

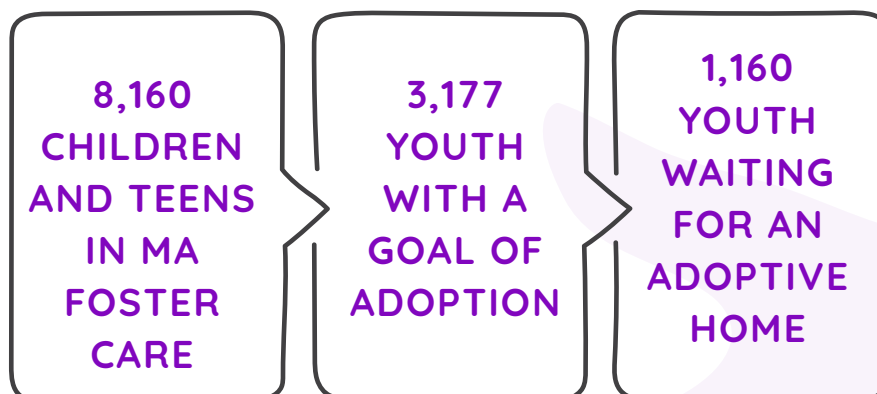


AN ACT RELATIVE TO ADOPTIONS

[S.1046](#) Sen. Creem / [H.1975](#) Rep. Sabadosa

SUMMARY

Codifies that an adoption outside Massachusetts shall be valid per MA law or laws where it was executed. Corrects a recent judicial interpretation prohibiting a MA form use by out-of-state birth parents unless signed in MA.



PROBLEM

Recently, one MA judge interpreted the state's previously settled area of adoption case law/statute to now require adoptions to be executed in accordance with the laws of the state where the child was surrendered, creating unnecessary obstacles.

Ex.: Maine, a sending state for many children that MA families adopt, requires an in-court proceeding for an adoption. But birth parents may be unable or reluctant to participate in court proceedings due to challenges with mental health, domestic violence, substance abuse, poverty/finances, or other hardships.

SOLUTION

By codifying that an adoption outside of MA shall be valid if it was taken in accordance with the laws of MA or the laws of the state where the child was surrendered from, this Act removes unnecessary burdens, such as related to finances, safety, trauma, and/or stress, to approve adoptions and ensure timely resolution for children and families.

ABOUT THE CHILDREN'S LEAGUE OF MASSACHUSETTS

The Children's League of Massachusetts ([CLM](#)) is a statewide non-profit association of providers of children and family services that advocate for public policies and quality services that are in the best interest of the Commonwealth's children, youth and families.