two couples have received placements but have not yet had their adoptions finalized; two couples have been selected by a birthmother and are awaiting adoption placement; and one other couple has received a foster placement and is awaiting adoption placement and finalization. The eight approved couples have persevered through months of applications, counseling, home studies, and reviews. They are now on New Hope's waiting list, expecting a call and a new baby at any time.

72. All of these couples have chosen to go through all this with New Hope because they value its openly faith-based nature and beliefs as well as its highly personal approach. They have come to know New Hope staff as trusted friends, have been open with that staff about personal hopes, fears, and concerns for their families, and are relying on New Hope to walk with them through the entire adoption process.

73. Many of these couples have already endured significant heartbreak, having suffered through infertility, failed treatments, and the emotional fallout from their dashed hopes, dreams, and expectations.

74. If New Hope is suddenly prohibited from providing adoptive services to these couples because of OCFS's shutdown order, the impact on these couples will be severe. First, if the approved couples wish to move ahead with adoption at all, they will have to get on the waiting list of another adoption agency, which could set their hopes back by many months, or even years. The not-yet-approved couples will likely have to re-start the application and home-study process from the beginning with another agency. Second, each of the approved couples—and several of the in-process couples—have invested immense time and emotional energy in developing honest and open relationships with New Hope staff, so that New Hope can fairly portray them to birthmothers, and so that New Hope can help them effectively through all the emotional ups and downs of the adoption process and formation of a

family through adoption. If these couples are forced to change to a new adoption service, they will become just names on a list, instead of known and loved friends—as they currently are with New Hope’s ministry. Third, several of these couples have told New Hope staff that they are willing to go down the sometimes scary road of adoption in important part because they know and value New Hope’s faith-based nature and its convictions, and trust that New Hope will be guided by that faith and those convictions as it in turn guides them through adoption.

75. For these couples, each of these impacts will be painful. For some, the disruption may be too much emotionally, forcing them to step back from adoption at least at the present time. This will, of course, mean that some children will not be placed, or must wait even longer to be placed, into a permanent loving home.

D. Even temporarily shutting down New Hope’s adoption services would severely harm New Hope by forcing it to dismiss critical team members.

76. Shutting down New Hope’s adoption services for a period of six months or more would also do long-term damage to New Hope’s ministry by forcing it to lay off critical staff, who could not readily be replaced if and when New Hope’s constitutional rights are finally vindicated.

77. New Hope has approximately eight team members who work in or oversee its adoptions and foster care ministry. Each of these team members does and must share New Hope’s religious convictions.

78. These team members fill various ministry roles, including performing case work for birthparents, adoptive parents, and foster parents, in addition to coordinating correspondence, preparing home studies, and providing administrative support and executive leadership.

79. If New Hope is forced to cease all adoption services for six months, a year, or more, New Hope will be forced to lay off some of its team members. In

particular, New Hope employs five adoption case workers. The ministry would be forced to lay off at least some of these case workers.

80. In my judgment, the degradation of New Hope's team would harm New Hope's reputation as an adoption service provider, and hamper its ability to resume its full ministry quickly and effectively if and when a court affirms that New Hope has a right to do so that is protected by the First Amendment.

81. New Hope's team members by no means perform merely clerical functions. They build trusted relationships with birthmothers and adoptive parents. They love these people in emotionally difficult times. And they do their work with excellence. New Hope's strong reputation as an adoption ministry depends on the skill, love, and reputations of its dedicated and in many cases long-serving and extremely experienced team members.

82. If New Hope is forced to dismiss any of its team members, it is likely that those lost team members would need to secure new jobs and that New Hope would not be able to quickly re-hire them if it were allowed to resume its placement services without limitation. Further, based on my experience in recruiting for New Hope, it will not be easy to find other skilled replacements who share New Hope's religious convictions, and who have the compassionate heart that is essential to New Hope's ministry to both adoptive parents and birthparents.

83. Further, rebuilding New Hope's adoption ministry, once it is closed, would require much more than hiring replacements, difficult as that would be. It would also require rebuilding New Hope's reputation, conducting new rounds of training for new employees, attracting new adoptive couples, and winning back the trust of its sources of referrals of birthmothers.

E. Shutting down New Hope’s adoption and foster care services would dismantle or undermine New Hope’s ability to provide ongoing correspondence services for birthmothers, children, and adoptive parents that New Hope has served.

84. New Hope provides correspondence services for about 115 families who wish to maintain a relationship between their adoptive child and his or her birth mother, serving as a go-between to enable communications between birthmother and child without disclosing addresses, and also often coordinating annual in-person meetings. New Hope provides these services for each birthmother and adoptive family who requests them until the adopted child reaches 18 years of age. *See Geyer Aff.* ¶¶ 126-28. These services occupy a considerable amount of New Hope staff time each year, yet New Hope does not charge any fees, nor receive any other compensation, for providing this ongoing service to adoptive families, adopted children, and birth-parents. Instead, the cost to New Hope of providing these services is entirely covered by private donations to New Hope.

85. It is unclear to me how OCFS’s shutdown order will affect New Hope’s ability to provide correspondence services for those families.

86. If the shutdown order affirmatively requires that New Hope abandon its correspondence services for those families, even for a period of months to a year, the ministry would be forced to transfer case files for those families to a different adoption agency—that is, if another agency would *agree* to take them. Assuming that were possible, the transition would likely create significant administrative problems and would disrupt contracted-for correspondence between many adopted children and their birthmothers.

87. On the other hand, if the shutdown order requires that New Hope maintain its correspondence services for those families, the ministry would face a different problem—a services mandate with no funding. New Hope does not receive

compensation for providing these services—often for many years after an adoption occurs—so if New Hope is financially forced to dismiss staff as a result of OCFS’s shutdown order, it may simply lack the capacity to provide this service at the level it has done in the past.

88. Either way, New Hope, birthmothers, and adoptive parents will all likely suffer from a shutdown’s interference with the ministry’s correspondence services.

F. Even temporarily shutting down New Hope’s adoption services would severely harm New Hope’s future ability to attract referrals of birthmothers, and thus to locate infants in need of placement.

89. Shutting down New Hope’s adoption and foster care services would also increase the risk that New Hope will suffer harm to its future ability to attract referrals of birthmothers who desire to place their children for adoption, even if courts ultimately rule in favor of New Hope.

90. I discussed New Hope’s referral sources in paragraph 4 above. These referral sources often value New Hope’s religious character. Some birth mothers will not choose to entrust the future of their children to an agency unless it has a reputation for placing children promptly and permanently into homes that are not only loving, but meet birthmothers’ other desires for their children—which sometimes includes preferences for a specific religious upbringing.

91. Even just the threat of a shutdown has already contributed to a drastic decline in New Hope’s child placements since this litigation began. New Hope has placed only three children with adoptive parents since the beginning of 2019, primarily because the number of birthmothers being referred to New Hope has declined and because of this litigation and rumors that New Hope was not able to place children. By contrast, since 2012, and up until the time OCFS threatened to

shut down New Hope's adoption and foster care services in 2018, New Hope placed on average about 8 children per year with adoptive parents. That span includes one year in which New Hope placed 13 children with adoptive parents.

92. Given this decline in referrals based only on rumors or the *possibility* that New Hope would be unable to complete placements, if New Hope is forced to shut down as OCFS is demanding, or to turn away birth mothers who seek its aid, or to turn away birth mothers and adoptive parents with whom New Hope is already working, I anticipate further and serious harm to New Hope's reputation with these referral sources as an adoption service on which they can rely.

93. The loss of referral relationships will make it difficult or impossible for New Hope to find infants for any adoptive couples with whom it is permitted to work during any interim period. The loss of referral relationships will also make it that much more difficult and time-consuming to restore New Hope's adoption ministry to its historic levels once New Hope's right to continue that ministry consistently with its faith has been protected by the courts.

G. Even with the existing injunction in place, New Hope's adoption ministry is suffering irreparable harm and will continue to do so because of its dwindling pool of adoptive couples and reduced number of placements.

94. Before this litigation, New Hope typically averaged between 14 and 20 couples on our list of couples approved to adopt. Geyer Aff. ¶ 79. New Hope also had been averaging between 8 and 12 placements of children in adoptive homes per year in recent years. *Id.* ¶ 55.

95. Under the Second Circuit's interim November 4, 2019 order, consistent with a proposal made by New Hope solely for the period of the appeal, New Hope

has only been allowed to work with prospective adoptive couples “who completed New Hope’s orientation prior to the commencement of this lawsuit.”

96. At the oral argument held on November 13, 2019, New Hope counsel Roger Brooks explained that the restriction on accepting new prospective adoptive parents, if continued for an extended period, “will kill New Hope by strangulation as surely as the effort by OCFS a few weeks ago would have done.”

97. This statement was accurate. In order to accept referrals of new birthmothers in good faith, New Hope must have a sufficiently large group of approved, waiting adoptive couples so that New Hope can be confident that it can find a loving home for that mother’s baby. This is particularly true given New Hope’s pattern of serving “hard-to-place” infants. As New Hope’s waiting list of approved couples dwindles—whether because couples receive a child, or because they withdraw their names for some other reason—New Hope will become unable to serve birthmothers and infants.

98. New Hope is currently working with a total of 18 adoptive couples. Of these, eight are approved and waiting for placement; five are at earlier stages of the application and home study process; two couples have received placements but have not yet had their adoptions finalized; two couples have been selected by a birthmother and are awaiting adoption placement; and one other couple has received a foster placement and is awaiting adoption placement and finalization.

99. We filed our lawsuit on December 6, 2018. For some period between when OCFS threatened to close our adoption ministry and when we filed our lawsuit, many of our traditional referral sources believed that we had already lost our authorization to handle adoptions. As a result, referrals reduced to a trickle, and New Hope did not place any infants *for the next 14 months*.

100. In May of this year, New Hope received a very short-notice referral from a local hospital of a child whose birthmother had mental health issues. Within

two days, we were able to place the child with one of the couples that the Court has allowed us to continue working with during our appeal. This was our first placement in 14 months, after previously averaging between 8 to 12 placements per year. This also, of course, reduced our pool of approved adoptive couples by one.

101. Meanwhile, since we filed this suit, several couples have withdrawn, or placed a hold on, their applications for various personal and family reasons, as inevitably happens over time among any group of couples who apply to adopt.

102. As a result of placements and couples' choices to withdraw or place their applications on hold, New Hope currently only has eight couples who stand ready to consider adopting a child if called.

103. I am deeply concerned that with this small number of adoptive couples waiting, a very few more placements will leave New Hope with an inadequate pool of adoptive couples to assure us that we will be able to find a home for each child entrusted to our care, including infants with hard-to-place characteristics.

104. Should this occur, New Hope will not be able in good conscience to accept referrals of birthmothers who want to place their newborns through New Hope. This, in my opinion, would be gravely harmful to the infants involved, to birthmothers, and to New Hope's reputation among service providers who would otherwise refer birthmothers to New Hope.

105. Unfortunately, once our pool of approved adoptive parents becomes depleted, that problem cannot be fixed quickly. From the time a prospective adoptive couple first contacts us, it can take between six months to a year to help them through the application, orientation, home-study, and approval processes.

106. Our dwindling pool of prospective adoptive couples is especially troubling because, through active outreach efforts that have included calls, in-person conversations, and a new brochure, New Hope has recently succeeded in informing organizations that we have worked with previously that we remain open

and able to accept referrals and place infants. As a result of these efforts, a large faith-based pregnancy support ministry in New York recently told me they want to use New Hope as their primary adoption service that they refer birthmothers to—mainly because of our shared beliefs about marriage and family and the best interests of children.

107. Having to turn referrals away based on our dwindling pool of couples will harm New Hope's reputation as an adoption provider that has been able to place every child entrusted to our care. In my opinion, that harm will have a lasting negative effect on our ability to attract referrals of birthmothers from social-service providers, and also our ability to attract new prospective adoptive parents once we are allowed to do so.

108. Since we filed our lawsuit in December of 2018, we have received calls from *more than 100 couples* who are interested in adopting a child through New Hope. We have had to turn away all of these couples, explaining that we are not presently able to accept any new applications.

109. If the Court allows us to do so, we will begin accepting new applications right away, while referring to other agencies any unmarried or same-sex couples who wish for such a referral.

I, Kathleen Jerman, a citizen of the United States and a resident of the State of New York, hereby declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 28 day of August, 2020, at Syracuse,
New York.

Kathleen Jerman
Kathleen Jerman

EXHIBIT A

NAME OF APPLICANT(S):
NEW YORK STATE

OFFICE OF CHILDREN AND FAMILY SERVICES

HOUSEHOLD COMPOSITION AND RELATIONSHIPS FORM

Instructions:

Home finders: This form must be completed with information gathered from interviews, observations, and other information acquired during the certification/approval process. The form must be signed by a supervisor when it is completed.

NAME OF APPLICANT(S):	
MARITAL STATUS - to be completed by the home finder individually with each applicant	
Are you married?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do you have any previous marriages/long term relationships? a. If yes, when and why did they end?	<input type="checkbox"/> No <input type="checkbox"/> Yes
IF MARRIED:	
1. What date were you married?	/ /
2. How long have you been together?	
3. How would you describe your relationship?	
IF NOT MARRIED:	
1. Do you have a partner or significant other?	<input type="checkbox"/> No <input type="checkbox"/> Yes If yes, name:
2. How often do they reside with you?	<input type="checkbox"/> N/A
3. How long have you been together?	
4. How would you describe your relationship?	
I. RELATIONSHIP – to be completed by the home finder individually with each applicant in a marriage/partner relationship	
1. What makes you happy regarding your partner?	
2. What kind of things make you angry regarding your partner?	
3. What are the strengths of your relationship?	
4. What are the areas of disagreement in your relationship?	
5. How are disagreements handled?	
6. How do you react to your partner when there are disagreements?	
7. How are decisions made?	
8. What stressors exist in your relationship?	
9. How are stressors in your relationship handled?	
10. Who manages the money in your relationship?	
11. How are financial decisions made?	
12. How would you describe your partner's strengths and needs?	
13. How would your partner describe your strengths and needs?	

II. FAMILY – to be completed by the home finder individually with each household member**SCHEDULE**

1. How do you spend a typical weekday? a. Typical weekend?	
2. How do you spend leisure time as a family? a. Individually?	
3. What community resources/activities are you (and your family) involved in?	

RELATIONSHIPS

1. What extended family do you have? a. Where do they live? b. How frequently do you interact? c. What kind of relationship do you have?	
2. Where are your friends located? a. How long have you been friends? b. Under what circumstances and how frequently do you interact?	
3. What support systems do you have available?	
4. If considering adopting, who would be the backup resource if you were no longer able to care for the child?	

HOUSEHOLDS WITH CHILDREN (IF APPLICABLE)

1. How do the children in the household get along with each other and, if applicable, with your children who reside outside of the home?	
2. What rules exist in the house, and what are the consequences if broken?	
3. How are rules adjusted based on age, capacity, etc. of each child?	
4. How is discipline handled?	

FOSTER CARE/ADOPTION

1. What is each household member's feeling about becoming a foster/adoptive family?	
2. What is each household member's level of readiness?	
3. How do your extended family and friends feel about you foster parenting/adopting?	

III. PARENTING – to be completed by the home finder individually with each applicant

1. What experience have you had parenting?	
--	--

NAME OF APPLICANT(S):

2. What is your parenting style? a. What is your partner's parenting style?	<input type="checkbox"/> N/A
3. What do you find to be the most effective form of discipline?	
4. Describe your relationship with each of the children in the household and outside the household, if applicable.	
5. What, if any, parenting training have you had? a. What parenting training/supports do you think you will need?	
6. What do you think would make you a good foster parent? a. What strengths would you bring to fostering?	
7. What child caring experiences have you had?	
8. How do you support your children academically, at home and in school?	<input type="checkbox"/> N/A
9. Are any of your children homeschooled?	<input type="checkbox"/> N/A

PARENTING A CHILD IN FOSTER CARE

1. What are the reasons you think a child would be in foster care?	
2. What is your motivation for pursuing fostering/adoption at this time?	
3. What is your understanding of your role as a foster parent?	
4. What is your understanding of your role as an adoptive parent?	<input type="checkbox"/> N/A
5. What experience have you had with foster care and/or adoption?	
6. How would you support a child in foster care academically, at home and in school? a. What are your expectations of a child's academic progress?	
7. How would you help a child in foster care maintain family, cultural, religious, and community connections?	
8. What role do you think the biological family will have with your child in foster care? a. What role will you have with the biological family?	

SUPPORTS – to be completed by the home finder individually with each applicant(s)

1. Do any household members have special needs or challenges? a. If yes, describe.	<input type="checkbox"/> No <input type="checkbox"/> Yes
2. If applicable, describe your children's history of substance abuse, mental health issues, behavioral issues, if any, as well as treatment.	<input type="checkbox"/> N/A

IV. PSYCHOSOCIAL INTERVIEW – to be completed by the home finder with each applicant individually

The purpose of the psychosocial interview is to explore the applicant's history and current psychological/social factors and their impact on the capacity, willingness, and readiness to safely care for a child in foster care; and to develop support plans where applicable.

In this section, questions are provided as guidance only. Home finders will need to use their engagement and assessment skills to explore these areas, using the questions and guidance below as relevant and applicable. Applicant's responses should be provided in narrative format in the space provided below.

PERSONAL HISTORY**Areas for consideration:**

- Familial history and relationships with all household members and extended family (Genogram)
- Family relationship
- Childhood experiences and defining moments
- How were you disciplined as a child?
- Traditions and religion/spirituality
- Marriage/Dating history
- Has the foster/adoption plan added any stress to you and/or your family?

COPING SKILLS AND STRESS MANAGEMENT**Areas for consideration:**

- Life experiences of loss and/or trauma
- Infertility (if applicable)
- Coping strategies and stress management
- Impact of life experiences on current functioning
- Realistic expectations of childhood

Sample Questions:

- Many of the most successful foster/adoptive parents have experienced loss and trauma in their lives that has helped them become the people they are today. Has this occurred in your life?
 - What impact has it had on you then and now?
 - What challenges has it posed for you?
- When experiencing challenging times, what resources do you use to cope? Who helps you?
- How do you know when you are getting stressed out? What cues do you notice physically, socially, and/or cognitively?
- What are situations that are likely to generate stress for you or trigger a crisis?
- What strategies for self-care are effective for you?

BEHAVIORAL HEALTH FOR ALL HOUSEHOLD MEMBERS**Areas for consideration:**

- Alcohol and/or substance abuse
- Mental health
- Family/partner violence
- Is anyone in the household currently or was in the past under treatment for substance abuse (drugs/alcohol) or mental health issues?

Sample Questions:

- Describe any history of alcohol/substance use in your family growing up and today.
- Does anyone in your family currently receive or have a history of receiving substance abuse/alcohol abuse treatment?
- Have you or anyone in your family experienced emotional difficulties or significant health challenges including physical, mental, or emotional difficulties?
- Has your self-care included seeking the benefits of a counselor or therapist?
- Can you describe any time you or another family member threatened/hurt/scared another family member or felt threatened/hurt/scared by another family member?

HOME FINDER NOTES

NAME OF APPLICANT(S):

Dates of visits/interviews:	
Notes:	
Date of Completion:	/ /
SIGNATURE/DATE:	
HOME FINDER'S SIGNATURE: X	DATE: / /
SUPERVISOR'S SIGNATURE: X	DATE: / /
AGENCY'S NAME:	

V. CHILD INTERVIEW – The home finder will complete a separate form for each household member under 18 years of age, depending on the child's developmental stage. The family, home finder, and home finder's supervisor will determine whether the child will participate and whether the applicant(s) should be present. (Please note that this form can also be used for adult children of the applicant[s].)

CHILD'S NAME: _____ **DATE OF BIRTH:** _____

Child's relationship to the applicant(s): _____

If a decision was made for a child not to participate, explain why: _____

YOU

1. Are you in school? a. If yes, what grade are you in?	<input type="checkbox"/> No <input type="checkbox"/> Yes
2. What are your feelings about school?	
3. What are your hobbies and interests?	
4. What five words best describe you?	
5. Who are you able to talk to if you need help?	

YOUR PARENT(S)

1. What is your relationship like with each of the applicants/parents? a. Siblings?	
2. Describe your parents'/applicants' relationship.	

HOUSEHOLD

1. How often do you visit friends? a. How often do friends visit your house?	
2. Can you describe any rules in your house? a. What happens when you don't follow these rules?	
3. Do you have house rules? a. What house rules are difficult to follow?	

FOSTER CARE/ADOPTION

1. What do you know about foster care/adoption?	
2. What are your feelings about sharing your home with another child?	

NAME OF APPLICANT(S):

3. Explain how you think a child will fit in with your family.	
4. What concerns do you have about your parent's/applicant's fostering and/or adopting a child?	
5. How do you imagine the decision to foster and/or adopt will impact you?	
6. What will you do if the child disagrees with you or your parents/applicants?	
7. What would be your wish for any child who joins your family? For example: age, gender, interests?	
8. Have you ever wanted another sibling?	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> I don't know/Never thought about it

HOME FINDER NOTES

Dates of visits/interviews:	
Notes:	
Date of Completion:	/ /

SIGNATURE/DATE:

HOME FINDER'S SIGNATURE: X	DATE: / /
SUPERVISOR'S SIGNATURE: X	DATE: / /
AGENCY'S NAME:	

EXHIBIT B

NAME OF APPLICANT(S):

NEW APPLICATION CHANGES (Interim Home Study)

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES
FINAL ASSESSMENT AND DETERMINATION

This form is a written analysis and summary of the entire certification/approval process. Home finder completes this form for each new application and reviews with supervisor. For changes (Interim Home Study), update sections IV-VI. Determinations must be shared with applicant(s) for review.

I. DEMOGRAPHICS			
APPLICANT 1:			
APPLICANT 2:			
ADDRESS:			
HOUSEHOLD MEMBERS:			
Name	DOB	Name	DOB
Name	DOB	Name	DOB
Name	DOB	Name	DOB
II. REGULATORY REQUIREMENTS			
Compliance with regulations 18 NYCRR 443 and/or 18 NYCRR 420 and 18 NYCRR 421			
1. Each foster parent is over the age of 21. <input type="checkbox"/> No <input type="checkbox"/> Yes Foster parent 1 DOB: Foster parent 2 DOB: Document(s) used to verify: As verified by:			
2. Each member of the household is in good physical and mental health, and free from communicable diseases, infection, or illness, or any physical condition that might affect the proper care of a foster child. <input type="checkbox"/> No <input type="checkbox"/> Yes Explain: Document(s) used to verify: As verified by:			
3. There is a suitable plan for the care and supervision of the child in foster care at all times. <input type="checkbox"/> No <input type="checkbox"/> Yes Explain:			
4. The current marital status of the applicant(s) affects the ability of the parent(s) to provide adequate care. <input type="checkbox"/> No <input type="checkbox"/> Yes Explain: The applicant(s) current marital status is: Document(s) used to verify: As verified by:			
5. Three personal references were submitted attesting to each of the applicants' moral character, mature judgement, ability to manage financial resources, and capacity to develop a meaningful relationship with children.			

NAME OF APPLICANTS:

No Yes

Explain:

Date(s) of most current references: / /

6. Employment references were:

a. Provided? No Yes NA

b. Checked? No Yes

c. Acceptable? No Yes

Explain:

Date of most current reference: / /

7. Applicant(s) understand(s) role of a foster parent and demonstrates the ability, motivation, and psychological readiness.

No Yes

Explain:

8. Does at least one applicant in the home have functional literacy (in their primary language)?

No Yes

Explain:

9. Other family members understand foster care and the foster child's role in the family.

No Yes

Explain:

10. List the dates received and results of all applicant's and applicable household member's background checks:

a. Staff Exclusion List (SEL)

Dates and Results:

b. Statewide Central Register (SCR)

Dates and Results:

c. Out-of-State Child Abuse Register N/A

Dates and Results:

d. NYS Division of Criminal Justice (DCJS)

Dates and Results:

e. Federal Bureau of Investigation (FBI)

Dates and Results:

11. Applicant's/Applicants' history as foster and/or adoptive parent(s) has been:

a. Verified? No Yes N/A

b. Is acceptable? No Yes

Explain:

Document(s) and/or methods used to verify:

NAME OF APPLICANTS:

12. Were the applicant(s) approved for an exception by a supervisor?
 No Yes
 If yes, provide date of approval and approver's name:

 Explain the exception:

13. FOR LETTERS OF APPROVAL ONLY
 Were the applicant(s) approved for a waiver by the LDSS?
 No Yes NA
 If yes, provide date of approval and approver's name:
 Explain the waiver:

III. CERTIFIED OR APPROVED EMERGENCY FOSTER HOME

Are the applicant(s) certified or approved emergency foster parent(s)? No Yes

FIRST NAME OF CHILD <small>List all children in foster care currently placed in the home.</small>	AGE	DATES OF PLACEMENT IN THE HOME <small>To and from</small>	CHILD INTERVIEW DATE <small>If still in home</small>	FOSTER CARE WORKER AND CONTACT DATE
		/ / - / /	/ /	/ /
		/ / - / /	/ /	/ /
		/ / - / /	/ /	/ /

Based on the analysis of information gathered during the interview and observation of the child(ren), describe how the child(ren)'s physical, emotional, developmental, and educational needs are being met by the emergency certified or approved foster parent(s) since being placed in this home:

Summarize the emergency certified or approved foster parent(s) overall ability to work with the birth family, school/service providers, and partner with the LDSS/agency since the child(ren) have been placed in the home:

IV. ASSESSMENT OF HOME STUDY COMPONENTS

PARTNER RELATIONSHIPS

Based on the information provided by the family and your analysis of the applicant(s), summarize each area below as it impacts the ability to foster and/or adopt.

STRENGTHS:

CONSIDERATIONS:

SUPPORTS NEEDED:

NAME OF APPLICANTS:

--

PARENTING

Based on the information provided by the family and your analysis of the applicant(s), summarize each area below as it impacts the ability to foster and/or adopt.

STRENGTHS:

CONSIDERATIONS:

SUPPORTS NEEDED:

FAMILY RELATIONSHIPS

Based on the information provided by the family and your analysis of the applicant(s), summarize each area below as it impacts the ability to foster and/or adopt.

STRENGTHS:

CONSIDERATIONS:

SUPPORTS NEEDED:

CHILD INTERVIEWS, IF APPLICABLE

Based on the analysis of information gathered during the interview(s) and the observation(s) of the child(ren), describe how the child(ren)'s physical, emotional, and developmental needs are being met in this home.

STRENGTHS:

CONSIDERATIONS:

SUPPORTS NEEDED:

PSYCHOSOCIAL

Based on the information provided by the family and your analysis of the applicant(s), summarize each area below as it impacts the ability to foster and/or adopt.

STRENGTHS:

CONSIDERATIONS:

SUPPORTS NEEDED:

V. CHANGES (INTERIM HOME STUDY ONLY)

The following changes have occurred prior to the reauthorization period:

NAME OF APPLICANTS:

AGENCY TRANSFER:

Effective date: / /
Explain:

HOME ADDRESS (form, OCFS-5183E required):

Effective date: / /
Explain:

HOUSEHOLD COMPOSITION (Fingerprinting is required when new adult enters household or turns 18.):

Effective date: / /
Explain:

CRIMINAL RECORDS RESULT:

Effective date: / /
Explain:

MARITAL STATUS (New application required if adult spouse of foster parent enters home):

Effective date: / /
Explain:

AGE RANGE OR GENDER:

Effective date: / /
Explain:

CAPACITY:

Effective date: / /
Explain:

PROGRAM TYPES:

Effective date: / /
Explain:

LEVEL OF CARE:

Effective date: / /
Explain:

REOPEN A HOME:

Effective date: / /
Explain:

If any of the above changes are made, summarize the effect on the children in foster care:

CHILD(REN)'S NAME(S):

Explain:

VI. AGENCY DETERMINATION

Home finder should not submit the Final Assessment and Determination in CONNECTIONS until it has been reviewed with the supervisor, the determination is shared with the applicant(s), and applicant's comments are received and entered in CONNECTIONS.

Based on the application, home study, safety review form, medical report(s), references, and background checks, is this applicant(s) ready to parent a child in foster care?

NAME OF APPLICANTS:

NAME OF APPLICANTS:

Issue Certificate or Letter of Approval/Approved Changes (Interim Home Study)

Yes: Foster/Adoptive

Placement considerations, if applicable:

OR

Yes: Foster Only

Placement considerations, if applicable:

OR

No

Explain the reason(s) for denial:

HOME FINDER'S SIGNATURE:

DATE:

X / /

SUPERVISOR'S SIGNATURE:

DATE:

X / /

VII. APPLICANT'S COMMENTS

Enter applicant's comments here:

APPLICANT'S SIGNATURE:

DATE:

X / /

APPLICANT'S SIGNATURE:

DATE:

X / /

HOME FINDER'S SIGNATURE:

DATE:

X / /

SUPERVISOR'S SIGNATURE:

DATE:

X / /