

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

733A0436

SENATE JUDICIARY COMMITTEE ENGROSSED

NO. **SB100** - 1/23/97

Introduced by: Senator Everist and Representative Hunt

1 FOR AN ACT ENTITLED, An Act to permit all but one petitioner to waive personal  
2 appearance at a hearing for termination of parental rights.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 25-5A-14 be amended to read as follows:

5 25-5A-14. The personal presence of the petitioner ~~or petitioners~~ at the hearing ~~shall be~~ is  
6 jurisdictional; ~~provided however, that all persons. However, any person~~ whose consent is  
7 necessary, except the mother, may appear by ~~a person~~ filing with the court a power of attorney.  
8 ~~In the event that~~ If the mother has abandoned the child for six months, the presence of the  
9 mother is not required, and consent may be filed with the court through a power of attorney. If  
10 the Department of Social Services or a licensed child placement agency has custody of a child  
11 by written agreement of a parent ~~or parents~~ with power of attorney to consent, ~~its~~ the secretary  
12 or ~~his~~ an authorized agent may appear and consent.

1 **BILL HISTORY**

2 January 17 - First read in Senate and referred to Judiciary. S.J. 60

3 January 22 - Scheduled for hearing.

4 January 22 - Passed as amended, PASSED, AYES 7, NAYS 0. S.J. 88