

December 13, 1999

House of Representatives
Commonwealth of Pennsylvania
Harrisburg, PA 17120

**Re: House Judiciary Committee: Task Force on Adoptions
Public Hearing – House Bill 1533 and House Bill 1838**

My name is [REDACTED] [REDACTED] and I'm from York County. On October 3, 1998, my husband [REDACTED] and I received a call from our adoption agency that a baby boy just born in Pennsylvania was available for us to adopt. We were asked to meet the birthparents at their relative's house, which was two hours away. The next day we drove to the location and upon arriving at the door the birthmother's mother met us. She told my husband and I that she was very supportive of the adoption and in fact explained that her daughter could not take care of herself, let alone anyone else and felt strongly that the best thing for the baby was to be placed in a loving stable environment. The birthparents were in the bedroom and at first refused to come out to see us. After waiting 4 hours in the living room without ever seeing them, they finally came out of the bedroom. The birthmother proceeded to tell us that she already had a six-year-old boy who her mother was raising because she had no maternal instincts and she had no interest in being a mother. She liked my husband and I and wanted to place the baby with us. The birthfather also told my husband and I a little bit about himself, including the fact that he has a very bad temper, and had to go through eight months of counseling because of it. He went on to say that he liked us too, but he suddenly had changed his mind and did not want to go through with the adoption after all. My husband and I were devastated, and returned home.

The next day the agency called to tell us that the birthfather changed his mind again, and wanted us to come back to get the baby. He claimed that he had made up his mind to go through with the placement because he realized he did not have the maturity, the financial stability, or the patients to take care of a baby. He said spending one night with the baby was a sign that he could not handle being a parent. [REDACTED] and I believed him and decided to proceed with the adoption once again. On October 5th, we took our new baby boy home and fell in love with him instantly. We named him [REDACTED]. I resigned from my place of employment immediately to stay at home with him, and my husband took a week off from work to help out. The house was filled with baby gifts and constant visitors as both of our families also fell in love with [REDACTED].

Within just a few days of taking our son home we received word from the adoption agency that the birthparents seemed to be doing everything possible to avoid signing the consent to adopt. They refused to speak to anyone at the agency and we never knew from day to day what was going to happen. The stress was terrible on my husband and I but we tried to keep moving on with our

lives. On November 3rd, the adoption agency left a message on our voice machine asking us to call them. I did not want to call them because I feared what I was going to be told. The phone rang again, and it was my husband who was working in Maryland. I knew from the sound of his voice that the news was not good. He said the birthparents decided to take our baby back. I couldn't believe this was happening. We had provided a wonderful, happy home for [REDACTED], and now he was going back to birthparents that clearly could not raise him in a healthy environment.

We spoke with our attorney and he explained that although we could try to fight to keep our son, we had absolutely no legal right to him under Pennsylvania law. We were crushed. [REDACTED] and I, and especially [REDACTED], did not deserve the pain, frustration, and confusion created by the birthparents decision. Since the birthparents requested we bring him back that same day, we put on [REDACTED] best outfit and drove to the adoption agency. As I handed him over to the agency director, [REDACTED] kept staring at me as if he was wondering why I was deserting him. We never saw him again. It was as if he had died.

After a month of tremendous grieving, we realized that we could not go through this situation again. We knew that if we adopted in Pennsylvania, we could experience this nightmare again. After researching the adoption laws of West Virginia, we discovered that when both birthparents sign the consent to terminate their rights after 72 hours of the birth of their child, the consent is irrevocable, unlike in Pennsylvania. Upon learning this, we decided that if we were going to attempt another adoption, our agency would have to find a child in West Virginia. Through a tremendous blessing we were able to adopt a baby boy in December. Three days after his birth the birthparents immediately signed the consent relinquishing all rights to the child. The worse case scenario would have been that they changed their minds before the 3-day period and we would have given the baby back. But we would have only had the baby for one day, which is 100% better than 30 days or several months. Our son is now a year old. He is a blessing and a complete joy in our lives!

I agree with most of the legislation introduced in House Bill 1838, with the exception of the 30-day termination period. I feel this period is entirely too long. When birthparents sign the consent to adopt their child 72 hours after the birth, that consent should be **irrevocable**. I know from personal experience that this works very well for all parties involved. As it stands now in PA, a signed consent does not terminate the birthparents rights under the current adoption laws, leaving them every opportunity to take their child back. I know from personal experience that this works very well for all parties involved. It is not fair to the children placed in these situations to allow them to begin the bonding process with the only parents they know at that point only to have their world disrupted by a decision often made without serious consideration of the child's welfare. There needs to be a definite line of finality for all parties involved, especially the children. As adoptive parents we offer a **PERMANENT** solution

for children who deserve the balance and stability that their biological parents know they cannot provide. The day we handed our son back we were returning him to an environment that was at best unstable. That is certainly not in a child's best interest. **If a temporary solution is needed, the child should be placed in foster care rather than using adoptive parents as babysitters.** I feel this is only fair to all parties. I know what it's like to lose a child!

In summary I would ask that any new legislation consider two main areas. First, and most importantly, the law **MUST** concern itself more with the well being of the child involved, as he or she is the one who truly pays the price in the end. Secondly, adoptive parents must be given more consideration in the adoption process so that we are not so vulnerable to such tremendous emotional and financial abuses.

My husband and I would like to thank you for this opportunity to share our story with you and applaud you for recognizing the need for adoption law reform.

Sincerely,

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