

HOUSE BILL 178

D4

4lr0035

By: **Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

Introduced and read first time: January 15, 2014

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **Family Law – Adoption, Search, Contact, and Reunion Services – Relatives of**
3 **Minors in Out-of-Home Placement**

4 FOR the purpose of altering the definition of “search, contact, and reunion services” to
5 include contacting relatives of a certain minor in out-of-home placement for a
6 certain purpose; authorizing a director of a local department of social services or
7 the director’s designee to apply for search, contact, and reunion services for a
8 certain minor in out-of-home placement under certain circumstances; altering
9 a certain definition; and generally relating to adoption search, contact, and
10 reunion services.

11 BY repealing and reenacting, with amendments,
12 Article – Family Law
13 Section 5–4B–01(f) and (g) and 5–4B–02(a)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2013 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Family Law**

19 5–4B–01.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (f) **(1)** [“Relative”] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, “RELATIVE”** means a parent, brother, sister, child, aunt, or uncle of a
3 biological parent.

4 **(2)** **IN THE CASE OF A MINOR IN OUT-OF-HOME PLACEMENT WHO**
5 **WAS ADOPTED THROUGH A LOCAL DEPARTMENT, “RELATIVE” MEANS AN**
6 **INDIVIDUAL AT LEAST 21 YEARS OLD WHO IS RELATED TO THE MINOR BY BLOOD**
7 **OR MARRIAGE WITHIN FIVE DEGREES OF CONSANGUINITY OR AFFINITY UNDER**
8 **THE CIVIL LAW RULE.**

9 (g) “Search, contact, and reunion services” means services:

10 (1) to locate adopted individuals, biological parents of adopted
11 individuals, siblings of adopted individuals, and, as provided in § 5-4B-11 of this
12 subtitle, relatives and members of the adoptive family;

13 (2) to assess the mutual desire for communication or disclosure of
14 information:

15 (i) between adopted individuals and biological parents of
16 adopted individuals;

17 (ii) between adopted individuals and siblings of adopted
18 individuals; and

19 (iii) as provided in § 5-4B-11 of this subtitle, between:

20 1. adopted individuals and relatives; and

21 2. biological parents and members of the adoptive
22 family;

23 (3) to provide, or provide referral to, counseling for adopted
24 individuals, biological parents of adopted individuals, siblings of adopted individuals,
25 relatives, and members of the adoptive family; [and]

26 (4) if siblings of a minor in out-of-home placement were adopted
27 through a local department, to contact the siblings to develop a placement resource or
28 facilitate a family connection with the siblings of the minor; **AND**

29 **(5)** **IF A MINOR IN OUT-OF-HOME PLACEMENT WAS ADOPTED**
30 **THROUGH A LOCAL DEPARTMENT AND A LOCAL DEPARTMENT HAS DETERMINED**
31 **THAT REUNIFICATION WITH THE MINOR’S ADOPTIVE PARENTS IS NOT IN THE**
32 **MINOR’S BEST INTERESTS, TO CONTACT RELATIVES OF THE MINOR TO DEVELOP**
33 **A PLACEMENT RESOURCE OR FACILITATE A FAMILY CONNECTION WITH THE**
34 **RELATIVES.**

1 5-4B-02.

2 (a) (1) An adopted individual at least 21 years old may apply to the
3 Director to receive search, contact, and reunion services.

4 (2) If an adopted individual is at least 21 years old, the following
5 individuals may apply to the Director to receive search, contact, and reunion services:

6 (i) a biological parent of the adopted individual;

7 (ii) a sibling of the adopted individual; and

8 (iii) a director of a local department acting on behalf of a minor
9 in out-of-home placement.

10 (3) A DIRECTOR OF A LOCAL DEPARTMENT OR A LOCAL
11 DEPARTMENT DIRECTOR'S DESIGNEE MAY APPLY TO THE DIRECTOR TO
12 RECEIVE SEARCH, CONTACT, AND REUNION SERVICES TO DEVELOP A
13 PLACEMENT RESOURCE OR FACILITATE A FAMILY CONNECTION WITH
14 RELATIVES OF A MINOR IN OUT-OF-HOME PLACEMENT WHO WAS ADOPTED
15 THROUGH A LOCAL DEPARTMENT IF THE LOCAL DEPARTMENT HAS
16 DETERMINED THAT REUNIFICATION WITH THE MINOR'S ADOPTIVE PARENTS IS
17 NOT IN THE MINOR'S BEST INTERESTS.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.