

# A Family For Every Child Matching Assistance



*"We should not be asking who this child belongs to,  
but who belongs to this child."*

## Multi Ethnic Placement Act (MEPA)



### What is MEPA?

The Multi Ethnic Placement Act (MEPA) was enacted in 1994 to help eliminate barriers amongst adoptive placement when it came to a child or family's race, color, or national origin (RCNO). It was later amended in 1996 to eliminate ambiguity surrounding when RCNO could be used in determining an adoptive placement.

MEPA does not apply to placements where ICWA applies.

### Main Components of MEPA

### Adoption Consent Ages

**Consent at age 14:**  
Alabama; Delaware;  
Georgia; Illinois;  
Indiana; Iowa;  
Kansas; Maine;  
Michigan; Minnesota;  
Mississippi; Missouri;  
Nebraska; Nevada;  
New Hampshire; New  
Mexico; New York;  
Oregon; Rhode Island;  
South Carolina;  
Tennessee; Vermont;  
Virginia; Washington;  
Wyoming.

**Consent at age 12:**  
Arizona; Arkansas;  
California; Colorado;  
Connecticut; District of  
Columbia; Florida;  
Idaho; Kentucky;  
Massachusetts;  
Montana; North  
Carolina; Ohio;  
Oklahoma;  
Pennsylvania; South

The main components of MEPA are as follows:

- State agencies and other entities who receive Federal funding, and are involved in foster care and adoptive placements, are prohibited from denying, delaying or discriminating against an adoptive placement decision based on the child or prospective parent's RCNO.
- Discrimination against potential foster parents based on their RCNO will not be allowed.
- States must come up with a recruitment plan for foster and adoptive families that reflect the diversity of the children in State's care.

It is important to note that MEPA does not intend to prohibit same-race placements. Same-race placements are acceptable so long as the agency did not delay or deny placement of a child into a home of another race.

## When MEPA Does Not Apply

As stated before, ICWA takes precedence over MEPA when it comes to Native American placements. If a child is ICWA eligible, a home that is ICWA-compliant may be considered before all others.

Under the strict scrutiny standard of Title VI, RCNO may be considered when making a placement decision in the following circumstances:

- It is determined that considering RCNO will advance the best interests of the child;
- The child has a unique history in relation to RCNO (i.e., a traumatic experience);
- The child is of an age where he/she may request or refuse placement based on RCNO (adoption consent ages vary by state); and
- Other factors that the child's worker deems relevant based on their knowledge of the

Dakota; Texas; Utah;  
West Virginia;  
Wisconsin.

### **Consent at age 10:**

Alaska; Hawaii;  
Maryland; New  
Jersey; North Dakota

### **Consent waived if child lacks mental capacity to consent:**

Alabama; Idaho;  
Illinois; Kansas;  
Missouri; Montana;  
New Jersey; New  
Mexico; South  
Carolina; Tennessee;  
Utah

Louisiana does not  
currently address the  
issue of adoption  
consent by a minor.

The above data was  
compiled from a May  
2013 report by Child  
Information Gateway.  
You can read the full  
report [here](#).

**Note:** States  
frequently amend their  
laws. Please contact  
your State Human  
Services Department  
for updated  
information. You can  
also access adoption  
consent laws for all 50  
states and the District  
of Columbia [here](#).

## Additional Information

Child Welfare

child's needs.

Using RCNO as a determining factor is heavily scrutinized. If the State does not have an adoption consent law and/or the child is not of the appropriate age to request or refuse placement, the child's request for an adoptive placement based on RCNO may not be considered. The agency will need to review all relevant circumstances to determine if considering RCNO is appropriate.

### Connect With Us!



**Information Gateway**  
- [Consent to Adoption](#)

**Child Welfare Information Gateway**  
- [MEPA Resources](#)

**National Resource Center for Adoption** -  
[MEPA Trainer's Guide](#)

**U.S. Health and Human Services** -  
[Ensuring the Best Interests of Children Through Compliance with MEPA, as amended, and Title VI of the Civil Rights Act of 1964](#)