



The Pennsylvania Jewish Coalition

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House Judiciary Committee Hearing on H.B. 79--Adoption Reform

Statement of the
Pennsylvania Jewish Coalition
Gary M. Grobman, Executive Director
February 7, 1991

The Pennsylvania Jewish Coalition supports the amendment made to section 2725 of Title 23 with respect to religious preference.

Current law (Section 2725) provides that--

"Whenever possible, the adopting parents shall be of the same religious faith as the natural parents of the adoptee."

The effect of this law is to discriminate against those who identify with a minority religion. Unless this provision is modified, Jewish couples will continue to have difficulty in adopting children, because there are few babies of Jewish couples which are being made available for adoption.

The Pennsylvania Jewish Coalition's position is that it is inappropriate to have any reference to religious preference in Pennsylvania law. There is no clear State interest in having a child reared in the same religion as the natural parents, particularly when those parents have not voluntarily expressed any preference that the adopting parents rear the child in that religion. Yet injecting this issue into adoption procedures raises many questions which cannot be answered satisfactorily. What if the natural parents have different religions? What if the prospective adopting parents have different religions? Should that in itself bar them from ever adopting a child? What if the baby is being given up by Reform Jewish parents and the adopting parents are Orthodox Jewish? What if the adopting parents have no religious preference at all?

The PJC feels that the best interests of the child are served when religious preference is not a factor. We recognize that there are political and ideological differences among the parties with an interest in this section of law. While we maintain that the public interest would be served by striking the religious preference section entirely, the PJC endorses the compromise language which appears in H.B. 79 (P.N.68) which was endorsed by a wide spectrum of organizations having an interest in this issue.