



March 20, 2023

Colorado General Assembly  
Colorado State Capitol Building  
200 E. Colfax Avenue  
Denver, CO 80203

Senators Exum, Gardner and Members of the Senate Judiciary Committee,

Raise the Future submits this letter indicating our support of House Bill 23-1157, Uniform Unregulated Child Custody Transfer Act. At Raise the Future, we believe every child deserves to have a caring adult by their side. Raise the Future works with kids who are in the foster care system to help them find permanency and connections to a caring adult. We surround those families with the support they need to minimize the chances the placement will fail and the youth be again relinquished to the foster care system. The children we serve are those with extensive involvement in the child welfare system - including multiple placements and complex trauma histories, and in many cases, traditional efforts to attain permanency have failed. These youth are typically older than nine, have complex emotional, behavioral, and physical challenges, and include members of sibling groups, children of color, and LGBTQ+ youth.

We support the efforts of House Bill 23-1157 to protect these most vulnerable children and ensure that when a child is unfortunately relinquished, the transfer of the child is done so through the child welfare system. Further, Part 3 of the bill aligns with Raise the Future's philosophy that through supporting families, we increase the likelihood the adoption will be successful. Through Raise the Future's Family Support Program, Colorado families who have adopted, been reunified with, or become kin or relative guardians of the hardest to place foster youth receive specialized support to help keep those connections strong. It is not simple to integrate these children into family systems given their age and complex emotional, behavioral, and physical challenges. Without intensive, research-supported and evidence-based services for these families, the likelihood of a successful placement diminishes greatly. Thus, House Bill 23-1157's requirement that adoptive families receive proper information about the needs of their adoptive child and are provided information on resources to support the family post-adoption are crucial to the success of the adoption.

Raise the Future strongly supports House Bill 23-1157 and urges the committee to pass this crucial piece of legislation.

Sincerely,

Julie George  
Director of Government Affairs  
720-233-4662; julie.george@raisethefuture.org

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**Statement of Support for the Uniform Law Commission's  
Unregulated Child Custody Transfer Act**

**February 1, 2023**

The Department of State appreciates and supports the Uniform Law Commission's attention and address the problem of unregulated custody transfer (UCT). Since 2013, we have discussed this issue with Congress; other federal agencies, including the Departments of Health and Human Services, Home Security, Justice, and Education; the National Association of Attorneys General; State authorities, including those involved in child protection, adoption, and foster care; the Association of Administrators for Interstate Compact on the Placement of Children (AAICPC); adoption service providers; and advocates throughout the United States. In addition, we regularly engage on this issue at The Hague Conference on Private International Law and with foreign government authorities, who raise concerns about UCT for adopted children and the future of intercountry adoption programs in the United States if safeguards are put in place. Representatives from the Department's Bureau of Consular Affairs' Office of Children's Issues and the Office of the Legal Adviser provided subject matter expertise on intercountry adoption and participated as observers to the Uniform Law Commission's work to develop the Unregulated Child Custody Transfer Act, approved in September 2021 and now under consideration in many State legislatures in the protection and best interests of children.

UCT is a dangerous practice that places vulnerable children at risk of harm. Recognizing the children who enter the intercountry process may have specific vulnerabilities for UCT, the Department supports the development of uniform state law that would protect children when a parent places a child in the home of an individual who is related or well known to the family, without the oversight and approval of appropriate state and local authorities. The Department understands that critical barriers to current and future efforts to respond to UCT include the limited authority for state child protection authorities to take action in response to reports of UCT and the widely varying responses from state to state when a UCT situation is reported. The Department believes that a uniform state law could contribute to reducing these barriers.

Since UCT is intentionally kept in the shadows, there is very little reliable data on the children in the United States impacted by this practice. Nonetheless, based on anecdotal information, the Department believes that children adopted internationally are at high risk of UCT. Moreover, in connection with reports of UCT in foreign countries have expressed concerns about the safety of children adopted through intercountry adoption, and addressing these concerns may help to facilitate the continuation of intercountry adoption programs. The Department's Office of Children's Issues' FY 2016 and 2017 Annual Reports to Congress identified UCT as one of the three primary barriers to the viability of intercountry adoption in the United States.

**Michelle Bernier-Toth**

**Special Advisor for Children's Issues**

**U.S. Department of State**