

given is a requirement either on the attorney for the adoptive couple or maybe possibly the attorney who would be representing the biological mother or the agency, is that correct? Who would have the burden of publication I guess is the question?

SENATOR MATZKE: It is placed on both the agency and the attorney that is handling the adoption.

SENATOR HALL: So would the attorney be the attorney representing the adoptive couple or the relinquishing mother?

SENATOR MATZKE: Well in most cases the relinquishing mother does not, is not represented and there's usually only one attorney who is handling the adoption for the adoptive parents. It would be their responsibility.

SENATOR HALL: The responsibility then is on the adoptive couple?

SENATOR MATZKE: Yes.

SENATOR HALL: So it would be up to them to ensure that notice took place even though the...

SPEAKER WITHEM: One minute.

SENATOR HALL: ...notice for purposes of relinquishment runs to the biological father and the biological mother? It would be up to the adoptive couple's attorney to provide that.

SENATOR MATZKE: That is what they advised they're actually doing now where they are faced with this situation. The attorney that is responsible for the validity of the adoption representing adopting parents would handle that.

SENATOR HALL: In fact, and I appreciate that, there would be no requirement for notice on the part of the agency, for example, to use an attorney. I mean it's very like...they could meet those notice requirements, as you stated they do that now in terms of some of the things that they currently, the way they currently handle, many of the agencies provide notice, try to find who the biological father is, but there is no requirement in the bill that those agencies have to use counsel for purposes of complying...