

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



October 25, 1989

ALL COUNTY INFORMATION NOTICE NO. I-72-89

TO: ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
ALL COUNTY WELFARE DEPARTMENTS
ALL SDSS ADOPTION DISTRICT OFFICES
ALL SUPERIOR COURTS

SUBJECT: AB 2322 and SB 64 - Inconsistent Provisions

The purpose of this All County Information Notice is to inform adoption agencies and other interested parties that the State Department of Social Services (SDSS) has learned of an inadvertent, technical oversight that occurred during the drafting of AB 2322 (Bates). As a result, an unintended change in statute will take place when this measure, the Independent Adoption Preplacement Program Act, becomes effective on January 1, 1990. AB 2322 contains a statutory section which supersedes statutory language for the same section enacted by SB 64 (Chapter 85, Statutes of 1989), the independent adoption fee bill, which became operative on September 1, 1989. The later enacted provisions of AB 2322 delete a key element of the fee bill.

Specifically, effective January 1, 1990, AB 2322 provisions delete Civil Code Subdivision 226.5(b), which was established by SB 64. This subdivision authorizes the taking of a birth parent's consent in court if the adoption agency or an SDSS' adoptions district office fails without good cause to conduct the required interviews of the parties to the adoption within a specified time period. As a consequence of the unintended deletion, beginning January 1, 1990, there will be no statutory authority for the courts to take consents in the prescribed circumstances.

The Department will sponsor a bill as soon as the Legislature reconvenes to quickly restore this key statutory feature of the independent adoption fee measure as originally enacted.

Please contact the Adoptions Policy Bureau at (916) 322-4228 or ATSS 492-4228 should you have any questions concerning this matter.

A handwritten signature in cursive script, appearing to read "Loren D. Suter".

LOREN D. SUTER
Deputy Director

cc: CWDA