

## CHAPTER 203

[Substitute Senate Bill No. 6219]

## ADOPTION—CONSENT, WHEN IT MAY BE DISPENSED WITH

AN ACT Relating to consent to adoption; and amending RCW 26.33.170 and 13.34.210.

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

Sec. 1. Section 17, chapter 155, Laws of 1984 and RCW 26.33.170 are each amended to read as follows:

An agency's, the department's, or a legal guardian's consent to adoption may be dispensed with if the court determines by clear, cogent and convincing evidence that the proposed adoption is in the best interests of the adoptee (~~and that the refusal to consent to adoption is arbitrary and capricious~~).

Sec. 2. Section 49, chapter 291, Laws of 1977 ex. sess. as amended by section 49, chapter 155, Laws of 1979 and RCW 13.34.210 are each amended to read as follows:

If, upon entering an order terminating the parental rights of a parent, there remains no parent having parental rights, the court shall commit the child to the custody of the department of social and health services or to a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption, or in the absence thereof in a licensed foster home, or take other suitable measures for the care and welfare of the child. The custodian shall have authority to consent to the adoption of the child consistent with chapter 26.33 RCW, the marriage of the child, the enlistment of the child in the armed forces of the United States, necessary surgical and other medical treatment for the child, and to consent to such other matters as might normally be required of the parent of the child.

If a child has not been adopted within six months after the date of the order and a general guardian of the child has not been appointed by the court, the child shall be returned to the court for entry of further orders for his or her care, custody, and control, and the court shall review the case every six months thereafter until a decree of adoption is entered.

Passed the Senate February 13, 1988.

Passed the House March 9, 1988.

Approved by the Governor March 22, 1988.

Filed in Office of Secretary of State March 22, 1988.