

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 542

H. P. 940

House of Representatives, February 11, 1943.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Miss Bangs of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

**AN ACT Relating to Proceedings in the Probate Court—Birth Records of
Children Proposed for Adoption.**

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

R. S., c. 80, § 37, amended. Section 37 of chapter 80 of the revised statutes, as amended, is hereby further amended to read as follows :

‘Sec. 37. Proceedings in the probate court. Upon the filing of a petition for the adoption of a minor child the court may in its discretion notify the state bureau of social welfare. It shall then be the duty of the bureau, either through its own workers or through a delegated agency, to verify the allegations of the petition, to investigate the conditions and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption; and to make appropriate inquiry to determine whether the proposed home is suitable for the child. This information shall, as soon as practicable, be submitted by the bureau to the court in writing with a recommendation as to the granting of the petition. Thereupon, if the judge is satisfied of the identity and relations of the parties, of the ability of the petitioners to bring up and educate the child properly, having reference to the degree and condition of his parents, and of the fitness and propriety of such adoption, he shall make a decree, setting forth the facts, and declaring that from that date such child is the child of the petitioners, and that his name

is thereby changed, without requiring public notice thereof. The court may require that the child shall have lived for 1 year in the home of the petitioners before the petition is granted, and may also require that the child, during all or part of said probationary period, shall be under the supervision of the bureau of social welfare or a licensed child placing agency. The judge of probate having jurisdiction ~~may~~ shall require a certified copy of the birth record of the child proposed for adoption to be filed with any petition for adoption, **provided such certificate can be obtained or can be made available by filing a delayed return of birth.** An attested copy of the certificate of adoption on a form prescribed and furnished by the **state** registrar of vital statistics shall forthwith be filed by the register of probate with the ~~state bureau of vital statistics~~ **said state registrar**, and, if the birth occurred within the state, with the town clerk of the town wherein the child was born, and any certificate of the birth of such child thereafter issued shall be issued in accordance with the facts contained in the certificate of adoption.'