

Sections 1 and 2 are effective the day following final enactment.

Approved February 25, 1987

CHAPTER 3—H.F.No. 41

An act relating to adoption; providing that proposed adoptive parents may obtain certain reports or records; providing that a child's parent need not join as co-petitioner in a stepparent adoption; changing the manner of executing certain consents; amending Minnesota Statutes 1986, sections 259.21, subdivision 7; 259.24, subdivision 5; and 259.27, subdivision 3, and by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 259.21, subdivision 7, is amended to read:

Subd. 7. **PETITIONER.** "Petitioner" means a person with spouse, if there be one, petitioning for the adoption of any person or persons pursuant to sections 259.21 to 259.32. In the case of adoption by a stepparent, the parent who is the stepparent's spouse shall not be required to join the petition.

Sec. 2. Minnesota Statutes 1986, section 259.24, subdivision 5, is amended to read:

Subd. 5. **EXECUTION.** All consents to an adoption, except those by the commissioner, the commissioner's agent, a licensed child-placing agency, an adult adoptee, or the child's parent ~~when that parent is either a copetitioner in the adoption proceeding or does not have custody of the child in a petition for adoption by a stepparent~~, shall be executed before a representative of the commissioner, the commissioner's agent or a licensed child-placing agency. In addition all consents to an adoption shall be in writing and shall contain notice to the parent of the substance of subdivision 6a, providing for the right to withdraw consent. Consents shall be executed before two competent witnesses and acknowledged by the consenting party. Consents shall be filed in the adoption proceedings at any time before the matter is heard provided, however, that a consent executed and acknowledged outside of this state, either in accordance with the law of this state or in accordance with the law of the place where executed, is valid.

Sec. 3. Minnesota Statutes 1986, section 259.27, subdivision 3, is amended to read:

Subd. 3. **REPORTS AND RECORDS; CONFIDENTIAL.** (a) The contents of all reports and records of the commissioner of human services, county welfare board, or child placing agency bearing on the suitability of the proposed adoptive home and the child to each other shall be confidential; and the contents

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

thereof shall not be disclosed either directly or indirectly to any person other than the commissioner of human services or a judge of the court having jurisdiction of the matter, ~~provided, however, that~~ except as provided in paragraph (b).

(b) A judge of the court having jurisdiction of the matter may shall upon request disclose to a party to the proceedings or the party's counsel any portion of such a report or record to a party to the proceedings or the party's counsel when such report or record disapproves the granting of the adoption petition that relates only to the suitability of the proposed adoptive parents. In this disclosure, the judge may withhold the identity of individuals providing information in the report or record. When the judge is considering whether to disclose the identity of individuals providing information, the agency with custody of the report or record shall be permitted to present reasons for or against disclosure.

Sec. 4. Minnesota Statutes 1986, section 259.27, is amended by adding a subdivision to read:

Subd. 3a. REPORT TO PROSPECTIVE ADOPTIVE PARENTS. Prospective adoptive parents may request and may receive a summary report on their suitability as adoptive parents from any authorized adoption agency at the conclusion of the adoptive study by that agency. The summary report shall not identify sources of information outside of the adoption agency or information about any child to be adopted. This summary report shall be used only for purposes mutually agreed upon by the adoption agency and the prospective adoptive parents. The purposes and the date of the summary report shall be clearly noted on the report.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

Approved March 4, 1987

CHAPTER 4—S.F.No. 85

An act relating to real estate; providing for clearing title defects in adjacent land; amending Minnesota Statutes 1986, section 508.08

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 508.08, is amended to read:

508.08 APPLICATION, CONTENTS.

Subdivision 1. ADJACENT LAND; COMMON OWNER. Any number of adjoining tracts of land in the same county and owned by the same person and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.