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House of Representatives
Commonwealth of Pennsylvania
Harrisburg

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MEMORANDUM

To: All House Members

From: Representative Seth Grove
196th Legislative District

Date: September 26, 2012

Subject: Proposed Legislation: Paternity Testing for Adoption

I am preparing to introduce legislation that would amend the Domestic Relations Code (Title 23) to provide that, under certain circumstances, prospective adoptive parents will be entitled to the results of a paternity test that will affect the availability of the child they intend to adopt.

I recently met with constituents of mine to hear about their upsetting ordeal, and their story prompted me to introduce this bill. The couple had accepted the pre-adoptive placement of a newborn child, after the birth mother and putative father had consented to the adoption. However, about three weeks after the baby had been placed in their home, the true biological father came to claim the child. Unbeknownst to the couple, a paternity test, taken prior to the child's birth, had implicated this individual as the child's father and had indicated that the consenting putative father was not the biological father. Had this information been provided to my constituents, they still may not have been able to adopt the child, but they certainly could have avoided much unnecessary heartache and monetary expense.

My legislation would not interfere with the rights of a biological father, but it will require a birth parent or putative father to disclose the results of a paternity test (through an adoption intermediary, if one is involved) to the prospective adoptive parents. If an individual fails to disclose as required, the prospective adoptive parents will be allowed to file suit in the Court of Common Pleas for relief from economic damages incurred after the time at which disclosure is required.

If you would like to cosponsor this legislation, please contact Lisa Burkholder at 783-2655 or via email at lburkhol@pahousegop.com. Thank you for your consideration.