

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 290, Page 2, Section 453.070, Line 50,
2 by inserting immediately after said line the following:

3
4 "453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be
5 finalized. During such hearing, the court shall ascertain whether:

6 (1) The person sought to be adopted, if a child, has been in the lawful and actual custody of
7 the petitioner for a period of at least six months prior to entry of the adoption decree; except that the
8 six-month period may be waived if the person sought to be adopted is a child who is under the prior
9 and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the
10 child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of
11 custody pursuant to the laws of this state, another state, a territory of the United States, or another
12 country;

13 (2) The court has received and reviewed:

14 (a) A postplacement assessment on the monthly contacts with the adoptive family pursuant
15 to section 453.077, except for good cause shown in the case of a child adopted from a foreign
16 country;

17 (b) An investigation report under section 453.070, if any;

18 (c) An investigation and social study under section 211.455, if any;

19 (3) The court has received and reviewed an updated financial affidavit;

20 (4) The court has received the recommendations of the guardian ad litem and has received
21 and reviewed the recommendations of the person placing the child, the person making the
22 assessment and the person making the postplacement assessment;

23 (5) There is compliance with the uniform child custody jurisdiction act, sections 452.440 to
24 452.550;

25 (6) There is compliance with the Indian Child Welfare Act, if applicable;

26 (7) There is compliance with the Interstate Compact on the Placement of Children pursuant
27 to section 210.620; and

28 (8) It is fit and proper that such adoption should be made.

29 2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of
30 custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization
31 in another state if the adoptive parents are domiciled in that state.

32 3. If the court determines the adoption should be finalized, a decree shall be issued setting

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1 forth the facts and ordering that from the date of the decree the adoptee shall be for all legal intents
2 and purposes the child of the petitioner or petitioners. The court may decree that the name of the
3 person sought to be adopted be changed, according to the prayer of the petition.

4 4. Before the completion of an adoption, the exchange of information among the parties shall
5 be at the discretion of the parties. Upon completion of an adoption, further contact among the parties
6 shall be at the discretion of the adoptive parents. The court shall not have jurisdiction to deny
7 continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth
8 parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying
9 information between an adoptive parent and a birth parent.

10 5. By January 1, 2014, the Missouri supreme court shall develop a standardized form to be
11 used in all adoption cases which includes a checklist to verify all of the documents and procedures
12 required under this section have been submitted, followed, and reviewed by the judge prior to
13 entering a final order. Such form shall include, but not be limited to, attachment of any written
14 reports or assessments required under this section and the signature of the judge attesting to the
15 submission and review of such form and attachments prior to entering a final order. Such form and
16 attachments shall be included as part of the adoption record."; and

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18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.