

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 945

H.P. 648

House of Representatives, March 10, 2009

An Act To Protect the Rights of Siblings Separated by Adoption

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BRYANT of Windham.
Cosponsored by Senator BRYANT of Oxford and
Representatives: CASAVANT of Biddeford, DILL of Cape Elizabeth, NASS of Acton,
PRIEST of Brunswick, WHEELER of Kittery, Senators: DAVIS of Cumberland, HASTINGS
of Oxford, JACKSON of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 18-A MRSA §9-105**, as enacted by PL 1995, c. 694, Pt. C, §7 and affected
3 by Pt. E, §2, is amended to read:

4 **§9-105. Rights of adopted persons**

5 Except as otherwise provided by law, an adopted person has all the same rights,
6 including inheritance rights, that a child born to the adoptive parents would have. An
7 adoptee also retains the right to inherit from the adoptee's biological parents if the
8 adoption decree so provides, as specified in section 2-109, subsection (1). An adoptee
9 who has not attained 21 years of age and who has had sibling relationships disrupted by
10 the adoption of that person from foster care continues to have the right of contact with
11 birth siblings, when in the person's best interest and by order of the court. The adoption
12 decree may stipulate the conditions of contact.

13 **SUMMARY**

14 This bill protects the right of an adoptee who is under 21 years of age and has had
15 sibling relationships disrupted by the adoption of that person from foster care to maintain
16 contact with that person's siblings. An adoption court has the authority to weigh the
17 person's best interest against the person's right to maintain sibling contact and, if contact
18 is approved, may incorporate in the adoption decree any appropriate conditions of contact
19 between siblings.