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Request of Adoption Bar for Amendment to Adoption Statutes
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Amendments to address issues raised in recent case law:

- To codify the standard for trial courts in stepparent adoption terminations to consider the “totality of the circumstances” rather than only whether the parent has failed to fulfill financial OR emotional duties. *In re J.M.D. and K.N.D.*, 293 Kan. 153
- To allow consideration of best interest of the child in a determination of whether a parent’s rights should be terminated in stepparent adoptions. *Multiple cites.*
- To codify that knowledge of pregnancy or possible pregnancy is sufficient to put a father on notice of his responsibility to support. *Baby Girl B.*, 46 Kan.App.2^d 96
- To ensure that fathers are held to a standard of significant support in all termination cases. *In the Matter of the Adoption of Baby Girl P.*, 291 Kan. 424

Amendments to address long-standing issues in existing statutes:

- To allow a consideration of fitness to parent in stepparent adoption terminations rather than only failure to assume duties of a parent.
- In agency adoptions, to clarify that a relinquishment by a parent to an agency must be voluntarily given. Existing statute indicates a relinquishment operates as a termination of rights without reference to voluntariness.
- In agency adoptions, to clarify that if one parent relinquishes, but the other objects and prevents the adoption finalization, the relinquishing parent regains rights and the two parents both go back to their original positions. Existing statute does not address such a situation.
- If an adoption is disallowed for any reason, to clarify that the trial court may consider exigent circumstances in determining who will care for the child.
- To provide the trial court options and guidelines for assessment of fees for an attorney appointed to represent a parent in an adoption.