

# SENATE BILL REPORT

## SHB 1802

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As Reported By Senate Committee On:  
Human Services & Corrections, March 30, 1995

**Title:** An act relating to adoption.

**Brief Description:** Changing adoption provisions.

**Sponsors:** House Committee on Children & Family Services (originally sponsored by Representatives Cooke, Lambert, Stevens, Thompson, Padden and Kessler).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 3/28/95, 3/30/95 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Long, Palmer, Schow, Smith and Strannigan.

**Staff:** Richard Rodger (786-7461)

**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 Amended Bill:** Notice of a hearing to terminate parental rights in an adoption case is given by personal service when the person can be located. Service is accomplished at least 20 days prior to the hearing if the person is in the state, and at least 30 days prior if the person is outside the state.

If the person cannot be personally served, notice is by first class and registered mail and by publication in a newspaper. The publication occurs in the city or town where the person was last known to be located. The notice is given at least 30 days prior to the hearing.

Appeals of adoption decrees are handled on an accelerated basis. The rights of appeal are limited.

**Amended Bill Compared to Substitute Bill:** Notice requirements for personal service given outside the state are extended to 30 days prior to the hearing. Service by mail and publication are extended to 30 days prior to the hearing.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This bill will clarify when notice should be given for hearings to terminate parental rights in adoption cases. When an adoption is finalized, challenges should not be allowed unless fraud or duress was present.

**Testimony Against:** None.

**Testified:** Representative Cooke, prime sponsor; Mark Demaray, attorney (pro); Albert Lirhus, attorney (pro).