

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By:

Meeting Dates: 5/5, 5/28

WHAT THE MEASURE DOES: Updates and provides additional clarification to adoption laws. Updates written certification and declaration requirements. Changes some requirements of Adoption Summary and Segregated Information Statement, including adding exceptions. Clarifies that presiding judges have access to court adoption records. Outlines what information must be disclosed or redacted. Updates records requirements and adds clarification addressing re-adoption. Addresses process and fees when multiple children adopted. Clarifies when Indian Child Welfare Act procedures initiated. Contains non-substantive scrivener's changes.

ISSUES DISCUSSED:

- History of Senate Bill 623
- 37-member work group
- Amendments still in the works
- Fiscal impact of emergency clauses
- Indian Child Welfare Act
- Oregon's leadership on open records adoption laws
- Re-adoption
- Clarification regarding redaction
- Home studies and records
- Certificate of irrevocability
- International adoptions

EFFECT OF COMMITTEE AMENDMENT: Proposed -A4 amendment reverts back to current law in Section 1 addressing the Indian Child Welfare Act and adjusts the operative dates to allow fee schedules to go into effect in the course of the regular cycle.

BACKGROUND: In 2010, the Oregon Judicial Department requested the Oregon Law Commission to review adoption law, specifically the issue of access to the court's adoption files. In 2012, the Adoption Work Group (Work Group) formed to address this issue along with other substantive matters. In 2013, Senate Bill 623 passed as a result of the Work Group's efforts. Then in 2014, House Bill 1536 passed, which provided additional clarity on the work done via Senate Bill 623.

House Bill 2365-A is the result of the Work Group and provides additional clarification to work done during previous sessions. The bill updates adoption laws with non-substantive scrivener's changes. It additionally updates written certification and declaration requirements. House Bill 2365-A changes some requirements of Adoption Summary and Segregated Information Statement, including adding an exception to information required by the Uniform Child Custody Jurisdiction and Enforcement Act when the Department of Human Services or an approved child-caring agency placed a minor child with a foster parent. The bill clarifies that presiding judges have access to court adoption records. Additionally, the bill outlines what information must be disclosed or redacted. House Bill 2365-A addresses both process and fees when multiple children are adopted. It updates records requirements and adds clarification addressing re-adoption. House Bill 2365-A also clarifies when Indian Child Welfare Act procedures are to be initiated.

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This summary has not been adopted or officially endorsed by action of the committee.