

House Research Act Summary

CHAPTER: 122

SESSION: 1999 Regular Session

TOPIC: Adoption and Putative Fathers' Registry

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Overview

Sections 1 to 6 make minor changes in the putative fathers registry law. Section 7 makes several changes in the law allowing communication or contact agreements between adoptive parents and a child's birth relatives.

Section 8 provides for giving full faith and credit to post adoption reporting requirements imposed by foreign countries.

- 1 **Establishment of registry.** Amends the provision requiring the fathers' registry records to include the date a registration was received. Defines "date" here to mean postmark date or date of delivery by means other than U. S. mail.
- 2 **Classification of registry data.** Amends the law on the putative father registry (where men can register if they believe they might be the father of a child and want notice if the child is placed for adoption). Clarifies that all data in the registry is nonpublic, except as otherwise provided by the statute. Permits release of data in the registry to an attorney who provides an affidavit that she or he is representing the birth mother or adoptive parents.
- 3 **When and how to register.** Prior law required a putative father to register not later than 30 days after a child's birth. The act provides that the date a registration is postmarked or delivered by means other than mail is deemed the date the father registered.
- 4 **Notice and service.** Prior law required prospective adoptive parents, the birth mother, or an adoption agency to notify a registered putative father of the intent to place a child for adoption. The act adds a requirement that the father be notified of the jurisdiction where the adoption petition will be filed.
- 5 **Response to notice.** Requires the putative father to file his intent to claim parental rights in the county where the adoption petition will be filed.

- 6 **Forms.** Requires the state court administrator to develop the form for notifying the putative father under section 3 where the adoption petition will be filed.
- 7 **Communication or contact agreements.** Prior law allowed adoptive parents and birth relatives to enter an enforceable agreement for contact or information sharing about a child. The act adds the option for adoptive parents to enter such an agreement with foster parents.
Also expands the definition of "relative" to include relatives by adoption. Prior law covered relatives by blood and marriage.
Extends the time for filing an agreement to anytime before an adoption decree is granted. Previously the agreement, to be enforceable, had to be sought before an adoption petition was filed.
Requires the court to issue a communication or contact order within 30 days after the order is sought, or when the decree of adoption is granted, whichever is earlier.
Requires a birth parent's written approval of an agreement under this section between the adoptive parents and other birth relatives or a foster parent, unless the birth parent has been the subject of an action under the juvenile code.
Requires the court to mail a certified copy of the order to the parties at addresses provided by the petitioner.
- 8 **Postadoption report.** Provides that if a child is adopted by a resident of this state under the laws of a foreign country, postadoption reporting requirements of that country must be given full faith and credit by the courts of this state.