
HOUSE BILL 2699

State of Washington 56th Legislature 2000 Regular Session

By Representatives Dunn, Ogden, McDonald and Stensen

Read first time . Referred to Committee on .

1 AN ACT Relating to Indian adoptions; amending RCW 26.33.020; and
2 adding a new section to chapter 26.33 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 26.33.020 and 1993 c 81 s 1 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Alleged father" means a person whose parent-child relationship
9 has not been terminated, who is not a presumed father under chapter
10 26.26 RCW, and who alleges himself or whom a party alleges to be the
11 father of the child. It includes a person whose marriage to the mother
12 was terminated more than three hundred days before the birth of the
13 child or who was separated from the mother more than three hundred days
14 before the birth of the child.

15 (2) "Child" means a person under eighteen years of age.

16 (3) "Adoptee" means a person who is to be adopted or who has been
17 adopted.

18 (4) "Adoptive parent" means the person or persons who seek to adopt
19 or have adopted an adoptee.

1 (5) "Court" means the superior court.

2 (6) "Department" means the department of social and health
3 services.

4 (7) "Agency" means any public or private association, corporation,
5 or individual licensed or certified by the department as a child
6 placing agency under chapter 74.15 RCW or as an adoption agency.

7 (8) "Parent" means the natural or adoptive mother or father of a
8 child, including a presumed father under chapter 26.26 RCW. It does
9 not include any person whose parent-child relationship has been
10 terminated by a court of competent jurisdiction.

11 (9) "Legal guardian" means the department, an agency, or a person,
12 other than a parent or stepparent, appointed by the court to promote
13 the child's general welfare, with the authority and duty to make
14 decisions affecting the child's development.

15 (10) "Guardian ad litem" means a person, not related to a party to
16 the action, appointed by the court to represent the best interests of
17 a party who is under a legal disability.

18 (11) "Relinquish or relinquishment" means the voluntary surrender
19 of custody of a child to the department, an agency, or prospective
20 adoptive parents.

21 (12) "Individual approved by the court" or "qualified salaried
22 court employee" means a person who has a master's degree in social work
23 or a related field and one year of experience in social work, or a
24 bachelor's degree and two years of experience in social work, and
25 includes a person not having such qualifications only if the court
26 makes specific findings of fact that are entered of record establishing
27 that the person has reasonably equivalent experience.

28 (13) "Birth parent" means the biological mother or biological or
29 alleged father of a child, including a presumed father under chapter
30 26.26 RCW, whether or not any such person's parent-child relationship
31 has been terminated by a court of competent jurisdiction. "Birth
32 parent" does not include a biological mother or biological or alleged
33 father, including a presumed father under chapter 26.26 RCW, if the
34 parent-child relationship was terminated because of an act for which
35 the person was found guilty under chapter 9A.42 or 9A.44 RCW.

36 (14) "Nonidentifying information" includes, but is not limited to,
37 the following information about the birth parents, adoptive parents,
38 and adoptee:

39 (a) Age in years at the time of adoption;

1 (b) Heritage, including nationality, ethnic background, and race;
2 (c) Education, including number of years of school completed at the
3 time of adoption, but not name or location of school;
4 (d) General physical appearance, including height, weight, color of
5 hair, eyes, and skin, or other information of a similar nature;
6 (e) Religion;
7 (f) Occupation, but not specific titles or places of employment;
8 (g) Talents, hobbies, and special interests;
9 (h) Circumstances leading to the adoption;
10 (i) Medical and genetic history of birth parents;
11 (j) First names;
12 (k) Other children of birth parents by age, sex, and medical
13 history;
14 (l) Extended family of birth parents by age, sex, and medical
15 history;
16 (m) The fact of the death, and age and cause, if known;
17 (n) Photographs;
18 (o) Name of agency or individual that facilitated the adoption.
19 (15) "Indian child" means a child as defined in 25 U.S.C. Sec.
20 1903(4).

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.33 RCW
22 to read as follows:

23 The department shall comply with all federal requirements relating
24 to the adoption of Indian children. The department shall not require
25 licensed adoption agencies to meet any requirements or standards beyond
26 those required by the federal Indian child welfare act, unless
27 specifically authorized by law.

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