

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: August 18, 2011
POSITION: Oppose
SPONSOR: Academy of California Adoption Lawyers

BILL NUMBER: AB 687
AUTHOR: N. Fletcher

BILL SUMMARY: Adoption

This bill would make a variety of changes to adoption procedures. Most notably, this bill would: (1) require that the current mandatory report detailing the inquiry into a child's natural father include the name and whereabouts of any man alleged or presumed to be the child's father, as well as the efforts made to contact each man; (2) require the State Registrar to issue a new birth certificate within 120 days of receipt of an adoption order; (3) allow courts to issue a retroactive adoption order if it would serve the interest of the adoptee; and (4) make a variety of process changes to stepparent adoptions and terminating parental rights.

FISCAL SUMMARY

According to the Department of Social Services (DSS), this bill would result in costs of \$101,000 (\$70,000 General Fund [GF]) in 2012-13, \$94,000 (\$65,000 GF) in 2013-14 to fund 1.0 Services Consultant III on a two-year limited term basis to develop regulations and provide technical assistance to counties. The DSS would not be able to absorb this workload within existing resources.

This bill would create additional workload for the Department of Public Health (DPH), acting as the State Registrar, to issue birth certificates after an adoption under a shorter time frame. However, the DPH is unable to estimate how many birth certificates would need to be issued annually or if this would result in any additional costs that cannot be absorbed.

The Judicial Branch does not anticipate any costs associated with this bill.

COMMENTS

The Department of Finance is opposed to this bill for the following reasons:

- This bill would result in GF costs. Notwithstanding any potential policy merit, the implementation of provisions that would result in GF costs is inappropriate during this time of limited resources.
It is unclear whether issuing birth certificates under a shorter time frame would result in unabsorbable workload for the DPH. If this workload cannot be absorbed, this would create a GF pressure.

The intent of this bill is to streamline adoption procedures and resolve technical issues, such as consistency across various code sections. In addition to the changes listed in the summary above, this bill would:

- (1) allow the written consent of the natural parent(s) to be filed simultaneously with the adoption request;
(2) authorize a representative of a licensed adoption agency to serve as a witness to a consent for adoption;
(3) expand the list of persons that a clerk may notify when the document is filed to include a qualified court investigator;
(4) authorize a licensed private adoption agency to serve as the designated administrator for any interstate placement of a nondependent child, as specified;
(5) provide that a foster care license or

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Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

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certification would not be required for placement of a nondependent child who is relinquished for adoption to a licensed adoption agency if the child is placed in the care of prospective adoptive parents who meet specified criteria; (6) revise and consolidate provisions relating to the notice required to be given to an alleged natural father prior to an adoption proceeding; and (7) clarify procedures for filing adult adoptions and vacating an order of adoption.

Code/Department Agency or Revenue Type	SO		(Fiscal Impact by Fiscal Year)						Fund Code	
	LA		(Dollars in Thousands)							
	CO	PROP	FC	2011-2012	FC	2012-2013	FC	2013-2014		
	RV	98	FC							
0250/Jud Branch	SO	No		----- No/Minor Fiscal Impact -----						0001
4265/PublicHealth	SO	No		----- See Fiscal Summary -----						0001
5180/Social Svcs	SO	No		--	C	\$70	C	\$65	0001	
5180/Social Svcs	SO	No		--	C	\$31	C	\$29	0890	
<u>Fund Code</u>	<u>Title</u>									
0001	General Fund									
0890	Trust Fund, Federal									