

## 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 neglect<sup>i</sup> (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.**

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<sup>i</sup> Solangel Maldonado, “Permanency v. Biology: Making the Case for Post-Adoption Contact,” Capital Law Review, Vol. 37, p. 322-323 (2008)

**For more information, contact:**

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