MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document   NO. 942

H.P. 701   House of Representatives, March 25, 1987
     Reference to the Committee on Judiciary suggested and
ordered printed.
                              EDWIN H. PERT, Clerk
Presented by Representative McPHERSON of Eliot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1   AN ACT Pertaining to Adoptive Home Studies.
2

3   Be it enacted by the People of the State of Maine   as
4   follows:

5   Sec. 1. 19 MRSA §531, as amended by PL 1983, c.
6   262, §3, is further amended to read:

7   §531. Persons who may adopt

8   Any husband and wife jointly, or any unmarried
9   person, resident or nonresident of the State, who has
10   obtained a written home study prepared in accordance
11   with the Department of Human Services' rules provid-
12   ing for the licensing of child-placing agencies with
13   or without adoption programs by a public or duly li-
14   censed private agency prior to any placement, may pe-
15   tition the Probate Court to adopt a person, regard-

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1    less of age, and for a change of his name.    The   fee
2    for   filing   the petition shall be $10.   Jurisdiction
3    to grant the adoption and change of name shall be    in
4    the   county   where   the person to be adopted lives or
5    the county where the petitioner resides or the   peti-
6    tioners   reside or in the county in which the placing
7    agency having custody of the child is located.

8        Sec. 2.    19 MRSA §533, first ¶, as amended by   PL
9    1981, c.   390, §§1 and 2, is further amended to read:

10       Upon--the--filing-of-a-petition-for-adoption-of-a
11   minor-child7-unless-one-of-the-petitioners-is-a-blood
12   relative-of-the-child-or--the--petitioners--have--re-
13   ceived--the--child--from-the-Department-of-Human-Ser-
14   vices-or-from-a-licensed-adoption-agency7--the--court
15   shall--notify--the--department--which--shall7--either
16   through-its-own-workers-or-through-a--licensed--adop-
17   tion--agency7-investigate-the-conditions-and-anteced-
18   ents-of-the-child-to-determine-whether-he-is-a-proper
19   subject-for-adoption-and-whether-the-proposed-home-is
20   suitable-for-the-child.---The-department--or--licensed
21   adoption--agency-shall-obtain-whatever-medical-or-ge-
22   netic-information-on-the-child-and-the--parents--that
23   is--available.----The--court--may--refer--any-petition
24   signed-by-a-blood-relative-of-the-child-to--this--de-
25   partment.--This--information-shall7-within-45-days-or
26   within-such-further-reasonable-time-as-the-court--al-
27   lows7--be--submitted--to--the-court-in-writing-and-be
28   available-to-counsel-of-record. Any available medical
29   or genetic information on the child or parents   shall
30   be   placed in the court records and shall be supplied
31   to the adoptive parents.   Thereupon, if the judge   is
32   satisfied   of   the identity and relatives of the par-
33   ties, of the ability of the petitioners to   bring   up
34   and   educate   the child properly, having reference to
35   the degree and condition of his parents   and   of   the
36   fitness and propriety of such adoption, he shall make
37   a decree, setting forth the facts, and declaring that
38   from   that   date such child is the child of the peti-
39   tioners and that his name is thereby changed, without
40   requiring public notice thereof. The   court   may   re-
41   quire that the child shall have lived for one year in
42   the   home   of   the petitioners before the petition is
43   granted, and may require that the child,   during   all
44   or   part   of this probationary period, shall be under
45   the supervision of the Department of   Human   Services
46   or a licensed child placing agency.
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1   STATEMENT OF FACT

2   This bill requires that all prospective adoptive
3   parents have an approved adoptive home study com-
4   pleted before any child may be placed with them for
5   adoptive purposes.

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