

Passed the House March 26, 1971.

Passed the Senate May 5, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 172

[Substitute House Bill No. 762]

ADOPTIONS--

PREPLACEMENT STUDIES AND REPORTS--

DATA CARDS

AN ACT Relating to adoptions; providing for preplacement studies of prospective adoptive parents and requiring the filing of certain information; amending section 9, chapter 291, Laws of 1955 and RCW 26.32.090; and adding new sections to chapter 291, Laws of 1955 and to chapter 26.32 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 9, chapter 291, Laws of 1955 and RCW 26.32.090 are each amended to read as follows:

Upon the filing of a petition for adoption, the court shall cause an investigation of the propriety of the adoption to be made. The court shall appoint an approved agency or any qualified salaried court employee or any other suitable and proper person as next friend of the child to make such investigation. The investigation shall be made without expense to the petitioner. The investigator appointed by the court shall make a report in writing to the court within sixty days from the time of the appointment unless further time be granted by the court. Such report shall be in writing and contain all reasonably available information concerning the physical and mental condition of the child, the religion of the child, if any, and if unknown, then the report shall designate unknown, the parents of the child, and the ~~((physical, mental, moral, and financial condition))~~ home environment, family life, health, facilities and resources of the petitioners, and any other facts and circumstances relating to the propriety and advisability of the adoption. Any preplacement report on the petitioner required by this chapter to be filed with the court shall be made available to the next friend; the next friend may in his discretion rely on its contents and adopt its recommendations and may incorporate the same in the report of the next friend.

When the object of the adoption proceeding is the petition of a parent to adopt the child of the other spouse, the report of the next friend shall be made within ten days of the date of appointment, unless such time is extended by the court, and in such cases the

court may dispense with formal written report and require such information as the court deems necessary in the particular case as to the propriety of the adoption.

NEW SECTION. Sec. 2. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

As used in this 1971 amendatory act:

(1) "Minor" means any individual under the age of eighteen years;

(2) "Child" means a son or daughter, whether by birth or adoption;

(3) "Stepchild" means a child of the petitioner's spouse who is not the child of the petitioner;

(4) "Agency" means a licensed child-placing agency as provided in chapter 74.15 RCW or the state department of social and health services.

(5) "Petitioner" includes the prospective petitioner (any person contemplating the adoption of a child, whether the particular child has been identified or not).

NEW SECTION. Sec. 3. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

(1) No petition for the adoption of a minor shall be granted unless a preplacement report and petitioner's sworn statement that he has caused to be filed all reports known to him on preplacement studies made of petitioner are on file with the court except as provided in section 9(2) of this 1971 amendatory act.

(2) No order of relinquishment as to a minor whom petitioner seeks to adopt shall be granted unless:

(a) A preplacement report and petitioner's sworn statement that he has caused to be filed all reports known to him on preplacement studies made of petitioner are on file with the court prior to the hearing on the order of relinquishment; or

(b) The order of relinquishment provides that the minor is to be relinquished to the custody of an agency.

NEW SECTION. Sec. 4. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

(1) The preplacement report shall consist of a written report to the court setting forth all relevant information relating to the fitness of the petitioner as a prospective adoptive parent. The preplacement report shall be based upon a study which shall include an investigation of the home environment, family life, health, facilities, and resources of petitioner. The preplacement report shall provide the court with such other information as may be relevant to the placement of a child in the petitioner's home. The preplacement report shall include a list of the sources of information upon which the report is based. The preplacement report

shall include a recommendation to the court as to the fitness of the petitioner as a prospective adoptive parent and as to whether it would be in the best interest of a child to be placed in the home of the petitioner. The recommendation shall be advisory to the court. The preplacement report shall be dated and verified.

(2) A single preplacement report may be filed for a husband and wife who join as petitioners in an adoption proceeding.

NEW SECTION. Sec. 5. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

(1) The preplacement study shall be conducted by an agency or a qualified salaried court employee.

(2) An agency may charge the petitioner a fee for the preparation of a preplacement study and report. The fee may be waived or reduced in the discretion of the agency if a waiver or reduction is warranted by the financial condition of the petitioner. The court shall set a reasonable fee to be paid by petitioner where the study is conducted by a court employee, which fee may be likewise waived or reduced. All fees charged pursuant to this section shall be reasonable and based on time spent conducting the study and preparing the report, and in addition, shall be subject to review by the court upon request.

(3) The petitioner shall give written notice to any agency or court employee authorized by the petitioner to conduct a preplacement study requesting that the preplacement report be filed. The petitioner shall designate the county in which the report is to be filed. Upon completion of the preplacement study, the agency or court employee shall file the preplacement report with the clerk of the superior court, or with the family court or as the court of the respective county shall direct. No filing fee shall be charged for the filing of the report, and the clerk and court are directed to accept the report for filing without fee. The report shall be indexed in the name of the petitioner and a cause or file number shall be assigned. The filing system shall be such that the original or duplicate of any reports filed of preplacement studies of petitioner shall be placed in the file of the cause where any subsequent proceedings in respect to placement of a child with petitioner or any adoption petition filed by petitioner is filed.

NEW SECTION. Sec. 6. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

A petitioner may at any time request a preplacement study by one or more than one agency. The petitioner shall cause to be filed a report on every preplacement study requested. The petitioner may request that a preplacement study not be completed. An agency may charge a fee for value of work done on a study not completed at the request of the petitioner. An agency which has been authorized to

make a preplacement study and requested not to complete that study shall be notified of contemplated adoption proceedings and given an opportunity to file a partial report and participate in the hearing.

NEW SECTION. Sec. 7. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

The petitioner shall give not less than three days written notice to all agencies or any court employee authorized to make a preplacement study prior to a hearing where a preplacement report is required to be on file. The notice shall state the name of the petitioner, the cause number of the proceedings, the time and place of the hearing, and the object of the hearing. Proof of service on the agency in form satisfactory to the court shall be furnished. The agency may appear at the hearing and give testimony concerning any matters relevant to the relinquishment or the adoption and its recommendation as to the fitness of petitioners as parents. The agency may in writing acknowledge notice and state to the court that the agency does not desire to participate in the hearing or it may in writing waive notice of any hearing.

NEW SECTION. Sec. 8. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

(1) A copy of the preplacement report shall be made available to the petitioner upon his request after filing of the report. The report shall be filed not less than twenty days prior to any hearing where a preplacement report is required to be filed, except that for good cause shown, the court by appropriate order may shorten said period.

(2) The agency shall keep the preplacement study, the report, and all information upon which it is based confidential and closed to public inspection, except upon an order of the court for good cause shown.

NEW SECTION. Sec. 9. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

(1) An agency having the custody of a minor may make the preplacement study and report on a petitioner for the adoption of that minor.

(2) No preplacement study or report shall be required when the object of a petition is the adoption of a stepchild, unless otherwise directed by the court.

(3) No preplacement study or report shall be required in any adoption proceeding pending on the effective date of this 1971 amendatory act.

NEW SECTION. Sec. 10. There is added to chapter 291, Laws of 1955 and to chapter 26.32 RCW a new section to read as follows:

The department of social and health services shall be a depository for statistical data concerning adoption. It shall

furnish to the clerk of each county a data card which shall be completed and filed with the clerk on behalf of each petitioner. The clerk shall forward the completed cards to the department which shall compile the data and publish an annual report summarizing said data. The form shall include: Birth date, sex, race, and legal status of the person to be adopted, birth date, race, and relationship, if any, of the adoptive mother and father to the child, date of placement of the minor in the prospective adoptive home, whether placement was by natural parent, relative, physician, attorney, hospital personnel, licensed child placing agency, department of social and health services or other, the action taken by the court on the petition and the date of the action. It shall include the cause number, but shall not include the name of the child, natural or adoptive parents. No birth certificate shall be issued showing petitioner as parent of any child adopted in the state of Washington until said card shall have been completed and filed.

Passed the House May 6, 1971.  
Passed the Senate May 4, 1971.  
Approved by the Governor May 20, 1971.  
Filed in Office of Secretary of State May 21, 1971.

CHAPTER 173  
[Engrossed House Bill No. 113]  
GAME PROTECTORS--  
POWERS AND DUTIES

AN ACT Relating to powers and duties of game protectors; amending section 77.12.070, chapter 36, Laws of 1955 as amended by section 2, chapter 68, Laws of 1961 and RCW 77.12.070; and amending section 77.12.080, chapter 36, Laws of 1955 as amended by section 3, chapter 68, Laws of 1961 and RCW 77.12.080.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 77.12.070, chapter 36, Laws of 1955 as amended by section 2, chapter 68, Laws of 1961 and RCW 77.12.070 are each amended to read as follows:

Every game protector, deputy game protector, sheriff, constable, marshal, and police officer within his respective jurisdiction, shall enforce all laws and rules and regulations adopted by the commission for the protection of game animals, fur-bearing animals, game birds, nongame birds, harmless or song birds, and game fish, and further shall enforce all laws or rules and regulations adopted by the commission pertaining in any manner to the