

Testimony Prepared for the
House Human Services Committee

January 27, 2025

By: Chelsea Flory, Burleigh County Human Service Zone Director

RE: HB 1556: Relinquishment of Parental Rights of Adoptive Parents

Chair Ruby, Vice Chair Frelich and members of the House Human Services Committee, my name is Chelsea Flory. I serve as the Director of Burleigh County Human Service Zone, which includes the county of Burleigh. In addition, I am a member of the North Dakota Human Service Zone Director Association. I am here today to provide testimony in opposition of House Bill 1556.

Human Service Zones are the legal designee of the North Dakota Department of Health and Human Services (NDHHS), managing a range of critical responsibilities including the legal custody of children in the public foster care system and foster care case management services. Part of these serves include our work towards reunification with biological parents, however, in the event those reunification efforts are unsuccessful, we work towards other permanency options such as placement with a relative, adoption, guardianship, or Another Planned Permanent Living Arrangement (APPLA).

An adoption is a legal process that establishes an individual as a parent with all the same rights of a biological parent. This is a voluntary process that an adult wishing to adopt a youth enters in to freely, including the completion of an adoption home study. When a youth is adopted via the foster care system there are supports that adoptive parents receive such as: monthly adoption subsidy, Medicaid services for the youth even post adoption, and support with legal fees related to the adoption process being paid for by the state of North Dakota.

North Dakota already has existing law and process surrounding termination of parental rights (TPR), allowing for a parent to petition the court to make such a request. This bill would carve out a separate process for adoptive parents, treating one class of parents differently than another, and establishing two different standards relating to TPR. Additionally, this bill could create a new set of orphans; ones that have already experienced trauma from the termination of their biological parents' parental rights and now another termination leaving them abandoned once more. This bill does not include language identifying who would be responsible for these youth post TPR. However, being abandoned with no legal caregiver, would constitute them as children in need of protection (CHIPS) resulting in reentry into the foster care system. This bill does not outline any expectation for adoptive parents' responsibility regarding active efforts to seek appropriate mental or behavioral health related services to support family preservation and stabilization, working towards the goal of building safe and health families.

I urge a do not pass on HB 1556. Thank you for your time and consideration of my testimony. I stand for any questions from the committee.