

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 25, 2020

By: Howard

An Act relating to adoption proceedings; amending 10 O.S. 2011, Section 7505-3.1, which relates to contents of petition; removing requirement for annual report of certain information by the Administrative Office of the Courts; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 2011, Section 7505-3.1, is amended to read as follows:

Section 7505-3.1. A. A petition for adoption shall be verified by the petitioner, and shall specify:

1. The full names, ages and places of residence of the petitioner or petitioners and, if married, the place and date of the marriage;

2. When the petitioner acquired or intends to acquire custody of the minor and from what person or agency custody is to be acquired;

3. The date, place of birth, gender and race of the minor;

4. The name used for the minor in the proceeding and, if a change in name is desired, the new name requested;

1 5. That it is the desire of the petitioner that the
2 relationship of parent and child be established between the
3 petitioner and the minor;

4 6. A full description and statement of value of all property
5 owned or possessed by the minor, if any;

6 7. The name or relationship of the minor to any individual who
7 has executed a consent, extrajudicial consent for adoption or a
8 permanent relinquishment to the adoption, and the name or
9 relationship to the minor of any individual whose consent,
10 extrajudicial consent for adoption or permanent relinquishment may
11 be required, and any fact or circumstance that may excuse the lack
12 of consent;

13 8. That a previous petition by the petitioner to adopt has or
14 has not been made in any court, and its disposition;

15 9. That a copy of the preplacement home study completed
16 pursuant to subsection A of Sections 7505-5.1 and 7505-5.3 of this
17 title is attached to or filed with the petition. If the
18 preplacement home study has not been completed, the petition shall
19 specify that a waiver has been signed by a court pursuant to
20 subsection B of Section 7505-5.1 of this title, and that a copy of
21 the waiver is attached to or filed with the petition; or shall
22 include a statement regarding why the preplacement home study is not
23 required pursuant to subsection C of Section 7505-5.1 of this title;

1 or shall specify that the minor is not yet in the physical custody
2 of the petitioner;

3 10. Whether any other home study or professional custody
4 evaluation has been conducted regarding one or both of the
5 petitioners, whether performed for this adoption or for any other
6 purpose. If such a study or evaluation has been completed, a copy
7 of the study or evaluation shall be attached to the petition, if
8 reasonably available;

9 11. A description of any previous court order, litigation or
10 pending proceeding known to the petitioner concerning custody of or
11 visitation with the minor or adoption of the minor and any other
12 fact known to the petitioner and needed to establish the
13 jurisdiction of the court;

14 12. The county in which the minor is currently residing, the
15 places where the minor has lived within the last five (5) years and
16 the name and present addresses, if known, of the persons with whom
17 the minor has lived during that period, and the name of any person,
18 if known, not a party to the proceeding who has physical custody of
19 the minor or claims to have custody or visitation rights with
20 respect to the minor; and

21 13. A statement that to the best of the petitioner's actual
22 knowledge and belief, as of the date of filing, the minor is or is
23 not an Indian child, as defined by the Oklahoma Indian Child Welfare
24 Act, and identification of the minor's known or suspected Indian

1 tribe, if any. If the minor is an Indian child, as defined by the
2 Oklahoma Indian Child Welfare Act, the petition shall specify that
3 the requirements of the Oklahoma Indian Child Welfare Act have been
4 met pursuant to Sections 40 through 40.9 of this title. In
5 addition, the attorney shall provide notice to the parents or to the
6 Indian custodians, if any, and to the tribe that is or may be the
7 tribe of the Indian child pursuant to Section 40.4 of this title.

8 B. Any written consent, extrajudicial consent for adoption or
9 permanent relinquishment required by the Oklahoma Adoption Code may
10 be attached to the petition, or may be filed, after the filing of
11 the petition.

12 ~~C. 1. The Administrative Director of the Courts (ADC) shall~~
13 ~~develop a form no later than February 1, 2012, to be used to collect~~
14 ~~data related to the adoption of each child. At the time of the~~
15 ~~filing of the final decree of adoption, each court clerk shall~~
16 ~~collect demographic data related to the adoption and shall make an~~
17 ~~annual report to be delivered to the ADC no later than February 15~~
18 ~~of each year. The ADC shall deliver all information received~~
19 ~~pursuant to this section to the Department of Human Services no~~
20 ~~later than March 15 of each year. The Department of Human Services~~
21 ~~shall compile the information and make available to the public all~~
22 ~~adoption-related information received.~~

23 ~~2. The following information shall be included in the form to~~
24 ~~be developed by the ADC:~~

- 1 ~~a. the age of each child at the time of the adoption,~~
2 ~~b. the gender of each child,~~
3 ~~c. the ethnicity of each child,~~
4 ~~d. the status of the adoptive parent, such as a relative~~
5 ~~adoption, adoption by a married couple, or adoption by~~
6 ~~a single parent,~~
7 ~~e. the type of adoption services provider, such as the~~
8 ~~Department of Human Services, a licensed child-~~
9 ~~placement agency, an attorney, or a tribe, and~~
10 ~~f. whether it is a domestic adoption subject to the~~
11 ~~requirements of the Oklahoma Indian Child Welfare Act,~~
12 ~~or the Interstate Compact on the Placement of~~
13 ~~Children, or an international adoption to include the~~
14 ~~country of origin.~~

15 SECTION 2. This act shall become effective November 1, 2020.

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
17 February 25, 2020 - DO PASS
18
19
20
21
22
23
24