

# ANDRÉ JACQUE

STATE REPRESENTATIVE • 2<sup>nd</sup> ASSEMBLY DISTRICT

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Chairman Larson and Members of the Family Law Committee,

Thank you for the opportunity to testify before you today in support of Assembly Bill 528, the Wisconsin Adoption Fairness Act. I am extremely pleased to bring this bi-partisan legislation forward, and grateful for the tireless efforts of many people to improve outcomes for everyone involved in the adoption process.

Adoption in the United States is a complex patchwork of law and practice that imposes considerable strain on those navigating it. According to the most recent state-by-state statistical review of adoption, published by the Children's Bureau of the U.S. Department of Health & Human Services in 2011, Wisconsin ranks behind 37 states and the District of Columbia in the rate of adoptions completed in our state, even lagging behind several less populated states in the number of total adoptions. The difficult and uncertain court process faced by prospective birthparents and adoptive parents in Wisconsin is often cited as a factor, leading families seeking to adopt to look out of state. Several multi-state adoption agencies have indicated that they do not finalize adoptions in Wisconsin due to the length and complexity of the court process; one prominent interstate adoption agency assists in placements in 46 states, but notably, Wisconsin is not among them.

The intent of AB 528 is to reform Wisconsin's adoption system by adding the option for birthparents to invoke the termination of their parental rights (TPR) without the requirement to endure a lengthy court process. Such an alternative is commonly used in the majority of states throughout the U.S. and is considered a best practice.

This change will create a system that is easier to navigate for birthparents by removing the fear and uncertainty surrounding mandatory court proceedings which can make them feel like they are being penalized for their decision, particularly if such proceedings would potentially require them to relive traumatic events. This option would also remove a large portion of uncertainty for adoptive parents about the permanency of the placement of a child with them, which would encourage more adoptions to take place in Wisconsin.

By allowing parents to voluntarily disclaim their parental rights at any point a minimum after 72 hours from the birth of the child, AB 528 will bring more consistency to Wisconsin's adoption process instead of variability from county to county and judge to judge, while reducing unnecessary court time and costs for the completion of the adoption. This legislation allows for the TPR paperwork to be completed by birthparents with trusted counselors they have established a relationship with, and requires the affidavit of disclaimer of parental rights to be signed by two witnesses and notarized.



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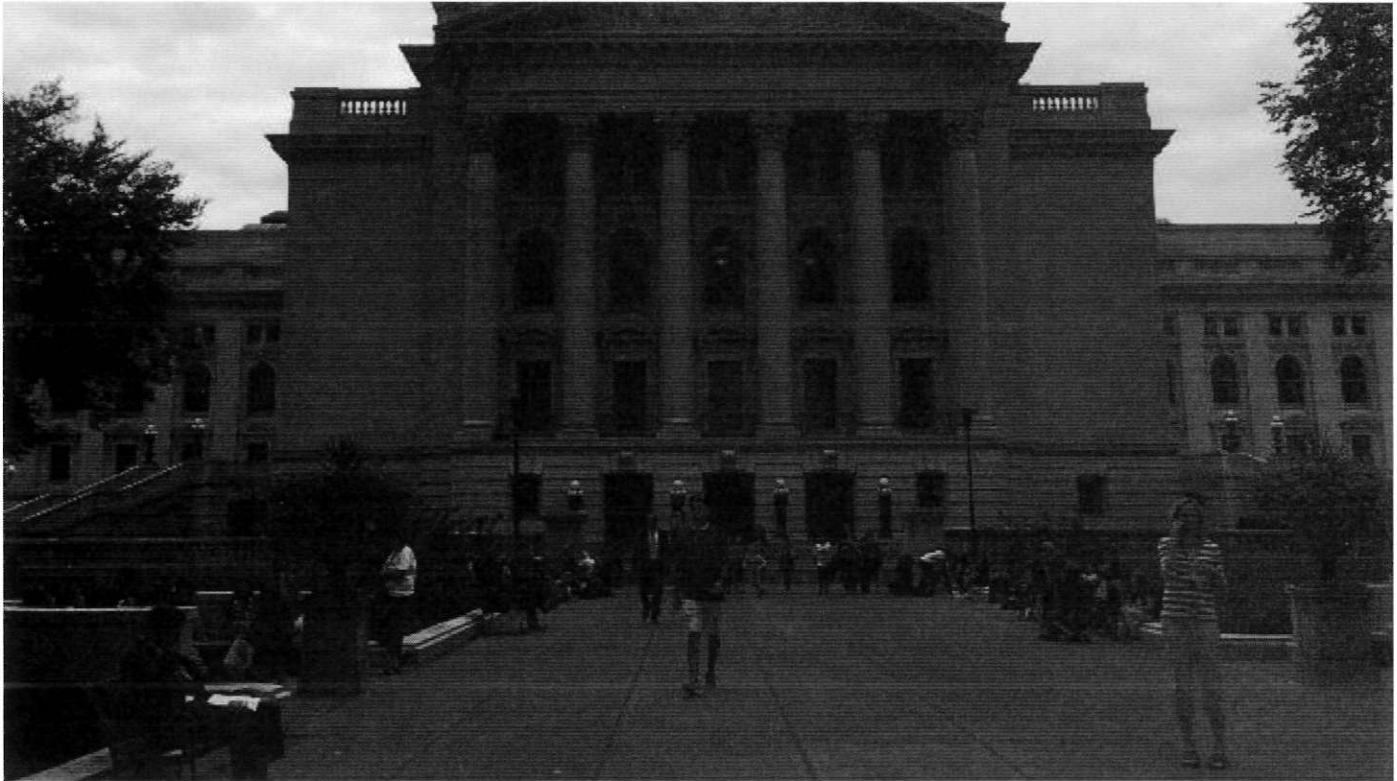
AB 528 does <sup>not</sup> disrupt the other requirements of the domestic adoption process in Wisconsin, including selecting an agency and completing a home study, which encompasses background checks, home inspections and interviews about family, background, finances and reasons for wanting to adopt. Wisconsin law requires that women considering adoption be provided counseling and certain living expenses up to \$5,000.

Thank you for your consideration of AB 528, and I look forward to working with you to improve Wisconsin's adoption process.

## Bill would change parental rights for adoptions

**Author: Jessica Arp, [jarp@wisctv.com](mailto:jarp@wisctv.com)**

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### MADISON, Wis. -

Birth parents would be able to give up their parental rights more easily under a bill being circulated at the Capitol.

Rep. Andre Jacque, R-DePere, is sponsoring a bill that would allow birth parents to sign away their rights through a legal affidavit 72 hours after a baby is born.

Right now, birth parents are required to appear in court and testify under oath at a hearing to terminate their parental rights. That hearing can take place 30 or more days after the birth of the child.

A Monona couple said an earlier termination of parental rights may have saved them months of pain.

Nikki and Kristen Larmee-Slechta had a baby boy, who they called Isaac, placed with them in August. They were waiting for the court hearing when four days before it, the mother called to say she was having second thoughts. The court appearance was delayed and the mother eventually said she had changed her mind.

"It's always the biggest fear as a person adopting that you're loving this child and there is a chance it will fall through," Nikki Larmee-Slechta said. "It was pretty devastating and we thought it was a done deal."

Cindy Jensen, with Adoption Avenues Inc. in Janesville, said not only is the time period hard for all involved, but a court appearance can also be traumatic for a birth parent.

"She has to give testimony under oath often from the witness stand and she has to talk about a lot of private things," Jensen said. "At times it almost sounds as if they're trying to talk her out of adoption because they want to make sure she understands all her rights and alternatives."

The couple had to give the baby back to the mother, and they said they're not sure whether they can or will adopt again after the experience.

"I don't want any other adoptive parents to go through this again," Nikki Larmee-Slechta said. "I know if we decide again or try to adopt we'll probably go through a state with a 72-hour time frame because I can't go another month not knowing if my child is my child for sure."

Minnesota, Iowa and Illinois all have similar laws, and Jensen said often parents from Wisconsin choose to adopt out of state because of their laws.

Jacque is currently circulating the bill for co-sponsorship in the Legislature.

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Dear Members of the Assembly Family Law Committee,

While I am unable to appear before you today, I am pleased to write you in support of Assembly Bill 528, the Adoption Fairness Act. Adopting their daughter has been the most fantastic event that my friends could have ever hoped for. Myself, their family and friends were ecstatic for them. We have known each other for many years and I had watched their hearts being torn out by continuing to be childless. I won't go into everything they have gone thru over the years. They have mentored children with learning disabilities, rescued animals with disabilities,...they are the kindest, most compassionate people I know. For some reason, they haven't been allowed to have children by the usual means.

To take their daughter away from them now, now that they've nurtured her, loved her and brought her back to a normal weight, well-cared for infant, as she should be, would be a grave injustice to them, their entire family and the child.

Unfortunately, many young women find themselves pregnant with no reasonable means of support or maturity to raise a child. I was one of those children. In fact, my birthmother died just 2 days ago. Even meeting her many years later, I am so thankful she and her parents made the decision to give me up for adoption. I don't feel my life would have been the same in any way, shape or form if I had been raised by her. She made the best decision for me, her baby.

In these "tugs of war" sometimes people forget the most important issue. The BABY. This is all about the BABY and what is best for her. Thank you for your service to our state. Please pass AB 528!

Diane McConnell  
Allouez, WI

Dear Family Law Committee,

My name is Mark Fenrick and I live in Janesville, WI. I am writing to you on behalf of my friends and their adopted baby in support of Assembly Bill 528. While they would like to be here, I cannot use their names as their adoption placement is still pending.

My friends adopted their daughter in April of this year. Now, through an unfortunate turn of events, the birth mother is wanting to take the baby back. It is my understanding that the biological mother's situation is highly unstable and placing the child back in her care would not be in the child's best interest.

I also have come to understand some flaws in the current adoption process here in the state of Wisconsin. We seem to be about the only state that gives the birth parents up to SIX MONTHS to change his / her mind regarding the adoption? This certainly does not feel like it is in the best interest of the child in question. The adoptive parents apparently have no rights when it comes to the child they are raising until after that lengthy period of time.

I was adopted in 1972 as a one month old infant. I'm sure that the decision was not an easy one for my biological parents. However, I strongly believe it was the BEST decision they could have ever made. I was placed in a very loving environment. My parents have always been supportive and raised me using strong, Christian values. I am forever thankful to my biological parents (whoever and where ever they may be) that they made the right decision.

My friends have provided a loving and safe environment for their child. They have given their all for this precious little girl. They have not given any reason or doubt as to her placement with them. As tough as it might be on the biological mother, this is the BEST place for her!

Thank you for the time and energy you are putting into this issue and for holding this hearing. I pray that AB 528 passes and Wisconsin moves its adoption laws in the right direction.

Sincerely,

Mark Fenrick

Dear Assembly Committee on Family Law,

We are writing in support of Assembly Bill 528, which will shorten the required time a birth mother must wait before she can relinquish her parental rights and not only benefits adoptive parents but also birth mothers, the state, and the adoptive child.

This is something that has always made us very hesitant about adopting in Wisconsin, and why we initially considered international adoption. Although we are currently listed with a Wisconsin agency, we will be considering our neighboring states of Illinois and Minnesota as well due to their 72 hour waiting periods. We are not the only family with these reservations.

AB 528 will lower the mandatory waiting period from 30 days to 72 hours after the child is born. It will also remove the requirement for the birth mother to appear in court to stand in front of a judge. Additionally, it removes potential delays beyond 30 days due to the birth mother not appearing for the scheduled hearing. The change will allow Wisconsin's law to fall in line with many of its surrounding states, namely Minnesota, Iowa, and Illinois.

AB 528 benefits the birth mother because it removes her requirement to appear before a judge in court. Our current law requires the birth mother to appear along with the adoptive family, any attorneys, and any audience members in the chamber to reveal personal details about herself and her pregnancy. The judge explains her different options, and confirms the fact that she is willing to give up her right to be a parent in spite of her options. Critics of this process state that the judge's attempt to advise the mother of all of her options actually serves as a coercion to get her to keep the child. They also advise that the overall environment creates an aura of embarrassment, and mothers may feel that they must agree to keep the baby to save face.

A side effect of the current law is the fact that many qualified adoptive families are traveling to states with 72 hour waits and do not require a court appearance to adopt their children. The unfortunate side effect of doing this is that it prevents any meaningful open adoptions due to the distance between the birth mother and the adoptive parents. It also lowers the pool of available adoptive families for the mother to choose from. Should Wisconsin adopt AB 528, it will eliminate these issues and give birth mothers more options when seeking an adoptive family for their child.

Critics of the proposed Bill suggest that the 72-hour window does not allow the birth mother enough time to make an informed decision about the adoption. This criticism does not account for the fact that the birth mothers generally make the decision to put their children up for adoption while pregnant, and are going through counseling regarding their decision through the pregnancy. If these mothers do have reservations or second thoughts, they are often discovered during the course of the pregnancy. Critics also state that the required court appearance confirms that the birth mother is fully aware of her options prior to relinquishing her rights as a parent. While we certainly don't disagree with the fact that the birth mother should be aware of all of her options in advance, there really isn't a need to have them re-explained on the day that she is signing away her birth rights. The state can just as easily require this education through notarized forms required to complete the adoption, while still confirming that the birth mother received all of the information prior to relinquishing her parental rights. Additionally, the 72-hour window is not a hard deadline. The change would simply mean that the birth mother requires a minimum of

72 hours. If the birth mother needs additional time, there is no legal obstruction to her taking more time.

AB 528 would benefit the adoptive parents for a number of reasons. Firstly, it eliminates what can be the most stressful 30 days of the adoption process. It eliminates the crippling fear every time the phone rings, just in case it's "the call" telling them that the child that they took home from the hospital must be given back. The child whose birth they prepared for. The child whose nursery they built. The child that was supposed to be theirs suddenly isn't. There are more horror stories than we care to research that show crowning examples of just how scary and emotionally devastating this can be. It would also eliminate the need to go to other states to achieve a family. It would allow for more meaningful open adoptions, as the birth mother is within the state and would generally be more accessible. It lowers the adoption cost, as the adoptive parents don't have to fund a trip to another part of the country and stay there for a number of days until they can complete that state's legal process and bring their child home. Many of these families have already gone through the heartache involved with infertility, and often want to adopt in a way that has the lowest financial risk and risk of potential heartache.

The babies benefit from the proposed change because AB 528 would allow them to go home from the hospital with their adoptive parents, and begin the bonding experience right away. They wouldn't be forced spend their first weeks in this world with emotionally guarded parents or in foster care while their parents wait for the minimum 30 day period. It also allows for a much more effective open adoption with their birth parents, and in many cases would have a meaningful relationship with them.

The state of Wisconsin benefits from AB 528 because it will create more interest in adoptions from Wisconsin, both by state residents and those who live in restrictive states who are seeking adoptions terms that are less strict. Wisconsin is currently within the bottom third of newborn adoptions, and many argue that our current laws are the cause of this. AB 528 would eliminate many of the largest hurdles that adoptive parents face when they choose to adopt. The state would also have to spend less money on foster care, as many adoptions could be finalized before the baby leaves the hospital. Judges could spend more of their time on more meaningful cases while notaries take care of adoption paperwork, which would in-turn help to clear a backlog of cases waiting to be heard.

The current adoption laws create an undue amount of stress for prospective adoptive families, and are forcing those who wish to pursue adoption to do so in other states. Many states, including a number of Wisconsin's neighbors, require a substantially shorter waiting period and do not require birth mothers to appear before a judge to finalize the adoption. Our current law forces birth mothers and adoptive families alike to suffer through an agonizing 30 day period after the child has been born. This takes an already stressful process, and makes it exponentially worse. Many couples rely upon adoption to grow their families because of infertility, and have already gone through years of stress, sadness, medical treatments, and more letdowns than most people understand. Adoption is often seen as a light at the end of a very long, sad tunnel for these families. The mandatory 30 day waiting period and appearance in front of a judge required to finalize an adoption adds undue stress and worry to what has often been years of heartache to those involved. It's time that Wisconsin's leadership passes legislation that helps to create a better life for children and their parents, both birth and adoptive.



Please pass AB 528 to make Wisconsin a more adoption-friendly state.

Thank you for your consideration!

Sincerely,

Jayson and Mellissa Benson

Sun Prairie, WI

Chairman Larson and Committee Members,

My husband and I are residents of Chippewa County and are reaching out to you to ask for your support of Assembly Bill 528. We truly believe adoption reform in Wisconsin needs to take place as soon as possible and is in the best interest of all parties of the adoption triad, including the adoptive parents, the birth families, and most importantly the child. My husband and I are adoptive parents of two little boys whom we are truly grateful for, but they came into our lives at a great emotional cost that we feel could have been avoided if this bill would have been law at the time of our adoptions. Below is our adoption story that we hope will help shed some light on why it is so important for this bill to pass.

Our adoption story consists of three open adoption matches that all took place in the state of Wisconsin in the last six and a half years through a local agency. Our first match took place in Milwaukee, where the birth mother wanted us to take her baby home directly from the hospital. We were extremely hesitant in doing so as we knew there was a chance the birth mother could change her mind if we took him home. We talked to our social worker and she urged us to say we would take him home and we were assured the birth mother wasn't going to change her mind. We had him in our home for 3 weeks waiting for the termination of the parental rights hearing to take place when we received the phone call from our social worker stating the birth mother changed her mind. We were stunned. We had him in our home for several more days before the birth mother could come get him because she didn't have transportation. It was absolutely devastating having to care for him yet, knowing he was no longer going to be our son. We still live with the pain and loss every day, as well as our extended families. This was by far the worst pain we had ever felt. What was supposed to be a joyful time was anything but.

Only two months went by and we were still grieving when we got another phone call about another match, this time from the Madison area. This birth mother, also, insisted on us taking the baby home directly from the hospital. This match ended with an adoption finalization thankfully, but we had to wait five weeks and had two hearings before the parental rights were officially terminated. The entire five weeks we were caring for the baby in our home it was always in the back of our minds that the birth mother could change her mind. Our hearts were guarded and we were nervous wrecks knowing it could all end at any moment.

Adoption match number three was almost the worst one of all and just took place this past year in the Superior area. The baby was born in August 2014 and we were at the hospital when he was born due to the birth mother's request. We had him in our arms for only three hours this time when the birth mother changed her mind and decided to parent. Needless to say, we were absolutely devastated once again. A month went by and we were at work when we got a phone call from the social worker stating birth mother changed her mind and wanted us to adopt him after all and that she'd be at our house with the baby in eight hours. Five hours went by and we received another phone call from the social worker saying the birth mother changed her mind yet again and wanted to keep him. Another month went by and we received a call stating birth mother wants us to proceed with the adoption again, but this time he had already been removed from the birth mother's care and had been living in a bridge care foster home for ten days without our knowledge. We were shocked and so confused as to what to do as we knew we

wanted to parent this child with every fiber of our beings, but yet at how much of an emotional cost to us and to our five year old child who wanted a sibling so bad?

We took two days to think about it and didn't want to risk this child being placed in yet a different foster home so we decided to proceed with his adoption. Again we had been assured the birth mother and father were sure of their decision. At this time the baby was already over two months old. We visited him in the bridge care home for two weeks trying to protect our hearts just in case the birth mother changed her mind again, but could see this wasn't in the baby's best interest to not be bonding with us. We then took another leap of faith and decided to have him come home with us on November 1<sup>st</sup>, 2014. The termination of the parental rights of both the birth mother and father was scheduled to take place November 24<sup>th</sup>, 2014. An end was finally in sight. Unfortunately, the rights were not terminated due to the birth father was not served his papers in time. We were incredibly upset as the birth father was in prison. How could the lawyers not get the papers to him in time? Another hearing was then scheduled for just before Christmas. This court hearing never took place because the birth father was now wavering on his decision to terminate. Yet another hearing was scheduled for the end of January 2015. This time the birth mother was a no show to court as she was upset and just wanted the process to be over. Another hearing was scheduled where finally both rights of the birthparents were officially terminated. This whole time we were caring for the child not knowing if he was officially going to be our son or not. It was absolutely awful to say the least.

Thankfully, he now officially is our son, but we truly feel all this time of uncertainty and doubt is not in the best interest of any of the members of the adoption triad. The emotional toll it takes on the birth parents always knowing in the back of their minds they can still change their minds is unimaginable to us. This is no doubt one of the hardest decisions they will ever make in their lives and having the option there for great lengths of time is detrimental to their emotional well-being as well.

Most importantly, we do not feel it is in the best interest of the children. When a baby is placed with the adoptive parents directly from the hospital and the rights are not terminated it is impossible for the adoptive parents to feel the absolute joy one would feel knowing a birth parent is not going to change their minds. There is always going to be a wall up and we do not feel this is what is best for a child. A child should be loved without any doubt or fear right from the start just like a non-adoptive family.

Also, we saw the devastating effects it has on a baby when we brought our third little boy home. By this point we were his third home within his two and a half month life and when he awoke from his naps the look of panic and fear in his eyes was heart breaking as he did not recognize his surroundings. He would cry for longer lengths of time as most babies and there was nothing we could do except hold him, love him and console him the best we could. We can only imagine if he was older how much worse this would have been on him. Our little boy did recover and has now fully attached to us, but it breaks our hearts that he even had to endure such a situation at such a young age. Bonding is so critical right from the start of a child's life and we truly feel with this bill it would enable this to happen from the beginning in a much better and healthier way for all involved in the adoption triad.

Thank you for taking the time to listen to our testimony. We hope you now see why your support of this bill is so important.

Sincerely,

Bradley and Maria Shilts

Assembly Committee on Family Law:

I am writing in support of AB 528. My wife and I have an adopted child and would have had two if this bill were in place. We adopted our son and after a short time received a call from his birth Mom stating she was pregnant again and wondered if we would like to adopt another child. We agreed and got the Social workers and our lawyer onboard. We brought our beautiful daughter home on October 3<sup>rd</sup> 2012 (born Oct. 1<sup>st</sup> 2012). We waited the 30 days for our hearing and the Birth Mother didn't show up. This went on for 6 months, with each missed hearing costing us nearly \$1,000 in legal fees. At the last hearing the Birth Mother showed up but didn't terminate her rights, the court appointed her a lawyer and soon after the Birth Mother took the girl back. My wife and I believe that if AB 528 was law, we would still have our little girl.

Over the course of two years we have contacted our local representatives and got nowhere with them. We are happy to see someone addressing this. Almost all of the people we know that have adopted have gone out of state because Wisconsin is one of the worst/hardest states to adopt in, in the country.

My wife Darci and I support this bill – please pass AB 528.

Regards,

Paul and Darci Kluesner  
Madison, WI

Chairman Larson and Members of the Assembly Family Law Committee,

My name is Erica Ellenwood and I am writing to you in support of Assembly Bill 528 first as an adoptive mom myself, second as an Assistant District Attorney who has seen the devastating effects our current adoption laws in Wisconsin have on adoptive families.

My own personal story of adoption starts with trying to find an adoption agency in Northwestern WI. My husband and I had to eventually go down to the Twin Cities as there was not an agency to serve us here. We jokingly refer to the Twin Ports area as the "adoption armpit of Wisconsin" as there are agencies in Eau Claire and Wausau who don't want to work with families in Superior, as well as adoption agencies in Duluth who aren't licensed in Wisconsin. Nonetheless, knowing about Wisconsin adoption laws I knew that we wouldn't adopt a child from this state for a number of reasons, mainly because the wait time for a birthparent to revoke consent is both harmful to themselves and their child. The emotional limbo we are subjecting all parties of the adoption triangle (birthparents, child and adoptive family) to is extremely detrimental and contrary to everyone's best interest, particularly the child.

We recently had a case where an adoptive family took placement of a newborn baby girl born here in our area. They had previously worked with an adoption agency who facilitated placement. The circumstances surrounding the birth father of the case initiated involvement by Child Protection Services. Our office and other agencies tried to work in conjunction with this adoptive family so as not to disrupt the placement of this adoption. The young mother was eventually cajoled by the birthfather's family to revoke consent. My guess is they thought if she revoked consent future criminal charges would not be filled against birth dad. This young mother and child now have an open Child Protection case. Understandably the adoptive family was devastated after caring for this infant for over 30 days. This is only one story of many in our corner of the state where the liberal application of Wisconsin adoption laws has hurt multiple parties.

I am very appreciative of the authors of AB 528 for proposing this change (which seems to be the norm in a myriad of other states, like Florida where we adopted from) and I truly hope it can be passed yet this session.

**Erica Ellenwood**

*Assistant District Attorney*

Douglas County District Attorney's Office

1313 Belknap Street, Room 201

Superior, WI 54880

Main Line (715) 395-1218

In Support of AB 528  
Before the Committee on Family Law  
December 8, 2015

My name is Stefani Sielaff, I am a life-long Wisconsin resident, and the close friend to two families who have experienced, or who are currently navigating a Wisconsin adoption, as well as a friend to a young woman who chose adoption then ultimately changed her mind - crushing the hopes and dreams of a waiting mother and father.

Our state legislation regarding private adoption needs serious reform. I have been a personal witness to the beautiful and the downright ugly parts the current process brings to families waiting with open arms to welcome a child into their hearts. Making adoptive parents wait days, weeks and sometimes even months before the birth parents sign off on their parental rights is torturous. In my experience I have seen these adoptive families being torn between living in excitement and love, and crippling fear every time the phone rings. Current Wisconsin Law drives prospective adoptive parents to explore other states and countries, leaving Wisconsin children either lost in the system, or getting bounced between environments that lack the stability and love children deserve.

I have also been witness to the humiliation and fear birth mothers feel when she must be present in front of a judge, in a large room, providing details regarding why she is opting to terminate her parental rights. The current process is neither conducive to establishing Wisconsin families, nor does it provide dignity and closure for the birth parent(s).

I support AB 528 for several reasons – the main of which is providing an option to reduce the waiting time to voluntarily disclaim parental rights, as well as reducing the court time for adoptive parents to complete the process through the use of counselors and the affidavit of disclaimer of parental rights. These two points alone will allow for more Wisconsin children to be welcomed into loving homes more quickly.

I urge you to reform Wisconsin's current adoption process by passing AB 528. Every child deserves a happy ending, please pass this legislation to help give these children a chance.

Regards,

Stefani Sielaff  
Green Bay, Wisconsin

# HO-CHUNK NATION



Good afternoon. My name is Ryan Greendeer and I am a tribal member and the Executive Government Relations Officer of the Ho-Chunk Nation. I thank you for this opportunity to speak on behalf of our tribe. We would like to register our opposition to the legislative proposal Assembly Bill 528 as written and offer to work with the author, co-sponsors and Committee members to craft an amendment that will alleviate tribal concerns.

Our concerns stem from the implications this bill has for the Wisconsin Indian Child Welfare Act (WICWA) (§48.028) and the federal Indian Child Welfare Act (ICWA) (25 USC 1901 to 1963). In the case of an Indian child, current state and federal law requires judicial approval of all voluntary terminations of parental rights. We believe the current draft of this bill, which allows parents of non-Indian children the option to utilize an affidavit process instead of the judicial process to terminate parental rights, may cause confusion and unintended consequences .

The Ho-Chunk Nation, along with all the other tribes in Wisconsin, worked collaboratively with the State Legislature to pass WICWA in 2009. It was a tremendous bipartisan effort with both current Speaker Vos and Majority Leader Fitzgerald, among many others, being cosponsors of the bill. These efforts led to unanimous votes for the legislation in both houses.

WICWA essentially codifies the federal ICWA into state statutes.

ICWA is a complex federal law accompanied by comprehensive guidance that interprets United States policy. ICWA protects American Indian children from the abuses of previous US policy of assimilation. Some of these practices are not only known to history but are alive and well in contemporary society. Indian children are being removed or adopted out of the tribal atmosphere and into a world void of the culture and heritage of their grandparents.

We feel that this proposed legislation could make it easier to subvert the requirements of WICWA and present difficulties for Indian babies to retain their cultural identity. We would consider supporting the bill if additional language was added to ensure Indian children would be exempt from this legislation so that WICWA would not be violated.

We owe it to their future to ensure that parents wishing to terminate their rights are both informed and cognizant of the consequences of this enormous decision.

The Nation implores this Committee to once again work collaboratively with tribes to modify this legislation to address our concerns. We believe a simple amendment acknowledging that, in the case of an Indian child, a parent must go before a judge in order to voluntarily terminate parental rights is necessary.

I am happy to answer any questions and look forward to working with everyone on this bill.

Thank you.

## Executive Offices

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**TO:** Chairman Thomas Larson and Members of the Assembly Committee on Family Law  
**FROM:** Kathy Markeland, Associate Director  
**DATE:** December 8, 2015  
**RE:** Comments on Assembly Bill 528

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On behalf of the Wisconsin Association of Family & Children's Agencies (WAFCA), we would like to thank the Family Law Committee and the authors of Assembly Bill 528 for this opportunity to engage in a discussion of the most effective public policies to guide Wisconsin's adoption practices.

WAFCA is a member association working to improve the lives of children and families in Wisconsin. Our member agencies provide a wide array of prevention and supportive services including adoption, foster care, in-home support, counseling and mental health treatment. Our members include agencies that facilitate international and domestic adoptions, as well as, facilitating adoptions from the public child welfare system through the state Special Needs Adoption Program.

Licensed child placing agencies are entrusted with the responsibility to counsel and guide birthparents and prospective adoptive families through a complex emotional and legal process. The decision to terminate or form family bonds is among the most intense, life-altering events imaginable, which makes the job of formulating appropriate public policy both more critical and more challenging. With this in mind, we offer the following thoughts and questions regarding AB 528.

The majority of private domestic adoptions in Wisconsin are open adoptions in which birth parents and adoptive parents have initial or ongoing contact with each other. In many instances, open adoptions include some form of agreement for continuing communication between birth and adoptive families. While Wisconsin law does not provide a mechanism to legally enforce such agreements, these agreements are seen as a valuable tool that often serves the short and long-term best interest of the child. AB 528 proposes to prohibit such agreements when voluntary termination occurs under the new process outlined in the bill. While there are circumstances in which such post-adoption arrangements may not be advisable, we have reservations about enacting a policy that precludes this option.

Additionally, we question whether the proposed changes may result in unintended consequences. Shortening the timeframes and reducing court oversight for voluntary terminations may increase the likelihood of legal challenges post-termination -- subjecting adopted children, birth parents and adoptive parents to lengthy court battles, as have been experienced in other states.

Finally, while all parties involved in an adoption proceeding are emotionally vulnerable, it is reasonable to afford special consideration for the birthmother, especially when she is a minor, to ensure that appropriate counseling and information is provided. While there is no singular standard for appropriate timeframes for voluntary termination and revocation of termination, it is clear that insufficient timeframes and a lack of independent oversight increases the potential that the validity of the termination will be challenged or questioned later.

Thank you for taking time to hear from families and other stakeholders regarding the effectiveness of Wisconsin's current adoption policies and considering our comments. We would welcome the opportunity to provide additional information, if the Committee has questions regarding current adoption practices.

December 7, 2015

Representative Joel Kleefisch  
State Capitol  
Room 216 North  
P.O. Box 8952  
Madison, WI 53708  
FAX: (608) 282-3638  
EMAIL: [rep.kleefisch@legis.wisconsin.gov](mailto:rep.kleefisch@legis.wisconsin.gov)

RE: AB 528

Dear Representative Kleefisch:

Thank you for your service on the committee to deal with the issue of disrupting adoptions. Congratulations on the well-deserved award you received from the Coalition for Children, Youth & Families. My primary practice area is adoption, including termination of parental rights. We represent several adoption agencies, as well as birth mothers and adoptive parents in various cases.

I have reviewed AB 528 and would ask that you oppose passage. I understand that a public hearing is scheduled for December 8, 2015, but I will not be able to attend that hearing.

Currently, a termination of parental rights hearing precedes an adoption. Both are handled in a court of law. A judge takes the consent from a birth mother, determines the voluntariness of the consent and makes sure that she is fully informed when she gives the consent. An alleged father's rights are terminated using a written consent form. It is not necessary that he be legally determined to be the father in order for him to give a consent.

I understand that one of the motives for AB528 is to shorten the time period for terminating parental rights. The bill would give the birth mother the opportunity to consent in a private adoption case right after birth and not wait 20-30 days for the court hearing.

I have spoken with representatives of adoption agencies we represent, as well as a judge in Children's Court in Milwaukee County. All agree that this bill should not be passed in its present form. Here are some problems with the bill as I read it now:

1. Under current law, a guardian ad litem is appointed for the child and for any minor parent or alleged minor parent. The guardian ad litem represents the best interests of the child or minor parent. The consent process eliminates timely involvement by the guardian ad litem prior to consent. The parent then does not need to appear in court with the guardian ad litem, thus may have no contact with the person who must make a best interests of the child recommendation to the court.

2. Currently, by statute, the mother will at some point meet with a social worker from a licensed child welfare agency to discuss the adoption process. Reports are prepared by the caseworker which are then presented to the court. The shortening of the time period gives the birth mother less opportunity to discuss her situation with a social worker or possibly an attorney. I am concerned that she may make decisions which are less informed and less well-thought out than is now the case. It may promote challenges on the part of birth mothers that change their minds.

3. Under current law, alleged birth fathers would have a greater opportunity to learn of a birth, consult with an attorney and make a thought out decision concerning his consent. The time periods under AB 528 are very short and would not necessarily give him the time he now has.

4. I am not clear what happens after the irrevocable consent is given (72 hours after birth) and the time of the termination of parental rights hearing which could be three or four weeks later. Theoretically, a court could find that the termination of parental rights is not in the child's best interests and decline termination. What happens then?

5. I am concerned about those cases in which a birth mother signs a consent, but the father chooses to contest. I wouldn't want that to eliminate the right of the mother to take placement in the event her choices for the child were first to place for adoption, second to raise the child herself and third to place with the father. It is not entirely clear what happens if a mother consents and a father contests.

Wisconsin has perhaps the most onerous, costly and anti-child termination of parental rights and adoption process in the country. To make the process more certain and less costly and time delayed for birth parents and adoptive parents alike, instead the focus should be on the following:

1. Adopt a paternity registry like those that exist in most states under which an alleged father must file his statement of interest on a timely basis or be deprived of an opportunity to participate in the case.

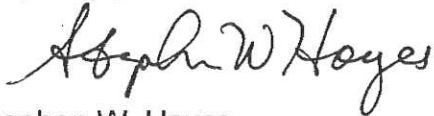
2. We are one of very few states that permit a jury trial for phase one, the grounds phase of a termination of parental rights case. Eliminate the right to a jury trial. It is not constitutionally mandated. It is costly and delays permanency and stability for the child.

3. Combine the grounds and best interests phases into one trial rather than having two trials, one on grounds and the other on best interests of the child. Our current procedure prevents the fact finder from considering relevant best interests of the child information at each phase of the case, but most particularly the grounds phase. It would also save time and money and make our process more like the other states that have court centered termination of parental rights procedure.

*Fact-finding  
and  
disposition  
hearings*

In the event AB 528 comes up for a vote, I would urge you to vote against it in its present form. Many changes would need to be made to the current bill to make it workable. A better solution may be to create a bill which incorporates solutions to Nos. 1-3 above. I would be pleased to talk with you or a staff member about this bill and possible future bills in the adoption area. Thank you.

Very truly yours,



Stephen W. Hayes

SWH:wlg

**MEMO FROM  
WISCONSIN ASSOCIATION OF ADOPTION LAWYERS (WAAL)**

**Re: 2015 AB 528 (private adoption relinquishment bill)**

**Before the Committee on Family Law**

**Hearing scheduled for December 8, 2015**

**Date:** December 2, 2015

**From:** Attorneys Lynn Bodi, Stephen Hayes, Theresa Roetter, Richard Schoenbohm, Victoria Schroeder, and Emily Dudak Taylor (all fellows in the American Academy of Adoption Attorneys, AAAA, and members of WAAL)

**Contact:** Any of the above individuals, including Richard B. Schoenbohm. His contact information is 920 843-1595 or rbschoenbohm@gmail.com

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WAAL is concerned about the bill, 2015 AB 528, introduced on November 18, 2015. The bill creates a new way for birth parents in a private adoption to consent to the termination of their parental rights: by an “affidavit of disclaimer of parental rights,” which can be signed outside of court as soon as 72 hours after the birth of the child and can become irrevocable upon signature (referred to herein as a “relinquishment”).

WAAL’s concerns are listed below:

- The bill is framed inappropriately. The concern of the bill seems to be that a child is placed with prospective adoptive parents after birth, the child attaches to the prospective adoptive parents during that pre-adoptive placement, and then the birth mother changes her mind before she gives the required consent at the termination of parental rights hearing, which is typically 30 days after birth.\* The central concept of the bill is to shorten the amount of time the birth mother has to think about her adoption plan, and receive birth parent counseling, after she gives birth. As written, the bill would allow private adoption agencies to obtain the birth mother’s consent quickly, right after she has given birth, before she has time to change her mind. Right now, a birth mother must wait approximately 30 days after birth, before she may give her consent (in court before the judge).
- The more significant and frequent problems with Wisconsin’s private adoption system are the following:
  - The amount of power the statutes give to alleged birth fathers to derail adoption plans and make the cost of adoptions insurmountable.
  - The right to a jury trial in an involuntary termination of parental rights.

- The requirement of a bifurcated trial in an involuntary termination of parental rights proceeding (part one addresses unfitness, and part two addresses best interests of the child). Bifurcation means that important evidence is excluded in each part.
- Wisconsin's lack of a meaningful putative father registry.
- Prospective adoptive parents avoid adoption in Wisconsin because of these problems, not because of birth mothers changing their minds before the hearings.
- But even if you focus just on the issue of a birth mother changing her mind after the child has been placed for adoption but before the termination hearing, there are significant problems with how 2015 AB 528 is drafted:
  - There is no meaningful opportunity for a guardian *ad litem* to represent the child's best interests before the birth parents' relinquishments become irrevocable.
  - There is no opportunity whatsoever for a guardian *ad litem* to be appointed for minor birth parents before their consents would become irrevocable. As adoption practitioners, the idea of taking an irrevocable consent from a minor birth mother without a guardian *ad litem* shortly after giving birth is deeply troubling.
  - Similarly, a 72-hour relinquishment reduces the likelihood that a birth parent will receive birth parent counseling from the adoption agency prior to signing an irrevocable legal document. This is very concerning to WAAL. This could also lead to more appeals based on allegations of involuntary consents. Currently, by the time a birth parent makes it through the judicial termination process in Wisconsin, their desire to consent and place for adoption has been thoroughly tested and protected.
  - It does not address the concept of at-risk placement at all, which is at the heart of this issue. While a birth mother has and should have the right to place her child with the prospective adoptive parents she has chosen immediately upon the child's discharge from the hospital, avoiding the need for interim foster care, prospective adoptive parents need better education about what accepting an at-risk placement means.
  - It is unreasonable to expect an alleged birth father to be able to revoke a relinquishment he has signed within 72 hours of the child's birth. He would need to learn of the birth, locate a social worker or attorney, determine what document he must sign to revoke his consent, locate two witnesses and a notary public, and file the signed consent with the clerk of court, all within 72 hours of the birth. This is completely impractical for most alleged birth fathers in WAAL's collective experience.
  - As the bill is written, there would still be a hearing approximately 30 days after the birth, at which an order terminating parental rights would have to be entered. Currently, Wisconsin has "judicial" terminations of parental rights, meaning a court order is entered to terminate parental rights. The order may be based on a consent, but it is the order that actually terminates rights. Orders are entered after (1) the court finds the consents proper, informed, and voluntary, and (2) the court determines that termination and adoption are in the best interests of the child. Although the bill says the relinquishments would become irrevocable after 72 hours, it is silent about how the new relinquishments would fit into the existing hearing and order process. What if the relinquishment becomes irrevocable, but

the court doesn't enter the order (for example, because it finds termination not in the child's best interests)?

- The bill does nothing to address the much more frequent problem of an alleged birth father refusing to consent, when the birth mother wants to place for adoption or has already consented. A birth father in this situation can refuse to consent and force the matter to a jury trial on the involuntary termination of his parental rights. In this circumstance, the prospective adoptive parents are faced with losing the child or paying tens of thousands of dollars for a jury trial. Sometimes birth mothers are even forced to parent in this situation.
- There is the potential for fraud under the bill as written: the birth mother can tell the birth father she wishes to place for adoption, he signs a relinquishment, 72 hours pass after the birth, the birth father's relinquishment becomes irrevocable, the birth mother declines to sign a relinquishment or otherwise consent to the termination of her parental rights.
- The new 72-hour relinquishment is just one option for how a birth parent may consent to the termination of their parental rights and therefore to adoption. The preexisting methods of consent (*e.g.*, appearing in court approximately 30 days after the birth) remain in place. Already, several attorneys and at least one major adoption agency in Wisconsin has said they will not use the relinquishment process, as a matter of policy and ethics. In this way, the bill is less likely to affect the problem it purports to address.
- Requiring two witnesses to the signature on a relinquishment is impractical. It is very difficult to obtain notarized signatures from birth parents in private adoption, much less notarized and witnessed signatures. Furthermore, the witnesses would not add any due process to the signature.

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This note is added by Richard Schoenbohm: Under current law, the judicial hearing can take place any time after the birth of the child. However, best practices, supported by adoption attorneys, judges, guardian ad litem for children, adoption social workers and advocates for parents, is that there should be at least two weeks between the mother giving birth and the hearing. This best practice is based on many of the reasons expressed in the memo, as well as, the need to obtain and evaluate the necessary medical records so as to advise the court on various factors the court is required by law to consider in terminating parental rights.



RE: AB 528 from Rep. JACQUE

Family Law Committee  
Wisconsin State Assembly

To Whom it May Concern:

Our adoption journey began when we were unsuccessful getting pregnant naturally and through IVF. We didn't know anything about adoption, so the research began. We decided that domestic adoption would be the route for us. We did explore fostering with our county, but our end goal was an infant adoption and we were told the chances of that were slim. Our education process started by attending a seminar put on by a local agency and talking with others that had adopted. During this process, we learned about state laws and specifically the TPR differences. Just thinking about bonding and loving a child for 30 days and then having to give him or her back was heartbreaking and unimaginable. I personally know two families that had this experience.

We decided to utilize an agency out of California that does nationwide adoptions. The main reason was to avoid the Wisconsin laws. We were very blessed to be matched with a birthmother in Arizona. While this was not an easy choice for her, she knew it was the right one. We were able to meet her and our son at the hospital hours after birth. The TPR period in Arizona is 72 hours. The attorneys drafted the paperwork and she signed before she was discharged. I think it would have been difficult for her to have to show up in court while trying to get her life back together. I believe the counseling before and after birth/placement are instrumental in a healthy decision and transition.

Adoption is an amazing gift to the birth parents, adoptive parents and the child! We feel very blessed with our experience.

Ann Husen  
Appleton, Wisconsin

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LEG. COUNCIL

Hello,

My name is Jennifer Baus, along with my husband Anthony. We reside in Suamico, WI. We are writing to you in support of the Wisconsin Adoption Fairness Act, being circulated for co-sponsorship by Representative Jacque.

I'm going to tell you 'our story' of adoption. We went through years of infertility and procedures with no success. We wanted a family and turned to adoption. Our first son Maxwell was born July 19, 2010 in West Allis, WI. His adoption went smoothly. We continue to have contact and yearly visits with Maxwell's maternal grandma and half sister. Maxwell knows of his birth mom as his tummy mom, Erica. So far Erica doesn't want to see him, but does see the pictures we send. We wanted another child, so we continued on with adoption. Since Maxwell's adoption went so well, we continued with the adoption process in Wisconsin. We had four failed adoptions. One of them having placement of a child in our home. Alexis was born December 1, 2013 in Milwaukee, WI. We were there for her birth, named her, and brought her home from the hospital. We had a beautiful daughter for 27 days. Then the birth mom changed her mind and wanted her back. We loved that little girl and continue to. We were crushed. But as difficult as it was, we knew we'd be strong enough to make it. But 3 1/2 year olds don't have the same strength. However we didn't know the repercussions it would have on our son Maxwell. Seeing our 3 1/2 try to process the scenario was the worst thing for us. Maxwell would wake up in the middle of the night screaming. Finally after numerous attempts of asking why he kept waking up, he told me at 4:30am, "that I keep hearing Alexis crying." We are very open with adoption and told Maxwell, Alexis wasn't meant to be our forever child and we missed her too. We also told him that he wasn't going anywhere, he was ours forever. Losing Alexis hurt us. It hurt us more watching what it did to our son.

After some time, we didn't want to give up on our dream to have a family and decided to go to Texas. Texas, where it is 48 hours for termination of parental rights. Where we knew we wouldn't go home with a child that wouldn't be ours. After eight months of waiting we got chosen in Texas. Benjamin Thomas Baus was born four weeks early, but healthy on January 30, 2015, in San Antonio, TX. When we arrived in Green Bay, Maxwell was anxiously awaiting arrival at the airport. Maxwell's first words to Benjamin were, "you are my forever brother." The first month home as a family, Maxwell would continuously ask where is Benjamin and have a scared look. We reassured Maxwell that Benjamin wasn't going anywhere, and now it is all good. We do continue to have contact with Benjamin's maternal grandparents.

When people say to us, 'those boys are so lucky or blessed'.....the thing they don't understand is, we are the lucky ones and we are the ones blessed. We are complete with our sons, our adoptive sons. So I can't say enough on how important it is to pass the Wisconsin Adoption Fairness Act. If not for us, please do it for the innocent children. Please pass this law so these children can have their *forever family* from the start.

Sincerely,

Jennifer and Anthony Baus

I have been asked to write a statement about friendly adoption, open adoption and I wanted to share briefly my experience with the "friendly and open" adoption of my granddaughter Jada.

My daughter, Allie, found herself pregnant with her second child when she was twenty years old. She was working a part time job and living with her in-laws and hardly making ends meet. Allie and her partner Brandon wanted to do what was best for both of their children and they came to the tough but loving decision to put their baby up for adoption.

God works in mysterious ways and it so happened that a young couple came to our church hoping to post their adoption profile on the bulletin board in case someone was thinking of entering the adoption process. I shared the profile with my daughter and the long and short of it is that my daughter Allie and her partner Brandon found the perfect parents for their baby.

What is even more wonderful is that Jada's adoption is an open adoption. Jada's parents, Jeff and Rhonda and their family love and adore her, but Jada's joy is doubled, because we get to love her too. We get visits with her. She knows her "belly" mom and dad, and her big sister. It is a joy to hear her sister, Felicity, talk about her "little sister Jada". Jada will always know that she was loved, from conception through the process of adoption and forever. Hopefully she will never experience feeling like she was "given away, or not wanted". She can always have open discussion with either of her sets of parents which is the real gift of the friendly, open adoption process.

Being a pastor, I have counseled people who were adopted, or gave children up for adoption through closed adoptions. Most were adopted into loving happy homes and did well. In spite of that, for many of these, there were still questions of "why and who" that followed them. There were pieces missing. I am so glad that Jada will be able to ask, to know and to feel whole all of her life. Her happiness, her wellness, her wholeness is all Allie and Brandon wanted for her...what we all want for her. They did well by Jada.

Jill Meyer

Clintonville, Wisconsin

824 West Glendale Avenue  
Appleton, WI 54914  
December 2, 2015

Family and Law Committee of the Wisconsin State Assembly  
RE: WI Adoption Fairness Act

Our names are Jeff and Rhonda Lohff, we wish to support the WI Adoption Fairness Act. We have had a successful adoption in Wisconsin that was finalized July 9<sup>th</sup> 2012.

It is an open adoption with a wonderful relationship.  
Prior to the adoption, we were involved and had communication with our birth family.

As confident as our birth family was in their decision to place their baby for adoption, we know it was an extremely difficult process for them. They already had another daughter at home with them that they are raising. They were young and financially struggling.

The birth parents did state at one time they considered abortion. They stated they were looking for a solution and were at a loss as to what to do. As want to be parents, we were desperately seeking to help someone in a situation such as this. Thankfully we found them by spreading the word that we were hoping to adopt.

Birth father did not join in on the medical appointments and visits, he did not meet with the counselors, he stayed in another room when we met his parents. Although they both did appear in court and everything went well, we are sure there was anxiety and worry for all parties involved.

We encourage making the process less stressful. We know they had months to think about their decision and did not come to it lightly. There was a lot of thought put into it. We believe that it would be a huge relief and make things much easier on the birth parents if they had the option to release birth rights outside of the courtroom.

We strongly think that the WI Adoption Fairness Act will help promote healthy, solid and strong adoptions for the state of Wisconsin.

Sincerely,

*Rhonda Lohff*

Rhonda Lohff

My name is Dr. Dennis Baus , along with my wife Rhonda. We reside in Plymouth , WI. We are writing to you to express our support for the Wisconsin Adoption Fairness Act, ( LRB-0965) being circulated for co-sponsorship by Representative Jacque.

The current adoption laws create an undue amount of stress for prospective adoptive families, and are forcing those who wish to pursue in other states. Many States, including a number of Wisconsin's neighbors, require a substantially shorter waiting period and do not require birth mothers to appear before a judge to finalize the adoption.

As grandparents to fine adoptive boys, we have witnessed also the stress of having an adoptive baby girl taken from us two days after Christmas two years ago ( 2014). Our Son and Daughter-in-law, had this little girl from December 1 and had her taken from them on Dec. 27th. Her adoptive brother who was 3 years old at the time became very attached to her. When she was taken away, he became very distraught and did not sleep well or eat well for several months. Since then, now he is 5 +, He has a new baby brother, 10 months old, adopted thru the Texas Adoption System which has a 48 Hr. waiting period and now says he has a baby brother forever.

The current adoption laws create an amount of stress for prospective adoptive families and are forcing those who wish to pursue adoption to do so in other states. Many states, including a number of Wisconsin's neighbors, require substantially shorter waiting period and do not require birth mothers to appear before a judge to finalize the adoption. Our current law forces birth mothers and adoptive families alike to suffer through an agonizing 30 day period and after the child has been born. This takes an already stressful process, and makes it exponentially worse. Many couples rely upon adoption to grow their families because of infertility, and have already gone through years of stress, sadness, medical treatments and more letdowns than most people understand. Adoption is often seen as a light at the end of a very long, sad tunnel for these families. The mandatory 30 day waiting period and appearance in front of a judge required to finalize an adoption adds undue stress and worry to what has often been years of heartache to those involved. It's time that Wisconsin's leadership passes legislation that helps to create a better life for children and their parents, both birth and adoptive.

My wife and I appreciate your help and ask that you please send me a response ( via e-mail) [rdbaus@yahoo.com](mailto:rdbaus@yahoo.com) letting us know if you are able to pass a Bill that would help to make Wisconsin a more adoption-friendly state. Thank you for your time and considering our request.

Dr. & Mrs. Dennis Baus

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Verbal Testimony of Brian and Addie Teeters  
Appleton, Wisconsin  
December 8, 2015

Today we come to you as the the mother and father of three children. Three children who have blessed our world,our home, and our hearts. We come to you asking you to listen with open hearts and open minds; as we share our humble story. My name is Addie Teeters, and I am a mother who is grateful for adoption.

I am Brian Teeters, and I am a father who has felt the greatest of joys and the deepest of sorrows because of adoption. Our story to expand our family began in the state of Wisconsin. We took several months to complete education hours, homestudies, and all the paperwork and background checks necessary to complete a private domestic adotpion. Once complete, we waited just one short month before we received the call that changed our lives forever – there's a four day old baby girl in Milwaukee. Her mother has made an adoption plan, and she has chosen you to be her parents.

Bringing home our oldest daughter, Alexis, felt like nothing short of a miracle. We new the instant we saw her that she was going to make the most significant impact in our life. But her story first reads broken. Her first mother shared that Alexis was the result of a random and horrific sexual assult. About five weeks after Alexis's birth, when it came time for her mother to appear for her termination of parental rights hearing, her mother endured singificant questioning about the rape she experienced, questions about a birthfather who was unkown, and it sprialed her into a state of stress and she requested to take a break from the hearing. The judge ordered her to return to court in another 30 days after she had time to calm down from the trauma. 30 days later, we were back in court again. 30 days later, the experience was again much too stressful. The judge granted yet another extension. Finally after Alexis being in our home for three months, the birthmother stated that she felt antagonized over the process, that the system didn't believe in her, and she was done with the hearing process and decided to parent.

Having our first child, our three month old baby girl removed from our home, was the worst day of our lives. But please know that we are not speaking to you today as adoptive parents scorned. We will never feel anything but admiration and respect for our daughter's first mother. She had the right to parent and she received that right. But she should have never endured the court experiences she did. And we knew full well to expect an at-risk placement of a child for approxmately 30 days. But we should have never endured losing our first child, our first greatest love, after three long months.

After expericning this devastation, our adoption agency suggested we look at other states where adoption laws are more friendly to both birthparents and adoptive parents. We eventually had a successful adoption outside of the state of Wisconsin. We are now the parents to two beautiful boys. We have a fantastic open adoption relationship with our birth family and they are truly an extension of our family – they adopted us just as we adopted them. We were able to witness first hand the process of an out of court paperwork experience for our son's first mother, and

how she was treated with so much respect and dignity as she made the most selfless decision of her life.

We brought with us today testimony from other families who have been affected and blessed by adoption. We have statements of support from birthparents, adult adoptees, and adoptive parents and grandparents around the state who want to see change in Wisconsin. Too many prospective adoptive parents are leaving the state of Wisconsin to adopt elsewhere because of our antiquated laws. Keeping more families in our state to complete adoptions will not only foster more permanent homes for children, but also will allow the joy of open adoptions to exist without the distance of so many miles. We have completed four years of researching laws in other states, interviewing countless families in the state of Wisconsin who specifically left our state to adopt elsewhere, and hearing story after story of birthparents fearful of attending court hearings or just not showing up due to fear or feeling like they're being put on trial for their decision to place their child for adoption.

What we ask of you today is change. We ask for you to allow the additional option for birthparents to terminate their parental rights outside of court when they have made an adoption plan and feel confident in their decision, yet do not want to endure the stress of a court hearing. We ask that this reform occur so that other families in this state do not have to endure the pain we did. We will be forever grateful to Alexis's first mother for the opportunity we had to raise her for the first three months of our life. But there will always be an Alexis shaped hole in our hearts and we ask your consideration for families of the future to avoid this unnecessary pain. Thank you for your consideration.