



CITY OF PHILADELPHIA

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August 25, 2000

House Bill No. 1533 (Session of 1999) *(relating to Consent)*

House Bill No. 1533, an Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to provide consent to an adoption under subsection (a)(3) of §2711 will likely have little or no impact on the practice of the Philadelphia Department of Human Services. Such is the case because in DHS' adoption matters, parental rights have been terminated before adoption proceedings are initiated. Section §2714 of the Act provides that the consent of a parent to adoption shall not be required if a decree of termination of that parent's rights has been entered.

In cases where a parent wishes to revoke his or her consent prior to termination of parental rights, then counsel for DHS will determine if there are grounds to proceed to terminate parental rights involuntarily under Title 23, Section §2511(a) 1-8. In most cases, there are sufficient grounds to terminate parental rights involuntarily.

Therefore, the revocation of consents has not presented a substantial issue for the Philadelphia Department of Human Services.



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House Bill No. 1838 (Session of 1999) *(relating to putative father)*

The inclusion of a definition for putative father will not have a great impact on the Philadelphia Department of Human Services (DHS) cases because, in practice, we have been using the proposed definition. When DHS proceeds with termination of parental rights, petitions are filed and notice given to the father named on the birth certificate, the father named by the mother, and any person who claims to be the father. If a mother is unable to name a father then a petition will be filed to terminate the parental rights of the unknown putative father.

This practice ensures, that once a child is freed for adoption, there are no outstanding claims to paternity and therefore no one can mount a legitimate claim to the validity of the termination and/or adoption based on a lack of appropriate notice.

Similarly, the other proposed amendments relating to the putative father and voluntary relinquishment of parental rights will have no great impact on our agency cases because when a child's goal is changed to adoption, we have determined grounds to involuntarily terminate parental rights also exist. Additionally, it is standard practice for our termination petitions to include information as to whether the parents have planned for, visited, or provided financial support and care for the child.



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House Bill No. 1838 (Session of 1999)
(relating to adoption-related counseling services)

As to House Bill No. 1838 amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes relating to adoption-related counseling services, we do not perceive any great impact on the Philadelphia Department of Human Services (DHS) cases. DHS currently has a policy provision which is consistent with the proposed requirements.



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House Bill No. 1838 (Session of 1999)
(relating to adoption medical history information)

In regards to House Bill No. 1838 Amending Title 23 (Domestic Relations), the Philadelphia Department of Human Services (DHS) worked with the Philadelphia County Family Court Division to ensure that a birth parent medical information packet is provided to the Court prior to the finalization of the adoption. In fact, if no medical information regarding birth parents is available then DHS must submit an affidavit to the Court stating why such information is not available. Birth parent medical information may also be found in the child profile which is completed by DHS for every child whose parental rights have been terminated.

Therefore, DHS social workers and contracted agencies are aware of the importance of obtaining birth parents medical history.