

## **Adoption Information**

**Steadman Law Office** has had the benefit of over 35 years of both professional and practical experience in handling all phases of adoptions. Emotions run high in adoption cases, both for the natural parents, whose rights to the child are being terminated and for the adoptive parents, many of whom have been waiting for years for this very special child to come along. Experience in the field is invaluable in taking care of the myriad of situations which can arise. The lawyer can and often does play many different roles in handling adoption cases. He may be called upon to represent the natural parents, the adoption agency or the adoptive parents. Each of these potential clients has an important role to play in the adoption case.

**The Termination of the Rights of the Natural Parents** - - The decision to give up a child for adoption is one of the most difficult decisions any person can possibly make. In Pennsylvania, the law provides that no person can give up the rights to his or her child without the approval of the courts. The law provides a number of ways for the termination to take place, but compliance with the correct procedure is very important.

Sometimes the natural mother's rights are terminated by a procedure called a **Voluntary Relinquishment** in which the mother is required to go to court and explain to the judge that she desires to have her rights to the child terminated and that she understands what she is doing. The father's rights can also be terminated this way.

If the parents have signed a consent to the adoption, their rights can also be terminated by a court ordered **Confirmation of Consent**. A recent change in the Pennsylvania adoption law provides that once a consent is signed, it becomes irrevocable 30 days after being signed. Curiously, the consent must still be confirmed so that there is a court order terminating parental rights. A petition for confirmation of consent cannot be filed until 40 days after the date on which the consent is signed and because the consent can still be subject to attack in certain cases as long as 60 days after it has been signed, the hearing never takes place until the full 60 days has elapsed.

Sometimes it is necessary to terminate the rights of a natural parent by a procedure known as an **Involuntary Termination**. This may occur where the natural parents have failed or refused to perform their parental duties as to the child and are unwilling to rectify the reasons for that refusal or failure. Such a petition cannot be filed until the parent has failed or refused to perform those duties for an extended period of time and the need to file such a petition often delays a case considerably and results in an inevitable increase in the costs of the proceeding as well.

The rights of one parent can be terminated using one procedure and the rights of the other parent can be terminated using another. However, there is a very strong presumption that the child is entitled to two parents at all times, so generally the judge will not sign the order terminating one parent's rights until an order terminating both parents rights can be signed.

It is difficult to over-emphasize the importance of a correctly done termination. There are no reliable short-cuts to this procedure and total honesty on the part of the natural mother in identifying the natural father is essential. Only when the rights of both parents have been terminated is the child truly free for adoption.

**The Role of the Adoptive Parents** - The adoptive parents must file a Report of Intention to

Adopt at the court house within 30 days of receiving a child for the purpose of adoption. The actual Petition for Adoption is usually filed at the same time as the petition to terminate parental rights, but the hearing cannot occur until the rights of the natural parents have been terminated and the child is legally free for adoption. The judge ordinarily signs the decree at the conclusion of the adoption hearing.

**Agencies, Intermediaries and Investigators** The state does everything it can to protect children from being placed in bad homes. With certain limited exceptions, all adoptive parents are required to give information to adoption agencies for the purpose of doing home studies which are detailed reports covering everything from their social habits and religion to their finances and employment history. Some adoptions include an Intermediary, who is the person bringing the child and the adoptive parents together. The Intermediary is required to report to the court about the background of the child and the financial arrangements for the adoption.

One of the biggest assets of the Steadman Law Office in handling adoptions is our staff. Adoption records are kept in a secure location and are readily accessible to the staff. In the event the particular attorney involved in the case is for any reason unavailable, clients should feel free to call upon the staff in the event they have any questions about adoption procedures. All calls will be promptly returned.

**How long will it take?** -As the adoptive parents, there is not much you can do to move the case along. We understand your anxiety and are available to answer your questions. We will advise you once the rights of the natural parents are terminated. However, it must be understood that, while we use our best efforts to conclude the adoption, we cannot guarantee that result.

**How much will it cost?** - All costs are discussed in advance and are confirmed in writing. In some cases, it is difficult to estimate the time and expense involved in an adoption case, because there are so many variables. However, you should be aware that this office is required to submit our bill to the judge *at the hearing*.

**Steadman Law Office** looks forward to serving you in providing top quality representation at reasonable prices. If you have any questions, please feel free to call upon us. Thank you for choosing us to represent you.

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