FOR A CHILD’S BEST INTEREST, SUPPORT CONTACT BETWEEN BIRTH AND ADOPTIVE FAMILIES: SUPPORT HB 721

The Problem:
Post-Adoption Contact & Communication Agreements, or PACCAs, allow for contact between birth and adoptive families. In adoptions where a parent has voluntarily relinquished a child, “open adoption” is standard.

However, these agreements are less common where a court has terminated a biological parent’s rights—even when it’s a good idea for a child.

- Studies show PACCAs make sense for many children being adopted—even those who were victims of abuse or neglect¹ (depending on the circumstances: a PACCA would not be appropriate, nor would a court approve one, in cases involving sexual abuse, severe physical abuse, or a child afraid of the parent).
- PACCAs minimize a child’s loss of the relationships with important people in his or her life, including siblings, grandparents, relatives and others.
- PACCAs spell out any boundaries or limitations on contact imposed by the court or by the adoptive family.

The Solution:

HB 721 cleans up language from the 2019 bill that meant to accomplish the above but left unclear whether rules applied to parents who did not voluntarily choose to terminate their rights.

PACCAs:
- Enable children to retain ties with siblings and extended family members
- Help children maintain connections to their culture and community
- Allow children to seek out vital health and genetic history as needed
- Allow a child to resolve the loss of parents with the truth. Without contact, adopted children may idealize less-than-perfect birth parents, making it difficult to fully accept their adoptive parents
- Some older children refuse adoption because they don’t want to end their connections to their birth family. A PACCA can encourage older children to agree to adoption

A court’s determination of a child’s best interests would always govern approval of a PACCA.