

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

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LB 332, 594

CLERK: Senator Landis would move to amend with AM1640.  
(AM1640, Legislative Journal page 1880.)

SENATOR CUDABACK: Senator Landis, to open on your amendment.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. The underlying bill taps into powers of adoption, and for that reason this amendment is germane. It has to do with the provisions of LB 332, which was actually sent to the Judiciary Committee because it had to do with adoption. It also has a couple of clean-up provisions with respect to LB 712 that Senator Matzke introduced, last year, and this body passed, I believe, unanimously at the end of last session, as I recall. It came about because of a constituent who came to me. She said, my daughter is now 21, an adult; for the last several years this stepdaughter of mine and I have had a very close relationship, in fact her father died and I've been her parent, even though I'm a stepmother. There is a natural, biological mother. And when my husband and I were together we wanted to have custody of the child in our name, and the biological mother would not relinquish; even though she'd abandoned the child, she would not relinquish. My daughter has a great deal of enmity for her. My daughter identifies with me. My daughter wants to be mine, in terms of the law, in a full relationship, and she wants me to adopt her, and I want to adopt her. And now, that she's passed 21, doesn't require the consent of the biological mother, even though she has abandoned, and the two of us want to do this. We went to a judge and the judge says the law doesn't permit it. We know of other people like us who have had different judges and the judges have permitted it. The judges have said, we have inherent authority and the law does not say that you can't do this, so we go...they've gone ahead and acknowledged adult adoptions. This judge said, no, the law doesn't specifically authorize it, therefore I won't do it. It had been expensive for them, so they came to me. And we've introduced this bill. It has had some review by one of the leading adoption lawyers in the state, Susan Sapp, who made a couple of recommendations in wording. What essentially it says is this, if you can show that you've had a parent-child relationship before the time that you are of age, that the court has authority to do an adult adoption. If one of the two