

THE DONALDSON ADOPTION INSTITUTE

January 26th, 2015

Dear Gregory,

Thank you for contacting the Donaldson Adoption Institute (DAI) for feedback pertaining to several bills currently under consideration by the Pennsylvania House of Representatives. Since 1996, The Donaldson Adoption Institute (DAI) has worked to improve the lives of children and families across our country and around the world through research, education and advocacy that have led to better laws, policies and practices. We engage all members of the adoption and foster care adoption communities, including the professionals that serve them. DAI is pleased to provide feedback surrounding HB 1524, HB 1526 and HB 1529.

HB 1524: Clarifies the nature and provision of counseling to expectant parents considering relinquishing their parental rights to adoption develops a resource list of available counselors and also establishes a fund to assist in offsetting counseling fees for expectant parents who are unable to afford such services.

DAI supports the right of expectant parents in crisis to receive unbiased, non-coercive, and comprehensive information on the full range of their options and available resources to give them an understanding of the lifelong impact of adoption to them and their families. This information should always include resources related to parenting and family preservation. Strengths of HB 1524 include defining the purpose of counseling as inclusive of exploring the impact of relinquishment as well as alternatives to adoption and also establishing a funding stream for expectant parents who may be unable to afford these services otherwise. Opportunities also exist in this bill, specifically surrounding clarifying those who are qualified to provide such counseling services. It may also be prudent to explore the inclusion of a minimum number of counseling sessions that must occur prior to the signing of relinquishment documents if this is not already included elsewhere in Pennsylvania statute.

HB 1526: Shortens the time frame for a birth father, putative father, or birth mother to revoke a consent to adoption from 30 days to 5 days; this bill also significantly limits the time frame during which a birth parent can contest an adoption, stating that “once the individual’s parental rights are terminated and the individual has executed a consent to an adoption, the individual has no further standing to contest the adoption or to revoke his or her consent.”

DAI has significant concerns with the parameters of HB 1526 as this bill serves to limit the rights of birth parents in many ways. According to research conducted by DAI, it is critical that there is a significant period of time before a birth parent is able to sign a legal relinquishment, and there should be a reasonable revocation period during which a birth parent can change their mind about placing for adoption without having to maneuver through complicated legal proceedings. Given that the decision to place a child for adoption is emotionally fraught and that childbirth is physically and emotionally demanding, with resultant hormonal changes that take time to dissipate, it is vital that parents are allowed time to fully understand the consequences and finality of a decision to relinquish their parental rights. The section of the bill that limits the time frame for a birth parent to revoke consent to adoption even if they perceive

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fraud or duress is unclear and particularly concerning given the shortened time frame for revocation from 30 days to 5 days.

HB 1529: This bill clarifies expenses that can be paid by adoptive parents on behalf of expectant parents considering adoption, including expenses related to health care, living and transportation. According to public opinion research DAI has recently conducted, well over half of adoptive parents, first/birth parents and adopted persons surveyed believe money and privilege distort adoption. It is critical that laws begin to better address the influence of money as it relates to the placement of children for adoption. In the absence of greater regulations, all parents (expectant and prospective adoptive) are left vulnerable to the potential for fraud, coercion and duress. It is important to consider, for example, whether or not an expectant parent can make a free and clear decision to relinquish their parental rights to adoption if they know financial assistance has been provided; similarly prospective adoptive parents are potentially left at great financial risk. Opportunities exist for HB 1529 to better clarify the extent of expenses as well as what parameters are in place to ensure an objective party manages the financial elements related to adoption planning and that all parties are aware of the potential risks involved surrounding the transfer of money related to a potential adoption placement.

We would be grateful for an opportunity to discuss these bills in greater detail with you and are happy to compile recommendations more formally if needed. I have included below as well links to current and pending research DAI has conducted in areas relevant to this issue which may be useful to you at this time. We regret we are unable to attend the January hearing in person; however we look forward to possibly attending the February hearing once a firm date has been selected.

Thank you again for reaching out to us. We look forward to continued conversations surrounding our shared interest in the adoption and foster care adoption experiences.

Sincerely,



April Dinwoodie
Chief Executive, Donaldson Adoption Institute

<http://www.letsadoptreform.org/research/>
http://adoptioninstitute.org/pubs_cat/birthfirst-parent-rights/
<http://adoptioninstitute.org/exploring-options-counseling/>