§ 116. Orders of investigation and order of adoption. 1. When the adoptive child is less than eighteen years of age, no order of adoption shall be made until three months after the court shall have received the petition to adopt, except where the spouse of the adoptive parent is the birth parent of the child and the child has resided with the birth parent and adoptive parent for more than three months, such waiting period shall not be required. The judge or surrogate may shorten such waiting period for good cause shown, and, in such case the order of adoption shall recite the reason for such action. The three months residence period specified in section one hundred twelve of title two of this article and the three months waiting period provided in this subdivision may run concurrently in whole or in part.

2. Stage one of private-placement adoption. At the time of receiving the petition, agreement and consents, the judge or surrogate, upon finding that the applicable provisions of this title have been complied with and that it appears that the adoption may be in the best interests of the child, shall issue an order of investigation hereunder. The order of investigation shall require that the report of such investigation be made in accordance with subdivision three of this section, and may require or authorize further investigations from time to time until the granting of the order of adoption. Such order shall direct that such investigation shall not unnecessarily duplicate any previous investigations which have been made of the petitioner or petitioners pursuant to section one hundred fifteen-d of this title. Should such investigation give apparent cause, the judge or surrogate shall require the petitioner or petitioners to show cause why the child should not be removed from the home, upon due notice to all persons whose consent is required for the adoption, and in any case where the consent of the birth mother would not otherwise be required, the judge or surrogate may in his discretion require that she be given due notice. On the return date the judge or surrogate shall take proof of the facts shown by any such investigation. If the court is satisfied that the welfare of the child requires that it be removed from the home, the judge or surrogate shall by order remove the child from the home of the petitioner or petitioners and return the child to a birth parent or place the child with an appropriate authorized agency, or, in the case of a surrogate,

transfer the child to the family court. The judge or surrogate may also require that notice be given to an appropriate authorized agency.

3. The judge or surrogate shall cause to be made an investigation by a disinterested person who in the opinion of the judge or surrogate is qualified by training and experience, or by an authorized agency specifically designated by him to examine into the allegations set forth in the petition. A post-placement investigation conducted pursuant to the provisions of this section shall be made by a disinterested person who in the opinion of the judge or surrogate is qualified by training and experience to perform post-placement investigations. Such disinterested person shall certify to the court that he or she is a disinterested person and has no interest in the outcome of petitioner's or petitioners' application. Such disinterested person shall further disclose to the court any fee paid or to be paid to such person for services rendered in connection with the post-placement investigation. The investigator shall make a written report of his investigation into the truth and accuracy of the allegations of the petition, and, where applicable, into the statements contained in the affidavit required by section one hundred fifteen of this title, and he shall ascertain as fully as possible, and incorporate in his report the various factors which may bear upon the determination of the application for adoption including, but not limited to, the following information:

(a) the marital and family status, and history, of the adoptive parents and adoptive child;

(b) the physical and mental health of the adoptive parents and adoptive child;

(c) the property owned by and the income of the adoptive parents;

(d) the compensation paid or agreed upon with respect to the placement of the child for adoption;

(e) whether either adoptive parent has ever been respondent in any proceeding concerning allegedly abused, neglected, abandoned or delinquent children;

(f) any other facts relating to the familial, social, religious, emotional and financial circumstances of the adoptive parents which may be relevant to a determination of adoption.

The written report of investigation shall be submitted to the judge or surrogate within thirty days after the same is directed to be made, unless for good cause shown the judge or surrogate shall grant a reasonable extension of such period. The report shall be filed with the judge or surrogate, in any event, before the final order of adoption is granted.

4. Stage two of private-placement adoption. If the judge or surrogate has found that there has been compliance with all the requirements hereof and is satisfied that the best interests of the child will be promoted by granting an order of adoption, the provisions of section one hundred fourteen of title two of this article shall apply.

5. As used in this section, "disinterested person" includes the probation service of the family court, a licensed master social worker, licensed clinical social worker, or an authorized agency specifically designated by the court to conduct pre-placement investigations.