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# WASHOE COUNTY

*"Dedicated to Excellence in Public Service"*

DEPARTMENT OF SOCIAL SERVICES

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Assembly Bill 28  
Assembly Judiciary Committee  
Room 3138 9:00AM

Testimony by:

Maire Burgess, Adoption Supervisor, Washoe County Department of Social Services

Good Morning Assemblyman Anderson and members of the Committee.

My name is Maire Burgess. I have supervised the Adoption Program for over ten years, first with the Division of Child and Family Services and currently with Washoe County Department of Social Services. As a representative of Washoe County Department of Social Services, I am in favor of the passage of AB 28. Not only will this bill promote permanency and be in the best interest of children, it will solidify that a breach of the agreement does not put in jeopardy the validity of the adoption or the relinquishment related to that specific adoption (AB28 - Sec. 2 #5 a and b.)

Since June 2000 the State and Washoe County have finalized 205 adoptions for children who were in the foster care system. Of those, 54 adoptions were considered "Open". Twenty-nine (29) of the 54 were between foster parents and birth parents. These agreements were negotiated between the birth parents and the adoptive parents strictly on faith. All parties were aware that the agreement, as they knew it, was not then sanctioned by the Nevada Revised Statutes. These amazing families came together to expedite permanency for their "children" in spite of the risks involved.

It is the practice of both state and county agencies to foster openness between the birth and adoptive parents for the following reasons:

- Openness allows that parent to jointly form an adoption plan that works for everyone involved.
- The child (ren) involved grows up secure in the love of his or her "forever" family and is at peace because his birth parents are not a mystery to him or her.
- Many of the children we serve already have a relationship with their parent and want to know that the parents are alive and well.

- Children in an open adoption have access to the same information about their origins that non-adopted children take for granted.
- Because adoption is talked about freely within the family and the reasons for the adoption are common knowledge children in an open adoption do not have to wonder why their parents gave them up.
- Regardless of the prior decisions birth parents made throughout their lives, treating them with dignity, humanity, and respect allows them to make a decision for their child, which is the greatest unselfish act of parenting one can make.
- Openness gives the child the belief that the adoptive parent knows and accepts the birth parent regardless of past issues. That translates to a child that he or she is also accepted.

Open adoption agreements have been developed at various levels of openness. One family practically "adopted" the birth mother who comes to the house for dinner on occasion. Most provide for written correspondence, pictures, and sometimes a yearly visit depending on the needs of the child. Some agreements have included extended relatives with whom the child had a positive relationship.

It should be noted that not all parents are provided the opportunity to enter into an open adoption agreement. If there is a threat of harm to either the child or the adoptive parent, Washoe County Department of Social Services will proceed with the termination of parental rights (TPR) of that parent. If a TPR is granted, then all further contact between the birth parent and the child is severed.

Our agency is also responsible for providing services to families who are adopting through the private sector. In the past six years there has not been a private adoption the agency have been involved in that did not include some level of openness beyond placement and finalization of the adoption. Most agencies will not even consider a family for adoption if they are not willing to enter into an open agreement with the birth parent. Openness is right for children, the birth parent, and the adoptive family. Open adoption gives all parties an opportunity to provide a safe, healthy, and informed future for a child. It takes away the mystery and shame that used to be tied to adoption. It provides knowledge, hope, and acceptance to the adopted child. A child can never be loved by too many people.

Thank you for this opportunity to address your committee. I am available to answer questions if there are any.