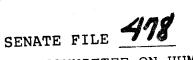


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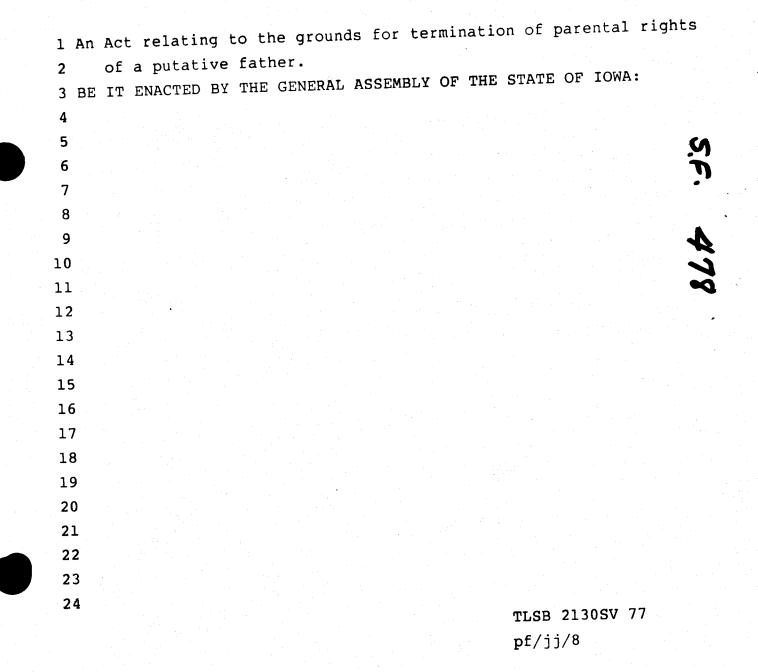


BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SF 142)

Daggod	Senate,	Date		Passed	House,	Date	
Vote:		Nays		Vote:	Ayes	Nays	
	A	pproved	3 s.				

A BILL FOR



1 Section 1. Section 600A.8, Code 1997, is amended by adding 2 the following new subsection:

S.F. 478 H.F.

3 <u>NEW SUBSECTION</u>. 3A. If the termination of parental rights 4 relates to a putative father and the putative father has 5 abandoned the child. For the purposes of this subsection, a 6 putative father is deemed to have abandoned a child as 7 follows:

8 a. If the child is less than six months of age when the 9 termination hearing is held, a putative father is deemed to 10 have abandoned the child unless the putative father does all 11 of the following:

12 (1) Demonstrates a willingness to assume joint custody of 13 the child rather than merely objecting to the termination of 14 parental rights.

15 (2) Demonstrates, through actions, a commitment to the 16 child.

b. (1) If the child is six months of age or older when the termination hearing is held, a putative father is deemed to have abandoned the child unless the putative father maintains substantial and continuous or repeated contact with the child as demonstrated by contribution toward support of the child of a reasonable amount as would be determined under the uniform child support guidelines as established by the supreme court, according to the putative father's means, and as demonstrated by any of the following:

(a) Visiting the child at least monthly when physically
and financially able to do so and when not prevented from
doing so by the person having lawful custody of the child.
(b) Regular communication with the child or with the
person having the care or custody of the child, when
physically and financially unable to visit the child or when
prevented from visiting the child by the person having lawful
custody of the child.

34 (2) The subjective intent of the putative father, whether35 expressed or otherwise, unsupported by evidence of acts

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1 specified in subparagraph (1) manifesting such intent, does 2 not preclude a determination that the putative father failed 3 to maintain substantial and continuous or repeated contact 4 with the child. In making a determination, the court shall 5 not require a showing of diligent efforts by any person to 6 encourage the putative father to perform the acts specified in 7 subparagraph (1). A putative father of a child who openly 8 lived with the child for a period of six months within the 9 one-year period immediately preceding the termination of 10 parental rights hearing and who during that period openly held 11 himself out to be the father of the child is deemed to have 12 maintained substantial and continuous contact with the child 13 for the purposes of this paragraph.

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EXPLANATION

14

This bill establishes criteria for a determination that a putative father has abandoned a child for the purposes of establishing grounds for termination of the putative father's parental rights. The criteria require the demonstration of pertain actions and intentions by a putative father, which vary based upon the age of the child at the time of the holding of a termination of parental rights hearing.

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