



# HOUSE BILL 776: Adoption and Juvenile Law Changes.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 10, 2018
<b>Introduced by:</b>		<b>Prepared by:</b>	Tawanda N. Foster Staff Attorney
<b>Analysis of:</b>	S.L. 2018-68		

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**OVERVIEW:** *S.L. 2018-68 makes various changes related to adoption and juvenile law. This act becomes effective October 1, 2018.*

## CURRENT LAW:

- Chapter 48 of the General Statutes provides laws governing the process for adoptions and structures services to adopted children, biological parents, and adoptive parents that protect the interests of all parties to an adoption.
- G.S. 131D-10.9B creates the Permanency Innovation Initiative Fund and describes the strategies used to accomplish the goal of improving permanency outcomes for children living in foster care.
- G.S. 7B-101 defines "abused juveniles", "neglected juveniles", and other related terms in child welfare matters.
- Article 10A of Chapter 14 of the General Statutes sets forth crimes and definitions related to human trafficking.

**BILL ANALYSIS:** This act amends various provisions related to adoption and juvenile law.

**Section 1.1** amends the methods permitted to identify a minor parent who consents to an adoption. This section also adds an additional subsection that allows a minor parent or adoptee to be identified through an affidavit submitted to an individual authorized to administer oaths or take acknowledgements by an adult relative of the minor, a teacher, a social worker employed by an agency or a county department of social services, a licensed professional social worker, a health service provider, or, if none of the foregoing persons to whom the minor does not object is available, an adult who has known the minor for more than two years.

**Section 2.1** makes a clarifying change to how a newborn baby's name may be recorded in the written consent to the adoption.

**Section 2.2** makes a clarifying change to how a newborn baby's name may be recorded in the written relinquishment executed by a parent or guardian.

**Section 3.1** adds a new subsection to allow a prospective adoptive parent to apply ex parte to a clerk of superior court for an order that would allow them to obtain a certified copy of the child's birth certificate, a social security number, or federal and State benefits for the minor.

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**Section 3.2** adds a new subsection to allow an agency or county department of social services to whom a minor was relinquished to apply ex parte to a clerk of superior court for an order that would allow them to obtain a certified copy of the child's birth certificate, a social security number, or federal and State benefits for the minor.

**Section 4.1** adds provisions related to notice of service by publication/pre-birth determinations when the identity or whereabouts of a biological father are unknown.

**Section 5.1** adds a new subsection to provide no summons is required for a parent whose name or identity is unknown and is served by publication.

**Section 6.1** adds a new subdivision to G.S. 48-3-303(c) to allow the most recent amended or updated preplacement assessment including subsequent amendments or partial updates completed as of the time of delivery to constitute the preplacement assessment for the purposes of this section.

**Section 6.2** makes a technical correction to G.S. 48-3-303(g).

**Section 7.1** amends the strategies used under the Permanency Innovation Initiative Fund to improve permanency outcomes for children living in foster care.

**Section 8.1(a)** adds minor victims of human trafficking to the definition of "abused juveniles."

**Section 8.1(b)** adds minor victims of human trafficking to the definition of "neglected juveniles."

**Section 8.1(c)** adds a definition of minor victims to the statutes related to human trafficking.

**EFFECTIVE DATE:** This act becomes effective October 1, 2018.