

# 1999 SESSION

## HOUSE SUBSTITUTE

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**SENATE JOINT RESOLUTION NO. 366**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the House Committee for Courts of Justice  
on February 18, 1999)  
(Patron Prior to Substitute—Senator Reynolds)

*Directing the Commission on Youth to study the desirability of reorganizing the Commonwealth's adoption laws.*

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 House of Delegates, the Senate concurring, That the Commission on Youth be directed to study the desirability of reorganizing the Commonwealth's adoption laws. The select committee 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 the laws.

Technical assistance shall be provided to the Commission by the Department of Social Services. All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request. The Commission 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 Commission on Youth 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 the processing of legislative documents.

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