

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Elwaine F. Pomeroy at  
Chairperson

10:00 a.m. ~~XXX~~ on January 20, 1984 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~ were: Senators Pomeroy, Winter, Burke, Feleciano, Gaar, Gaines, Hein, Hess, Mulich, Steineger and Werts.

Committee staff present: Arden Ensley, Revisor of Statutes  
Mike Heim, Legislative Research Department  
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

Jan Van Patten, Lutheran Social Service, Wichita  
Steve Wiechman, private citizen  
Dr. Robert Harder, Social and Rehabilitation Services  
Marjorie Van Buren, Office of Judicial Administrator

Senate Bill 486 - Adoption investigations by SRS.

The chairman pointed out to the committee the original bill that was introduced had flaws, and there is a corrected version everyone should have.

The chairman presented background information on the bill. He explained the bill was introduced as a result of interim committee study of whether to have an adoption registry in Kansas.

Jan Van Patten testified in support of the bill. A copy of her testimony is attached (See Attachment No. 1). A committee member inquired, who would pay for that investigation and what is the estimated cost? She replied, as the bill is written, there is not any provision for paying for that; might be important to look at the funding mechanism. The committee member inquired if she could give an estimate of what one such investigation would cost? She replied, their organization doesn't do the investigations. It would vary with who provides the services. A committee member inquired, does this bill not deal with availability of adoption record later? She answered, her opinion is the current legislation, not in the bill, speaks very well to that. The adoptee can see the birth certificate and the history. The safeguards are adequate, and they are supportive of the availability of that information.

Steve Wiechman testified he discussed the bill with Judge Schowengerdt. He referred to the home study or assessment provision that was passed last year and stated they found the private costs are running around \$350 and the judge found some to be as high as \$500, some less, some more. Mr. Wiechman related the problem a client of his has. She is terminally ill with two adopted children. She does not know who the father of one of the children is, and the wording in the statute "consent of living parents" has presented a problem in this case. He suggested changing the wording to "waivers of notice of each living parent, if known". He then referred to Section 2(1), and pointed out it is very difficult to obtain medical records from the various states in regard to his client. He asked the committee to consider the situation where one parent of illegitimate children is not known.

Dr. Robert Harder appeared before the committee to explain the concern his department has about the legislation. A copy of his testimony and a copy of the suggested changes are attached (See Attachments No. 2 and 3). He testified they are in support of the adoption repository, but they are against shifting the adoption studies back to SRS. He pointed out the department has a problem with new Section 2 of the bill. A committee member inquired what the cost would be if the bill passes? Dr. Harder answered, for 450 to 500 cases of private adoptions over the state, four to five workers would be required if SRS gets back into adoption studies. The chairman inquired what the cost of private studies is? Dr. Harder

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,  
room 514-S, Statehouse, at 10:00 a.m./~~p.m.~~ on January 20, 1984.

Senate Bill 486 continued

replied, it will cost from \$250 to \$750; that figure should not be a prohibitive matter. He stated the state can't keep doing things that can be paid for by private individual parties. A committee member inquired, do you read it as making it mandatory or an option? Dr. Harder replied, they are reading it as availability, but he fears that availability would become mandatory. The committee member said, we need to recognize four or five hundred dollars might be a tough burden; with particular children who are available for adoption and would hate to prevent these children being available for adoption. Dr. Harder explained, for the handicapped or mixed background children, they do have an adoption support program, which somewhat responds to the problem to which you speak. The committee member inquired, is there a middle ground to pick up those people? Dr. Harder replied, they would not be opposed to limiting the problem of the extra ordinary situations, and also have the adoption support system available to them if committee does this. A committee member inquired how the adoption studies are done? Jan Van Patten explained the investigative part involves verifying marriages, seeking references, discussing parent attitudes, trying to determine parenting capability, and discussing problems adoptive children might have or questions they ask. In answer to a question, Dr. Harder reported with hiring four workers, the cost would be one hundred thousand dollars.

Dr. Harder then explained the adoption support program was developed eight or ten years ago. It did run around one hundred thousand dollars, but it is up to three or four hundred thousand dollars. If a child has some kind of a handicap condition, and there is the possibility the child is needing medical attention through the years, they tell the family they will continue to underwrite medical costs. If the family's financial situation changes up or down, they can make adjustments. He reported it's been very successful to help move children into adoptive homes.

Marjorie Van Buren explained the legislation passed last year is not causing any great difficulty. There are concerns with the costs to adoptive parents; the reason costs run up is because the distance traveled can run the cost up. She has had no negative feedback on how this works. She said the court has no difficulty with changes proposed in the bill as written, but if the committee goes back to the approach that was in the current law, she has suggested changes (See Attachment No. 4). She explained the two suggested changes.

Dr. Harder referred to the second page of the balloon showing the SRS proposed changes, and explained it puts them in as a matter of last resort and not totally removed. The chairman pointed out everyone agrees we should have a central repository and should have SRS at least as a back up situation.

The hearings on Senate Bill 486 were concluded.

The chairman reported Senator Hess had indicated that he was concerned that the legislature consider the report from the Judicial Council with regard to the Kansas Court of Appeals. A sixteen person ad hoc committee has been chosen composed of three members from the Senate Judiciary Committee, three members from the Senate Ways and Means Committee, Three members from the House Judiciary Committee and three members from the House Ways and Means Committee, and the majority and minority leaders of both the House and the Senate, to study the report and have hearings concerning the report. The ad hoc committee will then make recommendations.

Senator Werts moved to approve the minutes of January 17, 1984; Senator Hein seconded the motion, and the motion carried.

The meeting adjourned.

1-20-84

GUESTS

SENATE JUDICIARY COMMITTEE

NAME

ADDRESS

ORGANIZATION

Jan Van Patten 1855 N. Hillside, Wichita 67214 Lutheran Social Service

Louis Jelski P.O. Box 5283 <sup>Topoka</sup> 66605 K.O. Action for Children

Marjorie Van Buren Topoka OJA

Andy Kenkel Topoka KS 66614 KCSL

Judy Comstock 3620 Shawnee Hts Rd. Topoka Topoka Adoptive Family Group

Bob Woodhouse Seaside Dow

Carl Myers 1812 Crest Dr Topoka NASW

Steven Wiechma 1101 W 10<sup>th</sup> Topoka Individual

W. Adams Topoka Sen. Steiniger

Tom Fritzyler Lawrence Sen. Hess

Robert Hanson Topoka SRS



1-20-84  
Attach # 1

WICHITA OFFICE:  
1855 N. HILLSIDE • WICHITA, KANSAS 67214  
(316) 686-6645

TO: Senator Pomeroy, Chairman and Members of the Senate Judiciary Committee  
FROM: Jan Van Patten, Supervisor of Children's Services, Lutheran Social Service  
RE: Proposed Senate Bill 486  
DATE: January 20, 1984

I would like to take this opportunity to express support for the provisions made by Proposed Senate Bill 486 which are important for the protection of children.

These provisions include:

1. Requirements of an investigation and report (on all except step-parent adoptions) made by Social and Rehabilitation Services or a licensed child placing agency.
2. Retention and maintenance of all adoption records by Social and Rehabilitation Services including those from July 1, 1983 to the effective date of the new legislation.
3. Inclusion of complete medical, social and genetic history and birth verification to be filed with the Petition to Adopt.
4. Notification of the child's biological parents of the procedure for updating the child's medical and genetic history.

Thank you for your consideration of these issues.

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
Statement Regarding Senate Bill 486

I. Short Title of the Bill

An act concerning adoption, relating to procedures therefor, amending K.S.A. 59-2248 and repealing the existing section.

II. Background

This proposal would make referral to SRS mandatory upon the filing of a petition for adoption where the petitioner is not a stepparent. The court may also make referrals where the petitioner is the stepparent. Upon receipt of the adoption referral, SRS or a child-placing agency designated by SRS must investigate the advisability of adoption and report such findings not less than 10 days before the hearing on the petition. The study shall be made at no cost to the petitioner.

In addition, the proposal specifies information to be included in the study. It also makes SRS the permanent repository for adoption study information for adoptions conducted by SRS and for all adoption information for other child-placing agencies prior to the time they cease operation.

The major problem inherent in SB 486 is the manpower to do the non-agency adoption investigations again. The staff previously assigned this task have been absorbed by other cases. It will be a major task to reincorporate non-agency adoptions into individual workers' caseloads. Since there are usually 400 to 450 non-agency adoptions yearly in Kansas, we estimate that we would need four or five additional full time social workers to meet the requirements of the bill.

We would prefer that the private adoption agencies and private practitioners be allowed to continue to provide this service with the cost being borne by the petitioners. As we understand it both Kansas Children's Service League and Family and Children's Services have the capability of covering the entire state by adding contracts with social workers in the areas where they do not have permanent staff.

As we understand the basis for the submission of 486, the courts took discretion regarding investigations and reports under the statute passed a year ago which clearly was not the intent of that statute. We support the necessity for investigations and reports to the courts. We do not feel that they must be carried out by SRS staff and we believe that the petitioners in non-agency adoptions can bear the cost of such actions just as they pay the attorney's fees, medical expenses, court costs, etc.

We also support the necessity for SRS to once again be the central repository for the records of these adoptions. The procedure in effect as of July 1, 1983 could be reinstated without developing any new systems to make it operational. However, the Central office clerical person previously assigned such tasks has been reassigned. The non-agency adoption records workload will require approximately a half-time clerical position for maintenance. If we have computer capability the clerical time could be lessened and the system enhanced.



We would like to point out that most of New Section 2 in SB 486 demonstrates good child welfare practice and would be supported by us. However, we would prefer that the definition of genetic and medical history not be adopted in rules and regulations (b) but rather be embodied in the legislation. We are also supportive of the requirement in this bill that the genetic and medical history be obtained by the attorney and filed with the petition. Youth Services staff has defined genetic history as any inherited condition in the parents or extended family which might affect the health, physical development or mental condition of the child. Medical history has been defined as any medical condition in the parents or extended family. Such reports would include a physical description of the parents, their race and nationality, a general statement of their health, and an indication of any known inherited condition in the child's family background, including, but not limited to: allergies, sensory impairments, neurological and/or muscular conditions, mental retardation, blood disorders, cardiovascular diseases, orthopedic problems, diabetes, growth problems and congenital defects. This report would also include indications of other health conditions in the child's family background including: cancer, heart problems, tuberculosis, emotional illness, arthritis, alcoholism, drug addiction, strokes, epilepsy, etc., along with an indication of major illness (either physical or mental) diagnoses, hospitalizations, treatment and prognoses. It is also a provision of S.B. 486 that medical records, birth history and other information pertaining to the child be a part of this report. Subsection (f) of New Section 2 appears to invalidate all that the committee has attempted to accomplish in New Section 2 and we would question that contradiction.

### III. SRS Position

SRS would support legislation if the section mandating SRS to investigate all adoptions at no cost to the petitioner is amended.

Robert C. Harder, Secretary  
Office of the Secretary  
Social and Rehabilitation Services  
296-3271  
January 20, 1984

(Corrected)

Session of 1984

SENATE BILL No. 486

By Special Committee on Judiciary

Re Proposal No. 31

11

Attach. #3

0020 AN ACT concerning adoption; relating to procedures therefor;  
0021 amending K.S.A. 59-2278 and repealing the existing section.

0022 *Be it enacted by the Legislature of the State of Kansas:*

0023 Section 1. K.S.A. 59-2278 is hereby amended to read as fol-  
0024 lows: 59-2278. (a) The written consents to adoption which are  
0025 required by K.S.A. 59-2102 and amendments thereto *and, if*  
0026 *applicable, the information required by section 2* shall be filed  
0027 with the petition for adoption *of a minor child*. Upon the filing of  
0028 the petition, the court shall fix the time and place for the hearing  
0029 thereon. The time fixed for the hearing may be any time not more  
0030 than 60 days from the date the petition is filed if (1) consents and,  
0031 waivers of notice of each living parent *and, if required by section*  
0032 *2, the child's genetic and medical history and birth verification*  
0033 *are filed;* (2) *the court does not require the petitioner to obtain*  
0034 *an assessment by a person licensed to practice social work in*  
0035 *Kansas no notice to the secretary of social and rehabilitation*  
0036 *services is required;* (3) *the court does not request an investiga-*  
0037 *tion by the secretary of social and rehabilitation services* to  
0038 determine the advisability of the adoption; and ~~(3)~~ (4) there are  
0039 no interested parties other than the petitioner and the consenting  
0040 parties. In all other cases, the time fixed by the court shall be not  
0041 less than 30 days or more than 60 days from the date of the filing  
0042 of the petition. The time fixed for the hearing may be extended  
0043 by the court for cause.

0044 (b) Notice of the hearing shall be given to all interested  
0045 parties, *including the secretary of social and rehabilitation*  
0046 *services in those cases in which the petitioner is not a steppar-*

Substitute

"the court does not require the petitioner to obtain an assessment by a person licensed to practice social work in Kansas or by a licensed child placing agency."

Strike entire italicized language.

Strike (4) and reinstate (3).

Strike entirely the italicized language

Attch. 3

0047 ~~ent~~ Pending the hearing the court may make an appropriate  
 0048 order for the care and custody of the child.  
 0049 (c) Promptly upon the filing of the petition ~~by a petitioner~~  
 0050 ~~who is not a stepparent, the court may require the petitioner to~~  
 0051 ~~obtain an assessment by a court designated social worker li-~~  
 0052 ~~censed to practice social work in Kansas of the advisability of the~~  
 0053 ~~adoption, and file a report of such assessment with~~ *The court*  
 0054 *shall, if the petitioner is not a stepparent, and the court may, if*  
 0055 *the petitioner is a stepparent, send to the secretary of social and*  
 0056 *rehabilitation services, or to a child-placing agency designated*  
 0057 *by the secretary, a copy of the petition, the consents and, if*  
 0058 *applicable, the information filed under section 2. Upon receiv-*  
 0059 *ing the copy, the secretary or child-placing agency, without cost*  
 0060 *to the natural parents or petitioner, shall investigate the advis-*  
 0061 *ability of the adoption and report the secretary's or agency's*  
 0062 *findings and recommendations to the court not less than 10 days*  
 0063 *before the hearing on the petition. If there is no licensed social*  
 0064 *worker available to make the social assessment and report to the*  
 0065 *court, the court may use the department of social and rehabilita-*  
 0066 *tion services for that purpose. The costs for making the social*  
 0067 *assessment and report may be assessed as court costs in the case*  
 0068 *as provided in article 20 of chapter 60 of the Kansas Statutes*  
 0069 *Annotated and acts amendatory of the provisions thereof or*  
 0070 *supplemental thereto. In making the assessment, the licensed*  
 0071 *social worker or the department*  
 0072 *In making the investigation, the secretary of social and reha-*  
 0073 *bilitation services is authorized to or the child-placing agency*  
 0074 *may observe the child and shall contact the agency or indi-*  
 0075 *viduals consenting to the adoption and obtain any voluntarily*  
 0076 *given genetic information about the child confirm and, if neces-*  
 0077 *sary, clarify any genetic and medical history filed with the*  
 0078 *petition. This information shall be made a part of the report to*  
 0079 *the court. The licensed social worker's report or the report of the*  
 0080 *department of social and rehabilitation services. The secretary or*  
 0081 *child-placing agency may inquire whether the consents to the*  
 0082 *adoption were freely and voluntarily made. The report made by*  
 0083 *the secretary or child-placing agency to the court shall include*

Strike

Substitute

"by a petitioner who is not a stepparent, the court shall require the petitioner to obtain an assessment by a court designated social worker licensed to practice social work in Kansas or by a licensed child placing agency of the advisability of the adoption and file a report of such assessment and, if applicable, the information filed under Section 2 with,"

Strike italicized language.

Substitute

"If there is no licensed social worker, or licensed child placing agency available to make the social assessment and report to the court, the court may use the department of social and rehabilitation services for that purpose. The costs for making the social assessment and report may be assessed as court costs in the case as provided in article 20 of chapter 60 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof or supplemental thereto. In making the assessment, the licensed social worker or child placing agency or the department of social and rehabilitation services is authorized to observe the child and to"

Substitute

"The social worker, child placing agency or SRS may inquire whether the consents to the adoption were freely and voluntarily made. The report made by the social worker, child placing agency or SRS"



0084 the results of investigation of the adopting parents, their home  
0085 and their ability to care for the child.

0086 (d) Upon the hearing of the petition, the court shall consider

0087 ~~the social assessment and all *the report of the secretary of social*~~

0088 ~~and rehabilitation services or child-placng agency and all other~~

0089 evidence offered by any interested party. If the court is of the

0090 opinion that the adoption should be made, it shall make a final

0091 order of adoption and shall deliver the child to the petitioner, if

0092 that has not already been done. In any event, the costs of the

0093 adoption proceedings ~~other than the costs of the investigation~~

0094 ~~by the secretary of social and rehabilitation services or child-~~

0095 ~~placing agency,~~ shall be paid by the petitioner.

0096 (e) If, on or after July 1, 1983, and prior to the effective date

0097 of this act, the court has required the petitioner to obtain an

0098 assessment by a court designated licensed social worker pursu-

0099 ant to this section, the clerk of the court shall transfer a copy of

0100 the report of the assessment to the secretary of social and

0101 rehabilitation services on or before January 1, 1985, or 30 days

0102 after the report is filed, whichever is later. The transferred

0103 reports shall be maintained by the secretary and shall be subject

0104 to disclosure to the same extent as reports and other records of

0105 investigations made by the secretary pursuant to this section.

0106 New Sec. 2. (a) Unless the petitioner is a stepparent, the

0107 following information shall be filed with the petition for adop-

0108 tion of a minor child:

0109 (1) A complete written genetic and medical history of the

0110 child;

0111 (2) the names, addresses and telephone numbers of the

0112 child's biological parents;

0113 (3) any hospital records pertaining to the child or a properly

0114 executed authorization for release of those hospital records; and

0115 (4) the child's birth verification, which shall include the date,

0116 time and place of birth and the name of the attending physician.

0117 (b) The secretary of social and rehabilitation services shall

0118 adopt rules and regulations specifying what should be contained

0119 in the genetic and medical history required by this section,

0120 which shall include but not be limited to genetic and medical

Substitute

"the social assessment and all"

Strike the italicized language.

Strike Italicized language.

~~the social assessment and all the report of the secretary of social and rehabilitation services or child-placng agency, shall be paid by the petitioner.~~

0121 information concerning the child's biological parents, the ethni-  
 0122 city of the child's biological parents and the date of birth and sex  
 0123 of any of the child's siblings who are known at the time of filing  
 0124 the petition.

0125 (c) The secretary of social and rehabilitation services shall  
 0126 adopt rules and regulations establishing procedures for updating  
 0127 a child's genetic and medical history if new information becomes  
 0128 known at a later date. The secretary or the child-placing agency,  
 0129 whichever conducts the investigation under K.S.A. 59-2278 and  
 0130 amendments thereto, shall advise the child's biological parents,  
 0131 in writing, of those procedures.

0132 (d) Within 30 days after the final order of adoption is entered,  
 0133 the clerk of the court shall send to the secretary of social and  
 0134 rehabilitation services a copy of any information filed pursuant to  
 0135 this section by anyone other than the secretary, together with any  
 0136 clarification or modification of that information contained in a  
 0137 report filed pursuant to K.S.A. 59-2278 and amendments thereto  
 0138 by anyone other than the secretary. The secretary shall maintain  
 0139 the information, and any update of the information, in the offices  
 0140 of the secretary. Such information shall be subject to disclosure  
 0141 to the same extent as similar information concerning children  
 0142 relinquished to the department of social and rehabilitation ser-  
 0143 vices pursuant to K.S.A. 38-125 and amendments thereto.

0144 (e) Any employee or agent of the department of social and  
 0145 rehabilitation services, a child-placing agency or a district court  
 0146 who intentionally destroys any information required to be filed  
 0147 under this section is guilty of a class C misdemeanor.

0148 (f) Failure to file the information required by this section  
 0149 shall not affect the validity of the adoption proceedings.

Strike all of Section (f)

0150 (g) As used in this section and K.S.A. 59-2278 and amend-  
 0151 ments thereto, "child-placing agency" means any corporation  
 0152 organized under the laws of this state and authorized by law to  
 0153 care for and surrender children for adoption as provided in  
 0154 K.S.A. 38-112 *et seq.*, and amendments thereto.

Change (g) to (f)

0155 Sec. 3. K.S.A. 59-278 is hereby repealed.

0156 Sec. 4. This act shall take effect and be in force from and  
 0157 after its publication in the statute book.

M. Van Buren  
1-20-84

on a child-  
placing agency

0084 the results of investigation of the adopting parents, their home  
0085 and their ability to care for the child.

0086 (d) Upon the hearing of the petition, the court shall consider  
0087 ~~the social assessment and all the report of the secretary of social~~  
0088 ~~and rehabilitation services or child-placng agency and all other~~  
0089 evidence offered by any interested party. If the court is of the  
0090 opinion that the adoption should be made, it shall make a final  
0091 order of adoption and shall deliver the child to the petitioner, if  
0092 that has not already been done. In any event, the costs of the  
0093 adoption proceedings, *other than the costs of the investigation*  
0094 *by the secretary of social and rehabilitation services or child-*  
0095 *placing agency, shall be paid by the petitioner.*

0096 (e) *If, on or after July 1, 1983, and prior to the effective date*  
0097 *of this act, the court has required the petitioner to obtain an*  
0098 *assessment by a court designated licensed social worker pursu-*  
0099 *ant to this section, the clerk of the court shall transfer a copy of*  
0100 *the report of the assessment to the secretary of social and*  
0101 *rehabilitation services on or before January 1, 1985, or 30 days*  
0102 *after the report is filed, whichever is later. The transferred*  
0103 *reports shall be maintained by the secretary and shall be subject*  
0104 *to disclosure to the same extent as reports and other records of*  
0105 *investigations made by the secretary pursuant to this section.*

0106 New Sec. 2. (a) Unless the petitioner is a stepparent, the  
0107 following information shall be filed with the petition for adop-  
0108 tion of a minor child:

0109 (1) A complete written genetic and medical history of the  
0110 child;

0111 (2) the names; addresses and telephone numbers of the  
0112 child's biological parents;

0113 (3) any hospital records pertaining to the child or a properly  
0114 executed authorization for release of those hospital records; and

0115 (4) the child's birth verification, which shall include the date,  
0116 time and place of birth and the name of the attending physician.

0117 (b) The secretary of social and rehabilitation services shall  
0118 adopt rules and regulations specifying what should be contained  
0119 in the genetic and medical history required by this section,  
0120 which shall include but not be limited to genetic and medical

If the report does not originate with the department of social and rehabilitation services a copy of the report will be forwarded by the licensed social worker to the department at the same time the report is made to the court.

Attach # 4

Attach 4

attach. # 4

the court does not request an investigation by the secretary of social and rehabilitation services require the petitioner to obtain an assessment by a person licensed to practice social work in Kansas to determine the advisability of the adoption and (4) (3) there are no interested parties other than the petitioner and the consenting parties. In all other cases, the time fixed by the court shall be not less than 30 days or more than 60 days from the date of the filing of the petition. The time fixed for the hearing may be extended by the court for cause.

(b) Notice of the hearing shall be given to all interested parties; including the secretary of social and rehabilitation services in those cases where the petitioner is not a stepparent. Pending the hearing the court may make an appropriate order for the care and custody of the child.

(c) Promptly upon the filing of the petition by a petitioner who is not a stepparent, the court shall, and if the petitioner is a stepparent the court may, send to the secretary of social and rehabilitation services a copy of the petition and of the consents. Upon receiving such copy, the secretary of social and rehabilitation services, without cost to the natural parents or to require the petitioner, shall make an investigation to obtain an assessment by a court designated social worker licensed to practice social work in Kansas of the advisability of the adoption and, report the secretary's findings and recommendations to and file a report of such assessment with the court not less than 10 days before the hearing on the petition. If there is no licensed social worker available to make the social assessment and report to the court, the court may use the department of social and rehabilitation services for that purpose. The costs for making the social assessment and report may be assessed as court costs in the case as provided in article 20 of chapter 60 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof or supplemental thereto. In making the investigation assessment, the secretary of social and rehabilitation services licensed social worker or the department of social and rehabilitation services is authorized to observe the child and to contact the agency or individuals consenting to the adoption and obtain any voluntarily given genetic information about the child. This information shall be made a part of the report to the court. If requested by the court, the secretary may inquire whether the consents to the adoption were freely and voluntarily made. The secretary's The licensed social worker's report or the report of the department of social and rehabilitation services to the court shall include the results of investigation of the adopting parents, their home and their ability to care for the child.

billed directly to the petitioner as well as assessed as court costs as provided in article 20 of chapter 60 of the Kansas Statutes Annotated and acts amendatory thereto, but in no case shall the court advance the fee or pay it to the department of social and rehabilitation services from court resources.