

H.B. 283  
As Introduced

**Topic:** Procedure for juvenile court consent to adoptions

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 1  
3107.05 and to" delete "section" and insert "sections"; after 2  
"3107.041" insert ", 3107.042, 3107.043, 3107.044, 3107.045, 3  
3107.046, 3107.047, 3107.048, and 3107.049"; delete "to" 4

Delete line 2 of the title 5

In line 3 of the title, delete "written consent to" and 6  
insert "regarding" 7

In line 5, after "section" insert "3107.05 be amended and 8  
sections"; after "3107.041" insert ", 3107.042, 3107.043, 9  
3107.044, 3107.045, 3107.046, 3107.047, 3107.048, and 3107.049" 10

In line 7, after "**3107.041.**" insert "Before conducting 11  
proceedings on a petition for adoption under section 3107.04 of 12  
the Revised Code regarding a child subject to the temporary 13  
custody or protective supervision of a public children services 14  
agency or private child placing agency, the probate court shall 15  
request, in writing, the juvenile court with jurisdiction over the 16  
abuse, neglect, or dependency case involving the child to consent 17  
to the probate court exercising jurisdiction over the child 18  
regarding the petition." 19

Sec. 3107.042. On receipt of a request under section 3107.041 20  
of the Revised Code, the juvenile court shall notify all parties 21  
to the case addressed by the request of its receipt. 22

Sec. 3107.043. A party, on receipt of a notice under section 23  
3107.042 of the Revised Code, may object to, and request a hearing 24  
on, the probate court request for consent to jurisdiction not 25  
later than seven days after the date the juvenile court sends the 26  
notice. 27

Sec. 3107.044. (A) On receipt of a timely request under 28  
section 3107.043 of the Revised Code, the juvenile court shall 29  
schedule a hearing to be held not later than thirty days after the 30  
date the request is received. The court shall give notice of the 31  
date, time, and location of the hearing to all parties to the case 32  
addressed by the hearing request. 33

(B) After conducting the hearing, but not later than ninety 34  
days after receiving the request for consent to jurisdiction under 35  
section 3107.041 of the Revised Code, the juvenile court shall 36  
determine whether to grant consent. If the juvenile court grants 37  
the request, it shall issue an order granting consent to 38  
jurisdiction and submit a copy of the order to the requesting 39  
probate court. 40

Sec. 3107.045. An order issued under section 3107.044 of the 41  
Revised Code shall include a requirement that any temporary 42  
custody or protective supervision order issued by the juvenile 43  
court shall remain in effect until the probate court, consistent 44  
with section 3107.049 of the Revised Code, approves a preadoption 45  
placement of the child. 46

Sec. 3107.046. An order issued under section 3107.044 of the Revised Code is not a final, appealable order. 47  
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Sec. 3107.047." 49

In line 8, delete "regarding a child" and insert "described in section 3107.041 of the Revised Code until the juvenile court with jurisdiction over the abuse, neglect, or dependency case involving the child subject to the petition issues an order granting consent to jurisdiction to the probate court under section 3107.044 of the Revised Code." 50  
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Delete lines 9 through 14 and insert: 56

"Sec. 3107.048. After a juvenile court issues an order granting consent to jurisdiction to a probate court under section 3107.044 of the Revised Code, and until a final adoption decree regarding the child subject to the order is issued, the juvenile court may continue to exercise jurisdiction over the child in conjunction with the probate court. 57  
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Sec. 3107.049. After a juvenile court issues an order granting consent to jurisdiction to a probate court under section 3107.044 of the Revised Code, the probate court shall have exclusive jurisdiction over the preadoption placement of the child subject to the order. When the probate court approves the preadoption placement of the child, it shall submit a certified copy of the placement order to the juvenile court. On submission of the placement order any temporary custody or protective supervision order regarding the child terminates. 63  
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Sec. 3107.05. (A) A petition for adoption shall be prepared and filed according to the procedure for commencing an action 72  
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under the Rules of Civil Procedure. It shall include the following information: 74  
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(1) The date and place of birth of the person to be adopted, if known; 76  
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(2) The name of the person to be adopted, if known; 78

(3) The name to be used for the person to be adopted; 79

(4) The date of placement of a minor and the name of the person placing the minor; 80  
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(5) The full name, age, place, and duration of residence of the petitioner; 82  
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(6) The marital status of the petitioner, including the date and place of marriage, if married; 84  
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(7) The relationship to the petitioner of the person to be adopted; 86  
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(8) That the petitioner has facilities and resources suitable to provide for the nurture and care of the person to be adopted, and that it is the desire of the petitioner to establish the relationship of parent and child with the person to be adopted; 88  
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(9) A description and estimate of value of all property of the person to be adopted; 92  
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(10) The name and address, if known, of any person whose consent to the adoption is required, but who has not consented, and facts that explain the lack of the consent normally required to the adoption; 94  
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(11) A statement as to whether the person to be adopted is subject to the temporary custody or protective supervision of a public children services agency or private child placing agency. 98  
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(B) A certified copy of the birth certificate of the person 101

to be adopted, if available, and ordinary copies of the required  
consents, and relinquishments of consents, if any, shall be filed  
with the clerk.

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**Section 2.** That existing section 3107.05 of the Revised Code  
is hereby repealed."

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The motion was \_\_\_\_\_ agreed to.