

adopting them but the adoption process has been held up because the biological parents, because they have an established relationship with the children, are reluctant to relinquish their children. And the process of terminating a parent's rights means that a parent has to go through a court series and listen to everyone say how...what terrible parents they are when, in fact, this group of parents have already decided that they should not have custody of their children anymore but don't want to lose some kind of connecting relationship with them. So this would allow, if there is consent between both the biological parent and the prospective adoptive parent, to establish a written agreement about the kinds of communication that would continue that might simply be letters, exchange of holiday cards, birthday cards or actual visits, but it would depend on...it would be reliant on consensus between both the biological parents and the prospective adoptive parents. The court would determine whether or not this agreement would be in the best interests of the child and would consider such factors as whether or not that the child has lived for a substantial period of time with the biological parents and whether or not this would be a foster parent adoption. There were over 130 children two years ago who had adoption plans but 43 of them were not available for adoption because there had been no termination or relinquishment of the biological parental rights. And in about half of those circumstances those children were in foster homes whose parents...whose families did want to adopt those children. There would be a guardian ad litem involved in this process. It would be dependent on the court deciding whether or not it was in the best interests of the child, and it's also important to note that it would not, in any way, shape or form, negate the relinquishment and parents would still be advised about what relinquishment meant and that, in fact, when the family adopted that this communication agreement, even if it was not followed to the letter, would not be grounds for revocation of the adoption agreement. The court could later modify that communication agreement if they thought it was in the best interests of the child or if extenuating circumstances had arisen, or if both parties decided that it needed to be modified. I think because this is in the same part of the section of law that LB 205 would apply to in terms of adoptions that it would both be relevant and efficient to have both pieces of legislation merged into a single one. So I would ask that you consider returning to Select File for the purpose of adding this amendment to LB 205.