

UNLAWFUL ADOPTION OF A CHILD

Study Mandate

- During the 2014 General Assembly session, Senator Jeffrey L. McWaters introduced Senate Bill 411. It provides that any parent, guardian, or other person responsible for the care of a child who transfers physical custody of a child with the intent to do so permanently without following established adoption procedures is guilty of a Class 6 felony. These procedures attempt to ensure, among other things, that the child will not be abused or neglected by his new adoptive parents. The legislation would create an exception for kinship care arrangements for the purposes of school enrollment or other established legal procedures for transferring custody.
- Members of the Senate Courts of Justice Committee reviewed the bill and determined that further study would be appropriate. The Committee passed the bill by indefinitely and requested that the Commission on Youth study the provisions set forth in Senate Bill 411 and report findings and recommendations by November 1, 2014.

Draft Recommendations

Prevention Services

Recommendation 1

Amend the *Code of Virginia* to require the State Registrar to furnish a document, to be compiled and annually reviewed by the Department of Social Services, listing post-adoptive services available to all adoptive families simultaneous to when any new birth certificate is issued due to adoption. Also make this information available on the DSS website.

Recommendation 2

Request the Department of Social Services, with the support of the Office of Comprehensive Services for At-Risk Youth and Families, to allow regional requests for proposals rather than state-wide requests for proposals for post-adoptive services.

Recommendation 3

Support the current funding level for post-adoptive services.

Recommendation 4

Request the Department of Social Services with the support of the Office of Comprehensive Services for At-Risk Youth and Families, to review existing policies and practices related to early prevention services. A report will be submitted to COY prior to the 2016 General Assembly Session.

Recommendation 5

Support funding the state plan for foster care and adoption assistance to include implementing the provisions of the federal Foster Connections to Success and Increasing Adoptions Act of 2008, included in the 2014-2016 Appropriations Act, which would extend foster care and adoption assistance until the age of 21.