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AB 28

Testimony of Lesa Coder, 400 Stewart Avenue, Las Vegas, NV 89101
229-1419

- I am here today to express my concerns regarding this proposed law.
- I am presently a foster mother to a 2-year-old girl, Theresa.
- She was taken out of the home at 5 months and has had only one contact from her mother, a drug addict. The father is now in prison.
- I hope to adopt her soon.
- My concerns are:
 1. As I read the bill, contact post adoption is mandatory per Sec. 2.2 states: An agreement for post-adoptive contact must be included in an order or decree of adoption and must include.....
 2. Section 2, 3: The identity of the natural parent remains anonymous.

First, a termination of parental rights (TPR) occurs prior to adoption and is a separate process from adoption. Once the TPR is complete, legally, how could rights then be enacted? This bill proposes to re-enact rights at the time of adoption, long after the natural parent issues should have been stated and rectified prior to the TPR.

Second, even if the intent of this bill is to mandate contact upon adoption, the bill defiles the very character of "good parenting" as we have all grown to know and understand it. Why would a parent allow their child to regularly visit with someone who has no legal rights AND can potentially remain anonymous?

Prior to TPR, parents are to work a "case plan" which often allows visitation with the child and foster parents. After failure of the parent to perform, the TPR process begins. With a TPR (Termination Of Parental Rights), a parent is found to be unfit to parent a child. Many of these parents have damaged their children by sexually or mentally abusing them or abandoning them. If this bill is passed, there will remain no protection for a child. Why should a child be forced to continue contact with someone who has abused or neglected them in the past? What influence will the unfit parent have on the child and how he/she thinks, his/her beliefs and values? Most importantly how does the adoptive parent know why their child's character is changing, what influenced this behavior and what to do about it? Who is left behind to deal with the confused, hurt or angry child?

ASSEMBLY JUDICIARY SUBCOMMITTEE

DATE: 3/12/03 EXHIBIT E

SUBMITTED BY: LESA CODER

1052

Terminating a birth parent rights are not taken lightly by the courts. A parent, up until that time, is given multiple chances to become a fit parent. It doesn't make sense to continue contact. Likewise, Adoptive Parents rights should not be taken lightly. It seems that this bill only benefits and rewards the parents' poor behavior. If you only knew the level of scrutiny I went through just be able to foster my child, you may consider making birth parents as accountable as adoptive parents.

I would think it is fair to say that the rights of a child with adoptive parents would be our primary concern. Where does this bill propose to keep our identity, address, etc. confidential? How many people will want to adopt in the future, knowing how uncertain their life with a child will be?

If anything, perhaps this bill should turn the tide to make it easier for a child, once they are old enough to make a conscious choice, to locate their parents easily. My cousin, now a successful dentist in Fort Worth, Texas, spent years and a lot of money to find his birth parent. Why shouldn't this bill make available to the adoptive parents, the location information of birth parents in order to allow easy contact, should the child determine it is in it's best interest to locate them or develop a relationship at a future time?

The system asks adoptive parents and foster parents alike to love a child "as their own". My request to you today is to allow us to accomplish that very thing by protecting a child "as we would our own".

I ask you today to weigh these considerations carefully and to not act hastily on this issue.

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