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SENATE JOINT RESOLUTION NO. 366

Offered January 19, 1999

Establishing a joint subcommittee to study the desirability of reorganizing the Commonwealth's adoption laws.

Patron—Reynolds

Referred to Committee on Rules

WHEREAS, the decision to place a child for adoption is a painful and agonizing decision that birth parents make because they believe that it is in the best interests of the child; and

WHEREAS, some children are adopted after languishing in the uncertainties of foster care; and

WHEREAS, it is in the best interests of all citizens of the Commonwealth for children to be living securely in a permanent family situation; and

WHEREAS, adoption, either through adoption agencies or independently, is a very important process necessary for the establishment of permanency for children by establishing new families for children whose biological families are unable to care for them; and

WHEREAS, the adoption law, which is used both to sever and then to establish parental rights through a new legal relationship, is a critical part of that process; and

WHEREAS, the various philosophies surrounding all aspects of the adoption process have been vigorously debated by persons interested in the protection of children, their birth families, and their adoptive families, and by those interested in later reunification of adopted children with their birth families; and

WHEREAS, Virginia's adoption laws have been amended numerous times over the years and are lengthy, complex and confusing; and

WHEREAS, Virginia's adoption laws should be written in such a way as to give clear and consistent guidance to those using such laws in agency or parental placement adoptions and those affected by the law in order to ensure, to the extent possible, the well-being of adopted children and to further ensure the protection of those children, and their birth and adoptive families, from any legal uncertainties related to this important process; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to determine whether a comprehensive revision of the organizational structure of the Commonwealth's adoption laws is desirable. The joint subcommittee shall conduct a comprehensive review of Virginia's adoption laws and determine whether such laws can be rewritten and/or reorganized to give clear and consistent guidance to the persons using and the laws.

The joint subcommittee shall be composed of seven members as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates; and three members of the Senate to be appointed by the Senate Committee on Privileges and Elections.

The direct costs of this study shall not exceed \$ 5220.

The Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the Department of Social Services. All other agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request. The joint subcommittee shall seek input from judges, the American Academy of Adoption Attorneys, adoption advocacy groups, birth parents, adopted persons and adoptive parents, child-placing agencies and any other interested persons.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

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