

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 612

H. P. 504

House of Representatives, February 16, 1979

On Motion of Mr. Hobbins of Saco, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Nelson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Limit the Requirement that a Natural Parent Must Give Written Consent to the Adoption of that Parent's Child before a Probate Judge to Situations Involving Adoption of an Illegitimate Child.

Be it enacted by the People of the State of Maine, as follows:

19 MRSA § 532, last paragraph, first sentence, as enacted by PL 1977, c. 515, § 1, is amended to read:

Notwithstanding any other provisions of this section, any written consent for [a] **an illegitimate** child to be adopted shall be given in front of the judge of probate, unless one of the petitioners to adopt the child is a blood relative of the child or unless the petitioners have received the child from the Department of Human Services or from a licensed adoption agency, provided, however, that a putative father shall not be required to give such consent in front of a judge of probate.

STATEMENT OF FACT

The purpose of this bill is to amend the statute which requires that a natural parent's written consent to an adoption be given before a judge of probate. This bill would require the consent to be given before a judge of probate only when the child is illegitimate. The current law creates a problem when the natural parents are not able to appear before a probate judge, as for example, when the parents have left the State.