

Introduced by

Judiciary Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 14-15.1-03 of the North Dakota Century Code,
2 relating to the confidentiality of identified adoption proceedings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 14-15.1-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-15.1-03. Petition for relinquishment - Hearing - Temporary custody order - Notice -**
7 **Order for relinquishment.**

8 1. The court shall set a time and place for a hearing on the petition for relinquishment. A
9 guardian ad litem must be appointed for the child at least seven days prior to the
10 hearing. The hearing may not be held sooner than forty-eight hours after the child's
11 birth or the signing of all necessary consents to adoption, whichever is later. If a report
12 of a child-placing agency is filed with the petition pursuant to section 14-15.1-04, the
13 court may enter a temporary order placing the child with the identified adoptive parent
14 pending the hearing.

15 2. Notice of the hearing must be served on or by any birth parent, the department, the
16 child-placing agency, the identified adoptive parent, and the guardian ad litem.

17 3. The court may require any birth parent to appear personally and enter consent to the
18 adoption on the record. The court shall determine that any written consent has been
19 validly executed. If the court determines it is in the best interests of the child, the court
20 shall approve the petition for relinquishment.

21 4. If the court approves the petition and determines, based upon the report of the
22 child-placing agency and other evidence presented at the hearing, that placement with
23 the identified adoptive parent is in the best interests of the child, the court shall:

24 a. Enter an order terminating the relationship of the birth parent and the child;

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- 1 b. Order that the child be placed with the identified adoptive parent pending
- 2 adoption;
- 3 c. Order supervision by a child-placing agency until the adoption is finalized;
- 4 d. Order the identified adoptive parent financially responsible for the support of the
- 5 child until further order of the court; and
- 6 e. Make a finding regarding the reasonableness of expenses reported under section
- 7 14-15.1-05.
- 8 5. All files, records, and proceedings under this chapter are confidential pursuant to
- 9 section 14-15-16.