

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2474 (Formerly HF 2113)	House Committee:	PASSED on February 16 (20-0)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Lohse	Senate Floor:	
Date:	March 14, 2022	Governor:	
Staff:	Amanda Wille (1-5230)		

Public Defender and Adoption

- Allows the public defender to serve as guardian ad litem for a child in adoption proceedings where the child was part of CINA, FINA, delinquency, or TPR proceedings.
- **Fiscal Note** – HF 2474, before being amended will cost between \$198,000 to \$396,000 to the Indigent Defense Fund.

Section by Section Analysis

Section 1 – Public Defenders- Powers and Duties of Local Public Defenders- Referrals to Outside Council (13B.9)

The public defender will represent any party in an adoption proceeding where the child was subject to child in need of assistance, family in need of assistance, delinquency, and termination of parental rights proceedings.

The public defender will also serve as guardian ad litem for the child.

Amendment Analysis

H-8147-Hite

Clarifies that a public defender only represents indigent parties, not any party in these adoption proceedings.

Section 2- Adoption- Attachments to an Adopted Petition (600.6)

Requires DHS to provide a certified copy of a birth certificate to the person adopting a child when DHS is the guardian of the child.

Section 3-Adoption- Notice of Adoption Hearing (600.11)

Conforming changes

In an adult adoption, notice must be given to the adult.

H-8156 to H-8174-Hite

Strikes the requirement that notices are sent to an adult, in an adult adoption (returns to current code)