

TESTIMONY FOR HEARING ON PROPOSED ADOPTION LAW CHANGES

Parents of JL

We want to thank you for the opportunity to present our story. There are aspects of our son's history we feel strongly he should only hear from us when he is ready. Still, we felt it important for you to hear how Pennsylvania's adoption laws have impacted our family.

Our story began ten months ago with the birth of our son, JL. While Pennsylvania law does not yet recognize him as our son legally, in every meaningful sense of the word, he is. We have loved him, comforted him, and nurtured him since we brought him home from the hospital at two days old.

JL's birthmother didn't feel she could adequately care for this, her second child, and made the loving decision to place him for adoption. She contacted our adoption agency upon his birth and within 24 hours selected us to become his parents. We should note that to this day she remains committed to her decision and feels strongly that JL belongs with us. We then located JL's birthfather who was serving time at a county prison. This was the second child he fathered with the birthmother. We were told he showed little interest in the first child, so we had reason to believe he'd have no interest in parenting JL.

Unfortunately, we were proven wrong. He was surprised and angry upon learning of the birthmother's decision and he refused to consent to the adoption. It's important to note, however, that he did not indicate he was willing to parent this child himself. In fact, he never asked to visit or even see a picture of JL. He never inquired about his well being. And, he never offered to send any type of support. Everyone involved, including the birthmother, social workers and lawyer believed that this was a case of wounded pride, that the birthfather wasn't so much interested in raising a son as making a statement that he was in control and would not be told what to do.

Unfortunately, because the birthfather did not agree to voluntarily terminate his rights, we were forced to wait the mandatory four months before our lawyer could proceed to have his rights terminated involuntarily. Four DAYS is a long time when you're talking about bonding with a child, never mind four MONTHS. But, we held on and our lawyer filed the papers for the termination hearing, with the necessary legal justification to do so. Of course the court system moves incredibly slowly and it would be another two months before a hearing date could be scheduled. At this point JL was six months old. Six months is an eternity.

Up until the date of the hearing we truly believed that the birthfather would ultimately agree to forfeit his rights. After all, how could he be interested in being a parent when it didn't occur to him to even inquire about his son? He

was fresh out of prison with no permanent home, no steady job and no apparent family support system. Unfortunately, we were proven wrong again. The birthfather attended the hearing and again refused to consent to the adoption. The judge appointed him a lawyer and scheduled another hearing to review the case. This hearing could not be scheduled until three months later in early November when JL would be nine months old. We were then told that the judge would not make an immediate decision at the end of the hearing and that it would be at least another month until our son's fate was determined.

Based on the birthfather's history and the particular circumstances of this case, we were hopeful that the judge would agree that JL's best interests would be served by remaining with us – the only parents he knows. But we understood there are no guarantees. Fortunately, our story has a happy ending. Halfway through the November hearing the birthfather agreed to voluntarily relinquish his parental rights. We do not know the exact reason why; we do know that we'll never feel such a wave of relief come over us again.

Now that both parental rights have been terminated, we are awaiting a court date to finalize JL's adoption. Again, the courts move slowly, and it's likely that JL will be a year old before he is made legally our son.

The process of adopting a child in Pennsylvania is incredibly stressful. The agony of waiting and wondering is something you can't imagine. We knew we loved JL with all our hearts and soul and would fight to the end to remain his parents. Yet we also know we can never again adopt a child in this state under the current system. We just don't have the emotional stamina to go through this process again. Every adoptive parent knows there are risks involved in domestic adoptions. But Pennsylvania law asks too much of us and the children we love. We believe that a birthfather has the right to be notified of the birth of his child and should be given a *reasonable* amount of time to decide what to do with that information. But four months – plus the time it takes to schedule a hearing – is an *unreasonable* amount of time for everyone involved. And certainly, ten plus months before a child's future is ultimately decided is simply cruel. It's not fair to the adoptive parents who are expected to remain in emotional limbo. It's not fair to the birthmother who made a decision in the best interest of her child and now wants to move on. And most importantly, it's not fair to the child, who is forming attachments to the adoptive parents with every passing day.

We appeal to your good sense and ask you to change the law so that waiting times are shortened and birthfathers are forced to deal with their responsibilities in a timely manner. Thank you.