

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.~~ for an Act to create and enact a
3 new section to chapter 14-15.1 of the North Dakota Century Code, relating to the confidentiality
4 of identified adoption proceedings.

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

6 ~~— **SECTION 1. AMENDMENT.** Section 14-15.1-03 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~— **14-15.1-03. Petition for relinquishment – Hearing – Temporary custody order – Notice –**~~
9 ~~**Order for relinquishment.**~~

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

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

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

- 1 ~~4. If the court approves the petition and determines, based upon the report of the~~
2 ~~child-placing agency and other evidence presented at the hearing, that placement with~~
3 ~~the identified adoptive parent is in the best interests of the child, the court shall:~~
4 ~~a. Enter an order terminating the relationship of the birth parent and the child;~~
5 ~~b. Order that the child be placed with the identified adoptive parent pending~~
6 ~~adoption;~~
7 ~~c. Order supervision by a child-placing agency until the adoption is finalized;~~
8 ~~d. Order the identified adoptive parent financially responsible for the support of the~~
9 ~~child until further order of the court; and~~
10 ~~e. Make a finding regarding the reasonableness of expenses reported under section~~
11 ~~14-15.1-05.~~
12 ~~5. All files, records, and proceedings under this chapter are confidential pursuant to~~
13 ~~section 14-15-16.~~

14 **SECTION 1.** A new section to chapter 14-15.1 of the North Dakota Century Code is created
15 and enacted as follows:

16 **Confidentiality of records.** All files, records, and proceedings under this chapter are
17 confidential pursuant to section 14-15-16. This confidentiality requirement is retroactive
18 pursuant to subsection 25 of section 14-15-16.