

April 5, 1978

LB 566

SENATOR BEREUTER: Yes, that's true, but it's better than we have now.

SENATOR SCHMIT: Are there abuses now under the system where it's left to the discretion of the judges?

SENATOR BEREUTER: Yes, everybody that appeared at the hearing and that represented every adoption agency in the state and the Children and Youth Committee pointed out that children are being placed today with no scrutiny in some counties, that those children are being brought in by the so-called black market in instances and I can attest to that fact myself because my wife and I were approached twice for adoption through nonconventional means.

SENATOR SCHMIT: What about the cost of the study? The Welfare Department I'm sure is going to require some additional money to conduct these studies, right?

SENATOR BEREUTER: I did look into this matter thoroughly and I found that the judge may determine how the cost of investigation shall be met. He may charge it for instance, to the adoptive parents.

PRESIDENT: You have one minute, Senator Schmit.

SENATOR SCHMIT: In other words then, the adoptive parents are going to be charged for the cost of the study?

SENATOR BEREUTER: Not necessarily. The court has discretion in how they assign those costs.

SENATOR SCHMIT: Very well. Mr. President, members of the Legislature, I'm concerned about this bill. I think the County Court system has worked fairly well. I think the bill deserves a considerable amount of discussion, far more than it's going to receive here this afternoon. I would hope that there would be additional discussion of this bill. We are very well aware that there will be increased cost by the adoption agency. Those costs are going to have to be assessed to someone, either to the Welfare Department or to the adoptive parents. I think that we have to recognize that social workers are not immune from abuse also. If there is abuse today under the present system, there may well be abuse under the system whereby the social worker is involved in the adoptive process and where their recommendation may be necessary for the successful completion of an adoption. Secondly, I want to call attention to the fact that has been outlined, that there is a very serious shortage of personnel in outlying counties. This could also work to the handicap of adoption proceedings outside of Lincoln and Omaha. I think we need to recognize this fact and we need to address it before we advance this bill. I think there are many many questions pursuant to passage of this bill that are unanswered at this time. We're making a very serious step in the area of additional involvement of the Welfare Department in the adoption proceedings and I think that we should not make it lightly. I think we should discuss it further and I would hope that the body would discuss it further before we proceed.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Is the issue before us the amendment that he has on the bill?

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