

**Proponent Testimony on House Bill 307
Health and Aging Committee
January 15, 2014**

**Nancy L. Burley, LISW-S
Executive Director
Adoption Circle
400 South Fifth Street, Suite 304
Columbus, Ohio 43215
Office: 614-237-7222
Mobile: 614-738-5458
nancy@adoptioncircle.org**

Good morning Chairman Wachtmann, Vice Chair Gonzales, Ranking Member Antonio and members of the Health and Aging Committee.

My name is Nancy L. Burley. I am a Licensed Independent Social Worker, a State Certified Adoption Assessor and the Executive Director of Adoption Circle. I am grateful for this opportunity and consider it a privilege to present my proponent via written testimony for HB 307. I am currently out of Ohio otherwise it would be an honor to personally present my testimony. To support my testimony please consider my professional experiences that follow:

- **1986-Began working with Birthparents who were considering adoption.**
- **1987-Present supervised social workers assigned to provide services to birthparents**
- **1991-Present co-founder and the Executive Director of Adoption Circle, a state licensed private child placement agency, (PCPA)**
- **1986-1996 actively participated in adoption reform legislation that resulted in the passage of HB 419**
- **1996 was asked to be a writer of the curriculum for the Tier One Training “Services to Birthparents” as mandated by HB 419. This training is required to become a state certified adoption assessor.**
- **1996-Present became a trainer with the Ohio Child Welfare Training Program as an adoption assessor trainer with expertise in “Services to Birthparents” and “Openness in Adoption”.**
- **2010- US Senator George Voinovich’s nominee for the “Angel in Adoption Honoree” awarded by the United States Congress**

I urge you to pass HB 307, as it focuses on the needs of those directly and personally touched by infant adoption in our state. If passed this bill will serve the interests of Ohio birthmothers, birthfathers, adoptive parents and most importantly the children whose lives would be positively impacted by the passage of HB 307. I would like to commend the sponsors, Mike Gonidakis and the staff of Ohio Right to Life for their insight and diligent efforts in HB 307. HB 307 is a good bill.

Why is it a good bill? HB is a good bill because:

- I. It clarifies and gives direction to adoption professionals as they implement the current Ohio law that allows for the provision of living expenses to birthmothers considering an adoption plan for their child.
- II. The provision of a pre-birth written actual notice provides opportunity and incentive to inform, include and involve the birthfather early in the process while it is permissive not mandatory and requires the consent of the birthmother's written consent.
- III. The reduction of the time to 7 days post birth for a putative father to register provides for security in adoptive placement without removing the option for a putative father to register an interest in a timely manner as Ohio law states putative fathers are "on notice" from the point of sexual intercourse with the birthmother.
- IV. It allows Ohio birth and adoptive families the same opportunity to advertise in Ohio which has been provided to non- Ohio residents for as long as I have been in practice. In addition it provides safeguards that people who advertise in hopes of adopting will be approved to adopt under the standards of Ohio Administrative Code guided homestudy.
- V. It decreases the amount of time that an adoption may be challenged after the issuance of the final decree to 60 days allowing for legal, emotional and parental security for the child and his/her parents.
- VI. HB 307 helps make adoptions more affordable for adoptive families by increasing the state tax credit to \$10,000.00 applicable over a 5 year period.

Above is the simple, direct and to the point version of why I think HB 307 is a good bill. Since I am not present to answer questions I will attempt to provide more detail in each of this areas.

- I. **Living Expenses:** The current Ohio law regarding living expenses is a relatively new law in our state. It is clear and to the point on who can receive funds, how much can be received and for how long it can be received. HB 307 adds the missing element of what can be provided. This missing piece in the puzzle of providing living expenses if absent can create an environment for fraud, abuse and other problems for birthmothers, adoptive parents and adoption professionals. Our agency, Adoption Circle, has always practiced under what is being proposed in HB 307. We have found although it is time

consuming to implement the accountability and protection for all parties is well worth the effort.

- II. **Pre-Birth Notice System:** If you know me or review my experience you will quickly realize I am a strong advocate for birthparents both birthmothers and birthfathers. Some people may find it surprising that I am a very strong advocate for a Pre-Birth Notice System in Ohio. However, my experience working with the great state of Indiana has allowed me to have actual knowledge, first hand, how this system would benefit Ohioans. In the years that I have practiced adoption in this state there has not been an incentive in statute to provide early notice to birthfathers. Early notice is a safeguard for all parties. It allows for early involvement and information needed for decision making. If birthparents and adoptive parents have better information sooner it protects the child. Ohio has experienced its share of litigated adoptions. When it comes to birthfathers, birthmothers, adoptive parents and children there are no “winners” at the end of a *litigated* adoption. This provision in HB 307 in my opinion makes it a very good bill.
- III. **Putative Father Registry:** The putative father under Ohio law is already on notice at the time of conception so he has nine months to register pre-birth. That is months before any post birth period begins. HB 307 is only making a 23 day change in current law. Although there is no magic number this change is needed and significant as it protective for all parties. It allows for early decision making for birthparents and adoptive parents. In my opinion, from a practice prospective, it will result in fewer “at risk” placements as three of the seven days in this provision will be included in the 72 hours post birth that is required before a birthparent can surrender their parental rights.
- IV. **Adoption Advertisement:** In today’s world of the internet and social media Ohio’s current law is unfair and archaic. I have practiced adoption in Ohio since 1986. It has never made sense to me why Non-Ohioans could advertise in Ohio phone books, newspapers, flyers, etc. while Ohioans were not allowed to reach out to become parents by advertising in their own state. HB 307 is a good bill with this provision including safeguards that will afford equal rights to our citizens.
- V. **Adoption Decree:** HB 307 is a good bill because it has provisions that will provide the much needed legal changes that brings emotional and parental security for children and families. The reduction in time, from one year to sixty days, which an adoption decree can be challenged gives parents this much needed security. It is a rare situation that an adoption decree in an infant adoption is ever challenged. However, the thought or threat of this just one more hurdle that adoptive parents must wait to jump over before they can feel totally and legally free from the risk of losing their child.

VI. Tax Credit: Adoption tax credits allow more adoptive parents opportunity to adopt. If passed HB 307 will provide more Ohioans the opportunity to become parents through adoption. The federal tax credit has provided the evidence that tax credits do work to assist families to adopt.

HB 307 is a good bill. I think it is a very good bill and urge you to pass HB 307.

Thank you for your time and attention in allowing me to share my thoughts with you today. I would be happy to answer any questions via email, nancy@adoptioncircle.org or telephone, 614-738-5458