

## CHAPTER 281

## ADOPTION

## H. F. 125

AN ACT to amend chapter six hundred (600), code 1946, relating to adoptions and fixing penalties for violation of the law relating to adoptions.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Amend section six hundred point one (600.1), Code  
2 1946, by striking from the second and third lines thereof, the words  
3 "any Court of record" and inserting in lieu thereof "the District  
4 Court".

5 Further amend section six hundred point one (600.1), Code 1946,  
6 by striking all after the period (.) in line nine (9) thereof and sub-  
7 stituting therefor the following: "If the petitioner be married, the  
8 spouse shall join in the petition unless such spouse is a natural parent  
9 of the child. An adult may be adopted, and only such provisions of  
10 this Chapter shall apply thereto as the Court may order. The Judges  
11 of the District Court may designate a Municipal Court Judge to act  
12 as Judge in adoption matters with jurisdiction in cases arising in the  
13 County in which such Municipal Court is organized.

14 The petition for adoption shall be verified and filed in triplicate  
15 and shall state the name, age, race, residence and religious faith as  
16 nearly as may be of the petitioner or petitioners and of the child; the  
17 marital status of the petitioner or petitioners; the property rights  
18 of the child; the name to be given the child after adoption; if the child  
19 be an orphan the name and place of residence of its guardian, if any,  
20 and if none, of its next of kin; the name of any licensed child placing  
21 agency as defined in Chapter two hundred thirty-eight (238), Code  
22 1946, to which such child has been permanently committed or released;  
23 the relationship of the child to the petitioner or petitioners; and the  
24 facts disclosing consent as required in this Act and in section six hun-  
25 dred point three (600.3), Code 1946. The Clerk of the Court shall  
26 forthwith transmit two copies of said petition to the State Depart-  
27 ment of Social Welfare, or the designated qualified person or agency  
28 as directed by the court except in cases of children under the jurisdic-  
29 tion of the Board of Control of State Institutions, and excepting adult  
30 adoptions and cases where the investigation is waived by the Court  
31 as authorized by this Chapter. Provided that where the State Depart-  
32 ment does not otherwise receive the petition, the clerk shall imme-  
33 diately forward one copy thereof to the Department."

1 SEC. 2. Amend section six hundred point two (600.2), Code 1946,  
2 by striking from lines one (1) and two (2) thereof the following:  
3 "Upon the filing of a petition for the adoption of a minor child the  
4 Court" and substituting therefor "The State Department of Social  
5 Welfare, or a qualified person or agency named by the court, after an  
6 order of the court,".

7 Further amend section six hundred point two (600.2), Code 1946,  
8 by striking the second sentence thereof and by adding the following  
9 to said section: "The investigation shall be completed and a report  
10 with recommendations made to the Court within sixty days from the  
11 date of the filing of the petition. No petition shall be granted until

12 the investigation is completed. Nothing herein contained shall pre-  
13 vent the Court from conducting any other investigation which it may  
14 deem necessary or proper. No petition shall be granted until the child  
15 shall have lived for twelve months in the proposed home. Such period  
16 of residence may be shortened by the Court upon good cause shown  
17 when satisfied that the proposed home and the child are suited to  
18 each other. The State Department of Social Welfare may, and upon  
19 order of the Court shall, make a further investigation during the  
20 period of residence and a final report with recommendations to the  
21 Court. The investigation and period of residence may be waived by  
22 the Court where the petitioner or one of the petitioners is related to  
23 the child within the third degree of consanguinity or where the peti-  
24 tioner is married to a natural parent of the child."

1 SEC. 3. Amend section six hundred point three (600.3), Code 1946,  
2 by adding at the end thereof the following: "The consent shall be in  
3 writing and verified and a copy shall be attached to the petition. The  
4 consent shall refer to and be applicable only to the specific adoption  
5 proposed by such petition. Minority of a parent shall not invalidate  
6 a consent."

1 SEC. 4. Amend section six hundred point four (600.4), Code 1946,  
2 by adding at the end thereof the following: "The Court shall provide  
3 for such hearings in adoption proceedings as may be necessary and  
4 shall prescribe notice thereof. All hearings in adoption proceedings  
5 shall be private and conducted only in the presence of those persons  
6 designated by the Court. Upon the time of filing said petition of  
7 adoption, such notice of pendency of adoption proceedings as the Court  
8 shall prescribe shall be given to a divorced parent not having custody  
9 of the child."

1 SEC. 5. Amend section six hundred point seven (600.7), Code 1946,  
2 by inserting after the word "infection" in line three (3) thereof, the  
3 following: "or an otherwise permanent and serious disability".  
4 Further amend section six hundred point seven (600.7), Code 1946,  
5 by striking from lines eleven (11) and twelve (12) thereof the words  
6 "commit the child to the Guardianship of the State Board of Social  
7 Welfare" and substitute therefor the words "refer the child to the  
8 Juvenile Court or take such other action as the case may require".

1 SEC. 6. Amend section six hundred point eight (600.8), Code 1946,  
2 by striking the words "duplicate copy" in line six (6) thereof and  
3 substituting therefor the words "two copies".

1 SEC. 7. Amend Chapter six hundred (600), Code 1946, by adding  
2 the following new section:

3 "Section 600.10. Every person, excepting adopting parents or  
4 adopted child, who discloses any information contained in any adop-  
5 tion papers or proceedings except as may be authorized by order of  
6 court and every person who violates any of the provisions of this  
7 chapter or who intentionally shall make any false statements with  
8 reference to the matters contained herein, shall be guilty of a mis-  
9 demeanor and upon conviction shall be punished accordingly."

Approved April 23, 1947.