

HOUSE BILL REPORT

HB 1802

As Reported By House Committee On:
Children & Family Services

Title: An act relating to adoption.

Brief Description: Changing adoption provisions.

Sponsors: Representatives Cooke, Lambert, Stevens, Thompson, Padden and Kessler.

Brief History:

Committee Activity:

Children & Family Services: 2/24/95, 2/28/95 [DPS].

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cooke, Chairman; Lambert, Vice Chairman; Stevens, Vice Chairman; Thibaudeau, Ranking Minority Member; Brown, Assistant Ranking Minority Member; Boldt; Buck; Carrell; Padden; Patterson and Tokuda.

Staff: David Knutson (786-7146).

Background: In adoption proceedings, notice of the proceedings are provided to the nonconsenting parent or alleged father. If personal service on the parent or alleged father cannot be given, notice is provided by registered mail at least 20 days prior to the adoption hearing. An adoption decree divests any parent or alleged father not married to the adoptive parent or who has not joined in the petition for adoption of all legal rights and obligations related to the child, except past-due child support obligations. A consent to adoption may be revoked within one year of approval if it was obtained through fraud or duress.

Summary of Substitute Bill: Notice of adoption proceedings will be provided to the parent or alleged father by first class and registered mail. If the address is unknown, publication will be made in the city or town of the last known whereabouts within the United States and its territories or, if the address and whereabouts are unknown, in the city or town where the adoption proceeding is taking place. The ability of any person to challenge an adoption decree is restricted to instances of fraud or duress.

Substitute Bill Compared to Original Bill: The ability to challenge an adoption decree except in cases of fraud or duress within 30 days is limited by removing the reference to a 30 day period.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Procedural safeguards providing notice to all parties in adoption proceedings should be increased. When an adoption is finalized, challenges should not be allowed unless fraud or duress was present.

Testimony Against: None.

Testified: Joe Holeman, Jan Broback, Sherry Rosing, Shirley Ragland, Joelene Holley-Thomas, Bill Townsend, Barb Landy, Connie and Keith Mangus, Catholic Community Services (pro).