

Date: March 8, 2023

Bill number: HB 1117

Committee: House Judiciary Committee

Bill title: **Family Law – Adoption of an Adult**

DHS Position: **FAVORABLE WITH AMENDMENTS**

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide written support and recommendations for amendments to House Bill 1117 (HB 1117). DHS additionally appreciates the collaboration with Delegate Boyce on the amendment language proposed below.

DHS implements the state’s Adult Protective Services Program through the Local Departments of Social Services and provides administrative support through the Office of Adult Services.

House Bill 1117 seeks to streamline the process of adoption for adults and to eliminate unnecessary procedural processes for adult adoptions. For example, this bill eliminates the need for parental consent to an adoption if the prospective adoptee is an adult. While DHS supports removing barriers to the creation of permanent families, DHS has concerns that the elimination of certain procedural safeguards may lead to possible abuse, neglect, or exploitation of vulnerable adults. Specifically, the original language of House Bill 1117 eliminates judicial discretion to investigate the circumstances of an adult adoption when the adult is consenting to the adoption.

To address these concerns, DHS suggests on page 3 lines 4-5 eliminating the proposed change to Family Law § 5-3B-16(a) and on page 3 lines 19-20 change the proposed language of Family Law § 5-3B-16(c) to read: **“INVESTIGATIONS UNDER SUBSECTION (B) OF THIS SECTION MAY NOT BE PERFORMED WHEN THE PROSPECTIVE ADOPTEE IS AN ADULT.”** This suggested amendment would allow courts to retain their discretion to request a court investigator to look into the specific circumstances of an adoption. The court investigator can provide the court with information about each party’s circumstance and motivation. Such judicial discretion is a necessary safeguard against potential abuse, neglect, or exploitation of vulnerable adults.

DHS supports House Bill 1117 if amendments are included in the Committee’s report as recommended above. The Department is grateful to offer our support and collaboration on HB 1117.

