

March 26, 2008

Senator Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 3092
Sacramento, CA 95814

Dear Senator Corbett and Judiciary Committee Members:

The Evan B. Donaldson Adoption Institute is the nation's leading nonpartisan, nonprofit research, policy and education organization on adoption issues. Our mission is to promote best practices (and laws), based on sound knowledge and ethics, in order to improve the lives of everyone touched by adoption. I am writing to provide information relating to SB 1726, which would reduce the revocation period – from 30 days to 5 days – during which parents could rescind their relinquishment of a child for adoption.

In short, the body of research strongly indicates that such a change *would do far more harm than good*. The Adoption Institute recently released the most comprehensive study to date on birthparents (http://www.adoptioninstitute.org/research/2006_11_birthparent_wellbeing.php); its recommendations include that adoption laws should provide revocation periods for birthparents of at least several weeks.

There are numerous reasons for our recommendation; here are just a few:

- 1) Every society accepts that it is generally in children's best interests to be raised by their biological parents whenever possible. Placing a baby for adoption is a major, emotionally fraught decision that has consequences for these parents and their children for the rest of their lives. State laws should provide every reasonable protection to ensure that the decision is sound, reasoned and informed.
- 2) Women's post-partum hormonal changes take several weeks to abate. It is during this period when the reality (and finality) of their choice often becomes most real – and when they need time to reflect on the "rightness" of their decision. A sufficient revocation period ultimately serves everyone's interests, because the adoption rests on a firmer legal/ethical foundation, and adoptive parents feel more secure that birthparents will not try to reclaim their children. Also, grandparents or other relatives often do not step forward to offer their support until after the child is born.
- 3) In many other countries, including most of Europe, adoption consents do not become final for more than a month. The European Convention on the Adoption of Children, which has been ratified by 18 nations, specifies that there should be a six-week period before legal consent can be accepted.

Please feel free to contact us at apertman@adoptioninstitute.org or 617-332-8944 for more information and/or testimony as your committee considers this legislation. Thank you for your consideration.

Sincerely,

Adam Pertman
Executive Director

Susan Smith
Program and Project Director

