

October 19, 1999

Mr. Chairman and Task Force Members:

I am Terri Weber from Dauphin County. My husband, Lee, and I are the proud parents of two beautiful boys. One son came to us through adoption and the other through birth. Consequently, the subject of adoption is a subject very close to my heart, and I did not want to miss the opportunity to express my views.

My husband and I began our adoption journey over five years ago. Our search had a very happy ending when our son, Todd, was placed in our care. His very presence in our lives is a tribute to the love and maturity of his birth parents. They placed their complete trust in us when they chose us to be his adoptive parents. We count our blessings every day and thank God for that fateful day in December of 1996 that Adoptions from the Heart called to tell us we were finally going to be parents!

You cannot begin to imagine the joy we felt to know that our arms and hearts would soon be full. In many ways it was like winning the lottery. That may sound strange, but you see we were one of the rarest and luckiest of adoptive couples. Our baby was to be placed for adoption in New Jersey. In spite of the thought of spending a week or more in New Jersey waiting for Interstate Compact to complete arrangements before we could go home, we were more than willing to go. We knew beyond any doubt that once we got in our car to return to Pennsylvania, we would be parents of this child forever.

Most people like yourselves probably wonder why we would be so happy to go to New Jersey when we could adopt right here in Pennsylvania. Peace of mind, a more streamlined legal process, and less time spent in court are just a few of the reasons. Adoption in New Jersey is very different from Pennsylvania in several key areas:

- * Surrender of Parental Rights and Consent to Adopt can be signed after 72 hours following the child's birth and are irrevocable.
- * No court hearing is held to terminate parental rights.
- * There is no requirement to give birth parents 10 days notice of any hearing.
- * Only organizations approved by the Department of Human Services can assist in the placement of a child.

In New Jersey birth parents may sign the papers to surrender parental rights and consent to adopt after 72 hours have elapsed from the time of birth. Although that same time period is also available in Pennsylvania, the legal process behind them is very different.

Once those papers are signed in New Jersey, the birth parents cannot come back later to revoke them and reclaim the child. The adoption agency assumes custody of the child and grants the adoptive parents temporary custody until the finalization hearing is held after six months have elapsed following the child's birth. No hearing is necessary to terminate parental rights.

In Pennsylvania, the birth parents can sign the papers to terminate parental rights and come back at any time prior to the termination of parental rights hearing or the finalization of the adoption (whichever occurs sooner) and reclaim the child. Also, to terminate parental rights a hearing may not be held sooner than 30 days following the birth of the child, and another 10 days' notice must be given to the birth parents before a hearing can be held.

This places a child's life in limbo for a period of at least six weeks and may take even longer if the courts are backed up with other cases. A child's earliest weeks are the most critical time in a child's life. They need to have the same opportunity as any birth child to bond with those who are caring for them and will continue to do so for the rest of their lives. An expedient process needs to be in place to resolve the child's future.

Therefore, I ask you to consider an irrevocable termination of parental rights with no court hearing. If you feel this is not in the best interest of the child or the birth parents, then I ask that you place a maximum of one week on the time period allowed to revoke consent but still dispose of the requirement of a court hearing to terminate parental rights.

I also have very strong feelings regarding the role of a facilitator in the adoption process. In New Jersey only organizations approved by the Department of Human Services can assist in placement. In Pennsylvania, any organization may receive and provide for care of children supervised by the Department of Public Welfare. These organizations are also allowed to file with the courts for adoption provided the proper information is provided regarding fees paid and extensive information about the child.

Although I applaud the role of facilitators in bringing a unique approach to adoption, I feel strongly they should be licensed by the Commonwealth of Pennsylvania just as any adoption agency would be and therefore bound by the same rules regarding adoption procedures. In addition, they should not be providing the pre-placement counseling to birth parents unless they are licensed by the Commonwealth and are certified in the area of adoption counseling.

I personally feel the counseling my son's birth parents received was critical to the positive outcome of our case. In fact, I feel so strongly about it, I would like to see an extension to the proposed legislation to make sure counseling is available to birth parents considering adoption placement for their child. This is the most critical decision these people will ever make in their lives and if the irrevocable clause is invoked, it is also the most binding decision they will ever make. To ensure they are well informed and voluntarily making this decision, I feel a minimum number of counseling sessions should be available to them. Unfortunately I am not qualified to set that minimum, but a common consensus from licensed social workers experienced in adoption should yield a reasonable guideline.

Thank you for taking the time to listen to our story. I ask that you strongly consider my proposal for adoption reform in Pennsylvania. It would make our joy even greater to know that some day people right here in Pennsylvania can experience the same smooth adoption process we did in New Jersey. I will be waiting with great interest to hear the outcome of this hearing.

Sincerely,



Terri Weber