
A BILL FOR AN ACT

RELATING TO PARENTAL RIGHTS.

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

1 SECTION 1. The purpose of this Act is to require the
2 department of human services, including any agency or employee
3 of the department of human services, to abide by a custodial
4 parent's request to relinquish parental rights of a child.

5 SECTION 2. Section 571-61, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) [~~Relinquishment.~~] Voluntary relinquishment. The
8 parents or either parent or the surviving parent who desire to
9 relinquish parental rights to any natural or adopted child and
10 thus make the child available for adoption or readoption, may
11 petition the family court of the circuit in which they or he or
12 she resides, or of the circuit in which the child resides, or
13 was born, for the entry of a judgment of termination of parental
14 rights. The petition [~~shall~~]:

15 (1) Shall be verified and shall be substantially in such
16 form as may be prescribed by the judge or senior judge
17 of the family court [~~. The petition may~~]; and



1 (2) May be filed at any time following the mother's sixth
2 month of pregnancy; provided that no judgment may be
3 entered upon a petition concerning an unborn child
4 until after the birth of the child and in respect to a
5 legal parent or parents until the petitioner or
6 petitioners have filed in the termination proceeding a
7 written reaffirmation of their desires as expressed in
8 the petition or in respect to a legal parent or
9 parents until the petitioner or petitioners have been
10 given not less than ten days' notice of a proposal for
11 the entry of judgment and an opportunity to be heard
12 in connection with such proposal.

13 In a case where a custodial parent desires to relinquish
14 parental rights to any natural or adopted child and petitions
15 for an entry of a judgment of termination of parental rights,
16 the department of human services, any agency within the
17 department, or any employee of the department or an agency
18 within the department shall not interfere or object to the
19 petition."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



H.B. NO. 177

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 17 2013



Report Title:

Termination of Parental Rights; Voluntary Relinquishment

Description:

Provides that when both parents or the only custodial parent petitions for the termination of parental rights, the DHS, any agency within the department, or any employee of the department or agency within the department, shall not interfere or object.

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