

**House Bill 1206 – Department of Human Services
House Human Services Committee
Representative Weisz, Chairman
January 16, 2017**

Chairman Weisz, and members of the House Human Services Committee, I am Julie Hoffman, Administrator of Adoption Services for the Department of Human Services (Department). I am here today to provide testimony regarding House Bill 1206.

As introduced, House Bill 1206 would seek to streamline the process of adoption for certain relatives adopting a related child. The Department supports the intent of this Bill, but has some recommendations regarding specific provisions. I have had discussions with the primary sponsor of this Bill, Representative McWilliams to discuss the Department's recommendations. [Attached to my testimony are proposed amendments](#) which would address the Department's recommended changes.

Currently, NDCC 14-15-11 allows the court to waive an investigation, or more commonly called an adoption assessment or home study, for relatives adopting a child who has lived in their home for at least nine months and if there have been no allegations of abuse or neglect against the petitioner or any member of the household. If the court is satisfied that the proposed adoptive home is appropriate for the minor, the court may waive the investigation and report that is required in the statute. House Bill 1206 would amend this provision by lessening the time the child would have had to reside with the petitioner to six months. The Department is in agreement with this provision.

Section 2 of House Bill 1206, page 2, lines 5 and 6 would add a definition of "relative" to NDCC 14-15.1, Child Relinquishment to Identified Adoptive Parents. The Bill's definition is not consistent with the definition of "relative" in NDCC 14-15, the Uniform Adoption Code and the statute that works hand in hand with NDCC 14-15.1. The Department would request that these two definitions be consistent. In that vein, we suggest changing half-brother and sister to step-brother and sister, and eliminating father and mother from the definition. The Department believes that half siblings would be included in the definition of brother and sister. The Department doesn't believe a mother or father would be adopting their own child. The Department is also offering an amendment to NDCC 14-15-01 that would make its definition of relative consistent with the definition being added to NDCC 14-15.1 by adding first cousin.

Section 3 on page 2 and 3, lines 26 and following to the end of the Bill would create a new protocol for licensed child placing agencies that are providing a report to the court for an adoption of a related child, when it is required by NDCC 14-15.1. The Department's proposed amendments would clarify that:

- the report is one being provided by a licensed child placing agency,
- the criminal history record is a complete criminal history, investigation in compliance with federal requirements as is currently being done for adoptive parents, and
- such criminal history investigations are for the relative identified adoptive parent and any adults living in the home.

The Department concurs with the remainder of House Bill 1206.

I would be happy to answer any questions you might have.