

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011

COMMITTEE STATEMENT

LB94

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**Hearing Date:** Thursday January 20, 2011  
**Committee On:** Judiciary  
**Introducer:** Howard  
**One Liner:** Allow petitioners for adoption of a state ward to read the child's case file

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	7	Senators Ashford, Coash, Council, Harr, Larson, Lathrop, Lautenbaugh
<b>Nay:</b>		
<b>Absent:</b>	1	Senator McGill
<b>Present Not Voting:</b>		

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**Proponents:**

PAMELA ALLEN  
SARAH FORREST  
DENISE POWELL  
LINDA DUBS  
CHRISTIE ABDUL  
THOMAS MAUL

**Representing:**

NEBRASKA FOSTER & ADOPTIVE PARENT ASSN  
VOICES FOR CHILDREN  
SELF  
NEBRASKA CHILDRENS SOCIETY  
SELF  
NE STATE BAR ASSOCIATION

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 94 would provide an opportunity for the person or persons petitioning to adopt a state ward to read the child's case file maintained by the Department of Health and Human Services after the petition is filed and prior to the entry of the adoption decree. The Department would have to file with the court a document signed by the person or persons wishing to adopt showing they have had the opportunity to read the case file. The new provisions would apply only to adoption petitions filed on or after the effective date of this act.

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**Explanation of amendments:**

Amendment 180 would provide that the case file made available to the petitioner(s) must not include information or documents that the Department determines cannot be released based on state statute or federal statute, rule or regulation. The amendment would also provide that the case file will be made available to the adoptive parents following the adoption process upon a written request to the department. The petitioner(s) must sign a document indicating they are aware that the case file will be available to them following the adoption process.

