

or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws or other processes of law whatsoever and shall be unassignable except as in this act specifically provided.

False statements.

SEC. 21. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the Washington State Patrol Retirement Fund in any attempt to defraud such fund as a result of such act shall be guilty of a gross misdemeanor.

Passed the Senate March 9, 1947.

Passed the House March 7, 1947.

Approved by the Governor March 20, 1947.

CHAPTER 251.

[S. B. 288.]

ADOPTION.

AN ACT relating to adoption; amending sections 2, 3, 8, 9, 11, and 14, chapter 268, Laws of 1943 (sections 1699-3, 1699-4, 1699-9, 1699-10, 1699-12 and 1699-15, Remington's Revised Statutes, 1943 Supplement), as amended by section 1, chapter 191, Laws of 1945 (section 1699-12, Remington's Revised Statutes, 1945 Supplement).

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 3, chapter 268, Laws of 1943 (section 1699-4, Remington's Revised Statutes, 1943 Supplement), is amended to read as follows:

Consent to be filed.

Section 3. Written consent to such adoption must be filed prior to a hearing on such petition, as follows:

Person to be adopted if over fourteen years of age.

(a) By the person to be adopted, if such person be fourteen (14) years of age or older, but the filing of such consent shall not obviate the necessity of securing any other consent herein required;

(b) If the person to be adopted be of legitimate birth or legitimized thereafter, and a minor, then by each of his living parents, except as hereinafter provided;

Minor of
legitimate
birth.

(c) If the person to be adopted be illegitimate and a minor, then by his mother, if living, except as hereinafter provided:

Illegitimate.

(d) If a legal guardian has been appointed for the person of said child, then by such guardian;

Legal
guardian.

(e) If the person to be adopted be a minor and has been permanently committed upon due notice to his parents by any court of general jurisdiction to an approved agency, then by such approved agency, in which event neither notice to nor consent by its parents in the adoption proceeding shall be necessary: *Provided*, That if the approved agency refuses to consent to the adoption, the court, in its discretion, may order that such consent be dispensed with.

Approved
agency.

SEC. 2. Section 8, chapter 268, Laws of 1943 (section 1699-9, Remington's Revised Statutes, 1943 Supplement), is amended to read as follows:

Section 8. The Court shall direct notice of any hearing required under section 5 to be given to any non-consenting parent or guardian, if any, and to any person or association having the actual care, custody or control of said child: *Provided*, That where a parent has been deprived of the custody of such child and such child has been set over for adoption by an order of a court of competent jurisdiction, after due notice in a proceeding regularly had for such purpose, no notice need be given to the parent so deprived, and the record of such deprivation proceedings shall be deemed *prima facie* proof of such deprivation. Such notice shall be given in the following manner: The Court shall direct the clerk to issue a notice of such hearing directed to the persons entitled to notice, notifying such persons

Notice of
hearing.

Manner of
giving notice.

Service of
notice.

Publication.

of the filing of the petition, stating briefly the object of the petition and the purpose of the hearing, and notifying such persons of the date, time and place of the hearing. A copy of the notice shall be served in the manner provided by law for the service of the summons upon the persons entitled thereto at least ten days prior to the hearing. In the event it shall appear by the affidavit of the petitioners that the persons entitled to notice, or either of them, are nonresidents of the state or that they cannot, after diligent search, be found within the state, and that a copy of said notice has been deposited in the post office directed to such person or persons, unless it is stated in the affidavit that their residence is unknown to petitioners, then the court may order said notice published in a legal newspaper printed in the county, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-five (25) days prior to the date fixed for the hearing. Proof of service of notice shall be filed in the cause as required by law for making proof of the service of summons. If the Court is satisfied of the illegitimacy of the child to be adopted, and so finds, no notice to the father of such child shall be required.

Investigation
to be made.Expense.
Report to
Court.

SEC. 3. Section 9, chapter 268, Laws of 1943 (section 1699-10, Remington's Revised Statutes, 1943 Supplement), is amended to read as follows:

Section 9. Upon the filing of a petition for adoption, the Court shall cause an investigation of the propriety of the adoption to be made. The Court shall appoint an approved agency or any salaried court employee or any other suitable and proper person as next friend of the child to make such investigation. The investigation shall be made without expense to the petitioners. The investigator appointed by the Court shall make a report in writing to the Court within thirty (30) days from the

time of his appointment unless further time be granted by the Court. Such report shall contain all available information concerning the physical and mental condition of the child, the parents of the child, and the physical, mental, moral and financial condition of the petitioners, and any other facts and circumstances relating to the propriety and advisability of the adoption.

SEC. 4. Section 11, chapter 268, Laws of 1943 (section 1699-12, Remington's Revised Statutes, 1943 Supplement), as amended by section 1, chapter 191, Laws of 1945 (section 1699-12, Remington's Revised Statutes, 1945 Supplement), is amended to read as follows:

Section 11. Upon the conclusion of such hearing, if had, or upon filing the report of investigation, if any, or as soon as the procedure hereunder may permit, the Court shall enter its decree either granting or denying the petition for adoption and change of name, if any, all as in its discretion it shall deem proper. If the decree be for adoption, it shall provide:

After hearing Court may enter decree.

Provisions.

(a) For the issuance of a certificate of birth of any child born in the State of Washington, by the state department of registration of births, in such form and containing such information as the Court may deem proper and by such decree shall direct;

Certificate of birth.

(b) Whether or not any of the records of the said department of registration of births shall be secret; and if any be directed to be secret, then the same shall be disclosed only upon order of Court for good cause shown;

Records may be secret.

(c) That such adoption shall remain interlocutory for six months from date of entry of such decree, and shall become absolute at the expiration of said six months.

Adoption interlocutory

Appeal. Such decree shall be final as to the parties thereto and those notified as herein provided unless appealed from within thirty (30) days after entry thereof.

Filing of petition within interlocutory period. At any time prior to the expiration of six months from entry of such decree, any interested person may file in the adoption proceedings his verified petition alleging grounds, if any he has, for the vacation or modification of such decree. Upon the filing of such petition, the Court shall, upon application, fix a time for hearing thereon. At least ten days' notice of such hearing shall be served upon all of the parties to the adoption proceeding and to the persons served as provided in section 8 hereof, and also upon the person making the report of investigation pursuant to section 9. Upon such hearing, if the petition be granted, the Court shall enter an order vacating such decree of adoption, and may also make such further order for the welfare of the child as in its discretion seems proper. An appeal from any order vacating or refusing to vacate such decree may be taken, as in other cases.

Notice and hearing.

Order.

Appeal.

Final judgment.

If no appeal be taken from the decree of adoption and if no petition to vacate or modify the same be filed within such six (6) months period then said decree shall be deemed a final judgment as of the date of its entry.

SEC. 5. Section 14, chapter 268, Laws of 1943 (section 1699-15, Remington's Revised Statutes, 1943 Supplement), is amended to read as follows:

Person over age of twenty-one years.

Section 14. If the petition be for the adoption of a person over the age of twenty-one (21) years and of legal competency, and is accompanied by the written consent of such person, neither notice to any person nor investigation shall be required.

Passed the Senate March 3, 1947.

Passed the House March 8, 1947.

Approved by the Governor March 20, 1947.