

Chain of Life

Issues in Adoption and Child Welfare

▲ SINCE 1989 ▲

P.O. Box 8081 • Berkeley, California 94707

Issue 36 • FALL 1995 • JANINE BAER, M.A., EDITOR

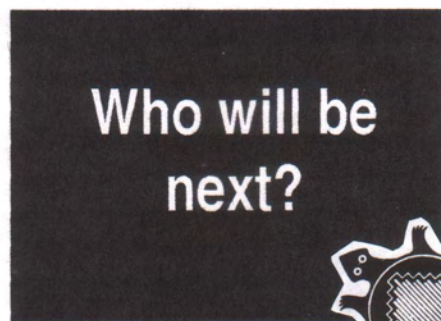


British Columbia Opens Records

Katherine Kimbell, co-chair of Adoption Reform Coalition of Ontario (ARCO) reported in the September *Parent-Finders* newsletter (National Capital Region) that on July 4 the Canadian province of British Columbia passed a bill permitting access to identifying information for adopted adults and birth parents. Adoptees can now obtain information about birth parents, including their names, and birth parents "will be able to access the adoption record to learn their child's name by adoption." Kimbell explained, "Both will also have services to assist with search and reunions. While these rights are qualified and not absolute, they are a major advance in Canadian social justice in adoption."

As in Tennessee, New Zealand, and other jurisdictions that have opened adoption records in the past decade, individuals seeking this information may be thwarted by a "veto" if the person being sought chooses to place one. British Columbia's new law provides for two different kinds of vetoes: a "disclosure veto," which allows a birth parent or adoptee to block access to their names, and a "no

contact declaration," which allows the seeker to obtain the missing person's name along with their request not to be contacted. Kimbell made no mention of whether there would be criminal penalties for contacting someone who requests



no contact as in Tennessee's new law. For more information, write to: *Audrey Scammell, c/o Triad Society for Truth in Adoption, 686 Hampshire Road, Victoria, B.C., CANADA V8S 4S2.*

Kimbell stated that ARCO "takes great hope from this new B.C. law" but "feels offering both a disclosure veto and a contact veto is not the best decision" because "no one person should have the right to veto access to personal information

by another person when that information is shared jointly by both....A contact veto, as developed satisfactorily in New South Wales, Australia, is sufficient." ARCO will continue to try to open records in the province of Ontario.

I have a personal connection to British Columbia: I was conceived there. My birth mother essentially fled Vancouver to protect herself from the social disapproval of unmarried pregnant women and I was born and adopted in Los Angeles while my birth mother returned to Canada. My birth father may still live in Vancouver. He was not happy that I found him there — he was concerned about maintaining his good reputation (as if my plan were to publicize the situation!) — but I did have the opportunity to meet him once, in 1984. While I am glad when any jurisdiction provides access to information for adoptees, I am particularly glad this change came to British Columbia.

Jean Paton wondered in her latest newsletter, "Has the Revolution Begun?" Will other states and provinces finally open their records one by one? Activists in New Jersey hope their state will be next.

— JB

CHAIN OF LIFE

is a forum for exploring adoption and related topics. Viewpoints of the authors are not necessarily held by the publisher and discussion on any topic is welcome. Please indicate whether any item you send to Chain of Life may be published.

Copyrights to each article are held by the individual authors. Permission to reprint articles first published here should be requested of Chain of Life, which will forward your request to the author. Please credit Chain of Life as the source of first publication.

While it is hoped that your relationships will be enhanced by this newsletter, Chain of Life cannot take responsibility for any actions readers may take as a result of information published here. ▲

Chain of Life

The title "Chain of Life" refers to the physical, genetic connection that *all people* have with other people, but that only adoptees in closed records adoptions are asked to ignore. Like everyone, adoptees are the product of our genes, our life experiences, and our own thoughts and actions. We have a right to know as much about ourselves as we need and want to know.

In addition to advocating open adoption records, Chain of Life works toward developing an understanding of when adoption is appropriate for some children, and when other forms of support are preferable, both in our current society and in a more humane society of the future. ▲

ADOPTION NEWS AND RESOURCES

▼ *The Adoption Reader*, edited by Susan Wadia-Ells, is an anthology of women's voices from all sides of the triad. Just published in October, it addresses these questions:

- Should adopted people be allowed to seek out and make contact with their birth mothers?

- Do birth mothers have the right to decide whether to remain anonymous?

- What are the dynamics of cross-cultural and interracial adoptions?

- Can adoption agencies deny gay and disabled people the right to adopt children?

- Are open adoptions a way to ease some of the difficulties of traditional adoptions, or do they deny the rights of adoptive parents?

The Adoption Reader is published by Seal Press, 3131 Western Avenue, #410, Seattle, Washington 98121. \$15.95 plus \$2.65 postage and handling; 304 pages in paperback. SEE BOOK REVIEW IN THIS ISSUE ON PAGE 6.

▼ **GLASS, Gay and Lesbian Adolescent Social Services**, runs five group homes where almost 40 gay, lesbian, and HIV-positive youth live and grow in warm, supportive environments. GLASS helps these young people address all of their education, psychological, medical, and vocational needs to prepare them for healthy, happy and productive lives. GLASS has applied for a license that would make it the only legally chartered gay adoption agency in the world. Your donations are welcome. Send them to: GLASS, 650 North Robertson Blvd., Suite A, West Hollywood, CA 90069-9831.

▼ **California's Assembly Bill 1283**, which would have done away with the requirement to find unmarried

fathers of children whose mothers wanted to place them for adoption, will be taken up again in January. Recent court decisions in California that limit fathers' rights may create a more favorable climate for passage at that time.

▼ *Adoptive Families* is a glossy magazine published by Adoptive Families of America. Its July/August 1995 issue includes, among others, an article by Jamie Berke about deaf adults who want to adopt. Berke and her husband adopted a deaf boy from Siberia; Jamie started the Deaf Adoption News Service on the Internet last year to connect with other deaf people who want to adopt children. A print column is also published in *Silent News, Inc.*, (1425 Jefferson Road, Rochester, NY 14623-3139). Jamie Berke can be reached via e-mail to sberke@netcom.com. Or write to 7981 Northumberland Road, Springfield, VA 22153-2934. After reading this article, I have to wonder how accessible the open records movement is to disabled people, many of whom are adoptees.

▼ In June, Judith Kizell-Brans resigned as President of the Canadian group **Parent Finders' National Capital Region** in Ottawa where she had served for eight years. In her farewell letter, Judith wrote these words of advice and inspiration:

"To those who are still searching, never give up hope; there is an answer somewhere. You need to be persistent and keep asking specific questions to anyone and everyone.

"To those of you who are in reunion — this is the real hard stuff. Keep your lines of communication open; be specific, concise and clear about your expectations and theirs;

listen and ask questions; and remember, like all relationships, reunion relationships need time to develop."

▼ In Pennsylvania, Representative Mark Cohen and Senator Michael O'Pake have sponsored the Uniform Adoption Act. The **Tri-State Legislative Coalition** (NJ, NY, PA) suggests that you can write to them about your views on the UAA, which *Chain of Life* has outlined in previous newsletters (it would seal records for 99 years, provide penalties for searching, and much more). For more information on the progress of this legislation and how you can help New Jersey reignite its bill to open adoption records, write: **NJCFOA Legislative Office, 29 Hill Street, Morristown, NJ 07960**. Send them a donation if possible when you request information.

▼ The **Child Welfare League of America** has published a book titled *Issues in Gay and Lesbian Adoption* based on papers from the proceedings of a February 1994 adoption symposium on gay and lesbian adoption issues. For information on obtaining the book, contact **CWLA c/o CSSC, P.O. Box 7816, 300 Raritan Center Parkway, Edison, New Jersey 08818-7816**; phone 908-225-1900 or fax 908-417-0482.

▼ **Tapestry Books** sells adoption-related books by mail and carries "more books on adoption and infertility than anyone else." It can be reached many ways, including electronically on the internet at <http://www.webcom.com/~tapestry>. Or call the tollfree line and ask for a free catalog: 800-765-2367.

▼ *In the Family* is a new magazine about gay/lesbian/bi families.

Subscriptions are \$18. for 4 issues to: **In the Family, P.O. Box 5387, Takoma Park, MD 20913**. Or call (301)270-4771.

▼ Playwright **Edward Albee** was adopted "by parents whose values he eventually came to abhor." When he was 18, Albee stayed out all night and the next morning his mother said, "...You either live the way we want you to live, or you might as well leave." So he left and had no contact with his family for 20 years. Albee told *The Advocate* that his mother was a "terrible homophobe." "Once out from under the weight of his mother's disapproval, Albee lived openly as a gay man in New York City." Albee won a Pulitzer Prize in 1994.

- information from an article by Peter Galvin, "The Outsider," in *The Advocate*, January 24, 1995.

▼ **Norma McCorvey**, "Jane Roe" in the 1973 Roe vs. Wade ruling that legalized abortion, decided in August that she is against abortion. McCorvey was baptized by the head of Operation Rescue and quit her job as marketing director at A Choice for Women, a clinic operated by abortion rights supporters in Dallas.

McCorvey, now 47, who never had an abortion, relinquished all three of her children to adoption. Her woman partner of 26 years told the *San Francisco Chronicle*, "She's gullible, and those people stuck things in her head." Kevin Fagan of the *Chronicle* wrote August 12, "McCorvey told reporters that she still considers abortion acceptable in the first trimester, and that she is not abandoning her lesbian relationship — both positions that are contrary to conservative Christian movements such as Operation Rescue."

Save Yourself a Trip to the Library...

A two-page description of *Chain of Life* was published in the *Journal of Gay and Lesbian Social Services* earlier this year. Copies of the article are available from *Chain of Life* for a donation of \$2. or more. Not only will this save you a trip to the library, but how likely is it that your library has the *Journal of Gay and Lesbian Social Services*?



Gay and Lesbian Parenting Publications

GLPCI* Publications Office
P.O. Box 43206
Montclair, New Jersey 07043

* stands for Gay and Lesbian Parenting Coalition International

The Family Next Door
P.O. Box 21580,
Oakland, CA 94620
or call (west coast hours)
510 - 597-1304.

Lavender Families Resource Network*
P.O. Box 21567
Seattle, WA 98111
phone # is
206 - 325-2643

* formerly Lesbian Mothers' National Defense Fund

National Center for Lesbian Rights
870 Market Street, Suite 570
San Francisco, CA 94102

Phone: 415 - 392-6257

COLAGE (Children of Lesbians and Gays Everywhere)
2300 Market Street #165
San Francisco, CA 94114





ABOUT PAM HASEGAWA



Pam and I go see Greg Louganis in a gay play, after which we have the chance to donate some money to an AIDS organization. Before we leave our seats, and on our way up the aisle, Pam is asking me how many people in this country have AIDS. And why can't we get the word out like this? Why isn't there a play like this about adoptees? Why aren't we more successful at helping people "get it" about our experience and our needs?

I, a close friend, am slightly overwhelmed that Pam translates so much so fast into the struggle that consumes her. She told me earlier in the day that she has a huge pile of unread newspapers that she hasn't thrown away because she wants to go through them for articles that might be useful to the cause. And as she drives me back to my car — from Greenwich Village to 120th and Riverside Drive — we discuss little about the play or our fellow adoptee, Greg Louganis, except to acknowledge that he was gorgeous and good. (He has nothing to be ashamed of as an actor.)

We continue our conversation from dinner, and we talk about what's next in New Jersey: getting the access to origins bill back in play. After being passed 50-17 in the Assembly, it had failed by one vote to get out of committee in the State Senate. People have been trying to encourage both Governor Whitman and the Senate President, DiFrancesco, to do whatever they can to enable this bill to be heard on the Senate floor.

On my drive back to Massachusetts, I wonder if my friend will live to see adult adoptees have the right to their origins in New Jersey. At least she has lived to see the turning of the tide. Good bills have been passed by one side of more than one State Legis-

Why isn't there a play like this about adoptees?

lature. And Tennessee and British Columbia went all the way in the last year, vastly improving adoptees' access to their origins.

Will my friend live to meet someone from her (first) family of origin? For fifteen years, she thought she had found her birthmother. So much matched, including pictures of them at the same age. The woman was a cellist who had played at Carnegie Hall, and Pam had a hair raising response to one of the pieces this woman would have to have practiced while Pam was in utero. This woman wouldn't say yes or no. Toward the end of her life, her West Indian hired companion found letters from Pam and called to arrange for Pam to visit, because they "must get together." By this time the cellist had lost some of her mental faculties. When the cellist was alone, dying in a

hospital, Pam went and held her hand, speaking softly and lovingly to her, singing "Amazing Grace." And the cellist's niece took pity on Pam and let blood be drawn from her deceased aunt so it could be matched with Pam's. And it didn't match. And it didn't match a second time. The cellist may have placed a child for adoption who wasn't Pam. There is some evidence of that. Did the cellist know Pam's birthmother?

My friend came up very short in the mother department. Her adoptive mother died when she was twelve. She had been hospitalized for paranoia. My friend has probably gotten some vicarious mothering through her own role as a mother, giving what she would like to have gotten. She now has two lovely adult children, a son and a daughter, who are very much like her, each in their own way. And she takes pictures of the world's children, whether in Newark or Nepal — or adult children at adoption conferences.

I can't get myself to work as hard as Pam does for access to origins. Is that because I've had things so much easier than she has? But at least I can be a witness to this woman who works away at it, hardly ever stopping except to serve some other important cause in her life. We must join her, as many have. At least in our own ways. At least as much as we can.

◆ Penny Callan Partridge

The Adoption Reader

Birth Mothers, Adoptive Mothers, and Adopted Daughters Tell Their Stories

edited by Susan Wadia-Ells

Published by Seal Press, 1995, 304 pages, \$15.95 paperback.

I knew a feminist anthology on adoption was in the works. Anticipating this book's release, I hoped it would respect the experiences of adopted people who seek their birth heritage. I hoped it would look closely at the circumstances under which women relinquish babies. Yet I was not completely confident that it would do either of these, having recently read a disappointing review of Jan Waldron's *Giving Away Simone* in the *Women's Review of Books* in which the reviewer had thought birth mothers should move on with their lives and not look back to their relinquished child, that old admonition that rarely seemed to match reality. The review reminded me that some feminists disparage the birth connection as little more than a vestige of an outdated and inaccurate "essentialist" perspective of motherhood.

So it was with relief and satisfaction that I read story after story in *The Adoption Reader* affirming the importance and the "reality" of both adoptive and birth connections. Susan Wadia-Ells, herself an adoptive mother, chose personal accounts that are well-written and that shine a light on the pathway of openness between birth and adoptive families. Most stories focus on the rights and feelings of adopted children and the adults they become—the people who should be the primary

focus of adoption but whose emotional needs have often been lost in the either/or tug-of-war of family definition: either the adoptive parents or the birth parents are "real" parents, with sealed records laws skewing the equation, making it difficult for adoptees to know much that is real about their birth heri-

The anthology is also unique for its inclusion of stories by people of color, people with disabilities, and lesbians.

tage. The feelings and experiences of adoptive mothers and birth mothers are included in *The Adoption Reader* but their stories often relate to the adoptee's search, as in birth mother Lorraine Dusky's "Family Reunions," which starts the anthology, or adoptive mother Wendy Lichtman's "Visiting Suzanne," in which Lichtman describes the experience of taking her seven-year-old daughter, Bekah, to visit Bekah's birth mother. Suzanne had always sent letters and a gift to Bekah for her birthday, but it was not enough.



Bekah always cried and spoke about missing Suzanne after she got a present and, on her fifth birthday, when a photo of Suzanne's new baby arrived, she begged to go see them. Someday, I promised her, we would.... I had assumed that Bekah would visit her birth mother when she was a teenager or young adult, so I surprised myself when I awoke one summer morning three years ago, turned to my husband and said, "I want to take Bekah to see Suzanne."

The only reason I gave myself then and still give myself now, as to why I made that major decision so easily, was that my close friend was dying of cancer that summer, leaving a four-year-old daughter. That morning my thought process went something like this: Mari is not going to see her daughter grow up and so I must take Bekah to see Suzanne now, before anyone else is dead. It makes sense only in grief, perhaps, and then it makes perfect sense.

The anthology is also unique for its inclusion of stories by people of color, people with disabilities, and lesbians. Of the nine works by birth mothers, three are by lesbians, including a powerful 1990 poem by Minnie Bruce Pratt about children relinquished by or otherwise lost to lesbians. Of the writings by thirteen adoptive mothers, one was about a lesbian couple who adopted two children from Guatemala, pretending to the adoption workers that they were a single mother and her "friend." Yet both women met the birth mother

before returning to the United States. *The Adoption Reader* does not give equal time to advocates of closed records; its strength comes from its diverse examples of sensitivity to others and a willingness to keep the lines of communication open.

Readers who are curious to know what Florence Fisher, founder of ALMA (Adoptees Liberty Movement Association) might be saying in this book should know that her contribution is a reprint from her 1973 book *The Search for Anna Fisher* about Fisher's brief meeting with her birth mother. Another chapter was also an excerpt from a book: Louise Erdrich was the adoptive mother of Adam, the boy with Fetal Alcohol Syndrome whose story was written by his adoptive father, Michael Dorris, as *The Broken Cord* in 1989. Erdrich's forward to that book is reprinted in *The Adoption Reader*. Because of the recent television dramatization of *The Broken Cord* (with Jimmy Smits as Michael Dorris), I felt as if I knew this family of Native Americans who lived with the devastating effects of a birth mother who drank while she was pregnant.

A few times I found myself talking back to the writers about their naiveté or misinformation. In the first story in the section by adoptees, Me-K Ando, a young adopted woman, travels to Korea, accompanied by her Japanese-American adoptive mother, to try to meet her birth mother. In Korea, the orphanage worker tells her that her birth mother has died—and Me-K believes her. She does not know that a fictitious killing off of a relinquished child or a birth mother to avoid telling the truth, usually of unmarried parenthood and socially required "abandonment," has been a common method of ending the discussion and keeping an adoption closed. If the orphanage knew the birth mother had died, why didn't they tell Me-K before she went to Korea? If the birth mother really had

died, does that mean the orphanage director knew her name and could tell it to the adoptee? Was there a death certificate? Neither the adoptee nor the editor or publisher of this book seemed to pursue the veracity of this outcome or to ask these questions. Perhaps they were not aware that an American adoption book from 1956, *How to Adopt a Child* by Ernest and Frances Cady, actually recommended to adopting parents that they could say a birth parent had died when their child asked about his or her origins rather than divulge such "negative information" as unmarried motherhood. It is an old trick of the trade. The lack of skepticism weakens an otherwise captivating story.

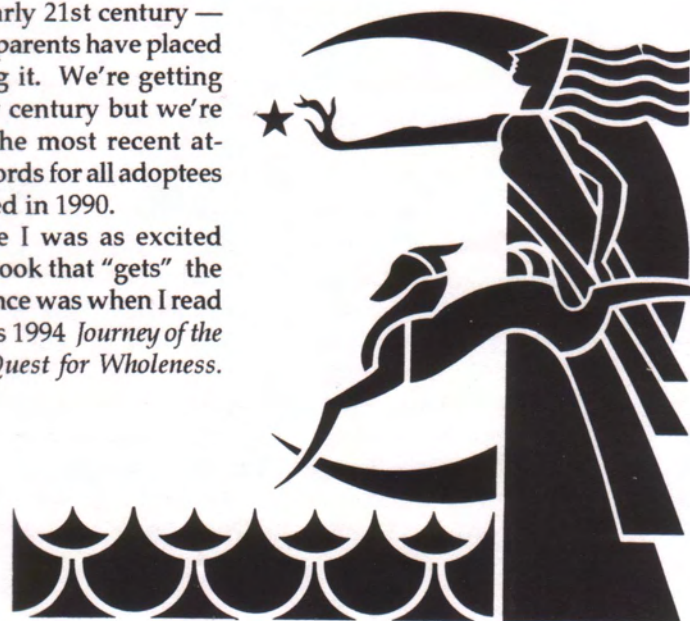
In another narrative, adoptive mother Diane Engle suggests inaccurately that California has open records. "None of our children were born in California, however, so when each United States-born child reached eighteen, his or her birth records remained legally sealed, a situation I consider barbaric." Engle's heart is in the right place, but her misinformation can lead readers to believe that California has already solved the secrecy problem. Last I heard, children adopted in California some time in the 1980s will be able to access their records when they reach the age of majority in the early 21st century—unless their birth parents have placed a veto preventing it. We're getting closer to the new century but we're not there yet. The most recent attempt to open records for all adoptees in California failed in 1990.

The last time I was as excited about reading a book that "gets" the adoption experience was when I read Betty Jean Lifton's 1994 *Journey of the Adopted Self: A Quest for Wholeness*.

The Adoption Reader would be second on my list of required reading for a class on adoption and first for a class on family. It will be an excellent addition to the reading list for classes in women's studies, where adoption should no longer be a topic of interest only to right wing religious fundamentalists who oppose abortion. Adoption is about the lives of all of us who live with its ongoing effects. It's time the word gets out. ▲

—Janine Baer

Want to distribute flyers about Chain of Life to members of your group? Just let me know how many you need. (I printed a lot of them.) They are 11 x 17" double sided, folded to 8-1/2 x 11". In ivory or lavender.



The Hague Convention on Intercountry Adoption



Peter Pfund, assistant legal advisor for the U.S. Department of State, answered my request for information about the Hague Convention on Intercountry Adoption with pages of written material. The following article is based on that information.

Officially titled the "Hague Convention of 29 May 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption," the Convention is a multilateral treaty, prepared by the international organization known as the Hague Conference on Private International Law. When ratified, the Convention will cover all adoptions between countries that become parties to it. The Convention sets certain internationally agreed minimum norms and procedures that are to be complied with to protect the children involved as well as the interests of their birth parents and their adoptive parents.

In a May briefing, the U.S. Department of State wrote of the importance of this document to the U.S.: "As there were over 8,000 adoptions of children from abroad to the United States in 1994 (out of a world total of 15 to 20,000), as well as one hundred or more adoptions of children from the United States by persons resident abroad, the United States has a considerable stake in the future of the Convention...."

"The Convention as adopted will eventually affect future intercountry adoptions to and from the United States, whether the United States becomes a party to it or not. It may cause numerous countries, and especially sending States [those whose children are adopted by other nations], to review and possibly change their domestic laws and procedures governing adoptions to foreign

countries, thereby also affecting countries like the United States which receive children in adoption from those countries."

The State Department views the Hague Convention to be advantageous because its preamble states that adoption and family life abroad — for example, in the United States — is preferable to life in an institution in a child's

there apparently were no birth parents, adopted adults, or, for that matter, adoptive fathers in the U.S. delegation

country of origin. In contrast, the United Nations Convention on the Rights of the Child "appears to treat intercountry adoption as a last resort for children if they cannot be placed for adoption or in foster homes in their country of origin or if they cannot otherwise be appropriately cared for (institutionalized) in that country. ...Moreover, the U.N. Convention has been interpreted by some as totally forbidding private intercountry adoptions." In contrast, the Hague Convention recognizes "that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin."

Under the Hague Convention, for an adoption to take place, competent authorities of a child's country of origin must have established that the child is adoptable and that an intercountry adoption is in the child's best interests. They must ensure that the necessary

consents to the adoption have been given freely and without inducement, expressed or evidenced in writing after appropriate counselling about the effect of consent and whether it will result in termination of the parent-child relationship. For birth mothers, this will have to take place after the birth of the child. In the country that will be receiving the child, competent

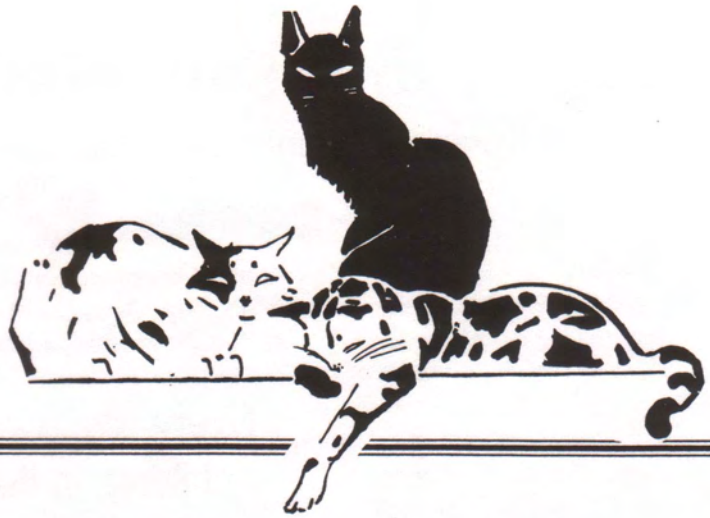
authorities must determine that the prospective adoptive parents are eligible and suited to adopt, that they have been counseled as necessary, and that the child they wish to adopt will be

authorized to enter and reside permanently in the country.

As of July 17, 1995, twenty-three countries have signed the Convention but only six have ratified it. The Convention's regulations will enter into force this year only for the countries that have ratified it — which so far are Mexico, Romania, Sri Lanka, Cyprus, Poland, and Spain. The United States signed the Convention on March 31, 1994, "a symbolic act without legal effect but signalling an intention to seek authority eventually to ratify the Convention and a commitment not to act contrary to the object and purpose of the Convention in the interim."

In attempting to evaluate this proposed legislation, a "red flag" of concern went up for me when I read about "Article 29," which bars contact between the prospective adoptive par-

continued on next page...



ents and the child's parents or any other person who has care of the child. This would seem to prevent open or cooperative adoptions and situations in which adopting parents could meet the birth parents. I also noted that the United States delegation to preparatory meetings included lawyers, representatives of adoption organizations, "two adoptive mothers appointed by the White House, a representative of the American Public Welfare Association, the nominee of the President of the American Bar Association, and a representative of the INS (Immigration and Naturalization Service)" but apparently no birth parents, adopted adults, or, for that matter, even adoptive fathers in this delegation. The Hague Convention is supported by the American Bar Association, the North American Council on Adoptable Children, the National Council For Adoption, which has long opposed open records in the U.S., and Adoptive Families of America.

The Convention probably includes some safeguards that will help children — even the Uniform Adoption Act has some beneficent aspects — but like the UAA, it may be fueled more by groups seeking to attain children than by people concerned primarily with the welfare of children in other countries. In his cover letter, Pfund wrote, "It remains to be seen whether federal implementing legislation will be ready for introduction in Congress by early 1996." For those interested in the details, the full text of the Hague Convention has been published in the July 1993 issue of *International Legal Materials* and in the Spring 1994 issue of *Family Law Quarterly*. ▲

"Perceived as a cause of the anti-abortion movement, adoption isn't an issue that generates much enthusiasm within the child welfare establishment. And the views of prospective parents about American adoption are shaped largely by TV's fixation with horror stories of biological parents showing up at the doorstep to fetch their children; heart-wrenching as they are, the high-profile Baby Richard and Baby Jessica kinds of cases are rare."

- from Nina J. Easton, "Adoption, the Underclass and America," *Los Angeles Times Magazine*, October 1, 1995.

Waiting Children Still Waiting

by Joe Kroll, Executive Director of the North American Council on Adoptable Children



This article was first published in Adoptalk, a publication of the North American Council on Adoptable Children, 970 Raymond Ave., Suite 106, St. Paul, MN 55114-1149; 612-644-3036.

Those of us who witnessed the tragedy of Baby Richard — the vivid pictures of a young child caught between two families — were astounded by the system's insensitivity. As media cameras captured the emotion, tears, and pain, our hearts went out to the child who was separated from the only family he knew.

Every day, over 2,000 children in the U.S. and Canada are separated from their biological parents and placed in an unfamiliar setting. Their emotions are very real, but media camera do not record their pain and few witness their trauma. Estimates place the number of "waiting" children in the U.S. — those legally free for adoption — at between 30,000 and 50,000. Based on reports from state, regional, and national adoption exchanges, roughly 15,000 of these children are still actively searching for an adoptive family. But they are not the Baby Richards or Baby Jessicas that families typically fight over; they are older, sometimes handicapped, part of sibling groups, and often children of color.

Where are reporters who will share their stories? States most often represent the children as statistics or categories. Recent reports on waiting children from eight states reveal that special needs disabilities include: emotional (57%), learning (32%), physical (25%), and mental (15%). Most of the states' children have more than one disability and 41% are especially hard

to place because they are part of a sibling group. Of the 3,853 children listed with eight adoption exchanges, 38% are

Every day, over 2,000 children in the U.S. and Canada are separated from their biological parents and placed in an unfamiliar setting.

6-10 years old and 41% are 11 or older.

Two of these children, Henrietta and Courtney, are siblings who need a permanent home. True to the statistics, both children have developmental delays and learning disabilities. But those figures do not tell the whole story. Henrietta, who was at first unresponsive to touch or voice, is now an active seven-year-old who can sing along with children in her class. Doctors believed that Courtney would never speak, but the six-year-old now says a few words and laughs at cartoon images. Henrietta and Courtney's foster mom is thrilled with their progress, but the children are still waiting for a permanent family.

Regrettably, the quiet cries of waiting children like Henrietta and Courtney are now further dampened by the thunderous clamor of political uncertainty. In times of government downsizing, budget cuts, and block granting, can we ask families to adopt these children without ongoing support from states? Illinois' legislature just cut adoption assistance payments by \$24 a month

this spring, and while the amount may seem small, the tone of the debate is frightening. "We see the danger of parents turning children into revenue units," said Illinois Senator Steven Rauschenberger, chairman of the appropriations committee. "We want to help people who need help, but the subsidy should not drive and adoption."

Child welfare advocates who see the imminent danger that now confronts waiting children must redouble their efforts to find permanent, adoptive homes. Targeted recruitment through television and newspaper features, photolisting exchanges, adoption parties, and adoption newsletters are effective, but not enough. Too many children are still invisible to the media and the general public.

If a child who had been bounced around the system for ten years received as much attention as Baby Richard, would citizens step forward to care for the child? Would they offer to help if they knew that, due to neglect, abuse, and multiple moves, this child had an uncertain future? What would it take to get photos and stories of this child on the front page of your daily newspaper or on your local television news?

We must all answer these questions for ourselves. But whatever your response, we challenge you to be a change agent for waiting kids and to challenge others. When you think about Baby Richard, remember the thousands of other children who are desperately waiting for someone to want them, for a family to adopt them. Help bring their stories to the forefront and make a difference in their lives. ▲

California's Adoption Law Revisions After World War I

A law that required births to be reported to the state took effect in California in 1915. The 1920s brought increased efficiency and centralization to private sector businesses and government. The state could not easily require "sealed" adoption records unless there was a centralized record keeping system to allow for uniform compliance, and this developed in the 1920s.

Another important change to California's adoption law came in 1927 with a law requiring that the State Department of Social Welfare must investigate all independent, non-agency adoption placements. At the time, independent placements represented three-fourths of all California adoptions. The New York-based Child Welfare League of America approved of California's new law, stating, "[U]nder the old law, little was known by the state about the hundreds of children placed in family homes by independent agencies or persons."¹ Regulating these informal placements was a focus of adoption law during these years.

Underscoring the need for increased state regulation of independent adoptions, Elizabeth Owens, supervisor of the Department of Social Welfare, told a story of an informal adoption that did not protect the child. Described by Owens in the California Department of Social Welfare's report for the years 1930 to 1932, the incident involved an adoption arranged at a corner grocery store, where a prospective couple had informally learned of a pregnant unmarried woman from another state who would soon give birth. The couple filed a petition for an independent adoption, but the state's investigation discovered they were unfit: "[T]he man

petitioner was alcoholic and ... both petitioners were victims of a social [i.e., sexually transmitted] disease."² When the birthmother was told about her child's current custodians, she was "most anxious to regain its custody," which was not easy and required a writ of habeas corpus. "With the help of a family welfare organization, adequate plans were made and the child was returned to its natural mother."³

The economic devastation of the Great Depression played a role in the timing of sealed records. Parents who were having trouble caring for their children adequately were sometimes forced to relinquish custody. Twenty-five percent of the children that were freed for adoption through the Tennessee Children's Home Society, which illegally sold babies in the 1930s and '40s to people from other states including California, had been forcibly separated from their parents on charges of neglect through Juvenile Court. In California, Elizabeth Owens expressed concern that economic impoverishment could lead to child relinquishment. In her report of the Department of Social Welfare, she wrote:

The department is watching with interest the effect of the present economic condition on adoptions. Whether there will be a tendency to follow the easy course of accepting children from homes where financial stress is the sole reason for giving up a child, or whether various organizations will perform the more difficult task of family rehabilitation, rests on the social vision of California's relief agencies. The department is cognizant that the adoptive agencies are making an exceptional effort to tide certain families which have come to their notice over this difficult period so as to prevent the severing of a family tie which might later bring regret.⁴

Also in 1927, the state reinforced its practice of keeping adoption records safe from public scrutiny. The revised statute stated that "the petition, relinquishment, agreement and order must be filed in the office of the county clerk and shall not be open to inspection by any other than the parties to the action and their attorneys and the state department of public welfare except upon the written authority of the judge of the superior court."⁵ This measure gave birth and adoptive families privacy about the adoption, which may have been embarrassing or stigmatizing for them, but the adoption records were still open to inspection by "the parties to the action."

◆ Janine Baer © 1995

NOTES

1 Lavonne Stanton, Associate Executive Secretary, California Children's Home Society, "Protecting Illegitimate Children through New California Adoption Law," *CWLA Bulletin* (November 1928): 8.

2 Elizabeth Owens, "Report of the Department of Social Welfare," *Appendix to Journals of Senate and Assembly, California, Fiftieth Session, 1933* (Sacramento, State Printing Office, 1933), 52.

3 *Ibid.*, 52.

4 *Ibid.*, 55.

5 Statutes of California (Sacramento: State Printer's Office, 1927), 1197.



EVENTS

EVENTS

EVENTS

NOVEMBER IS NATIONAL ADOPTION MONTH

November 3-5: In Los Gatos, California, "Solving the Mystery of Adoption," the Northwestern and Southwestern regions of the American Adoption Congress present a regional conference at The Toll House in downtown Las Gatos. Featured speakers include Carol Schaefer, author of *The Other Mother*; Ronald J. Nydam, who has studied birthparent fantasies of adopted adults; and a Mystery Speaker. If you have questions concerning the conference or want more information, please call and leave a message with Search-Finders of California at (408) 356-6711 or (408) 978-5430.

November 15: In Ann Arbor, Michigan, birth mother Ronda Slater will give her lecture,

"Women's Choices in the '90s: Are We Headed Back to the '60s?" at Washtenaw Community College. For information, call (313) 973-3397.

November 19: In Ann Arbor, Michigan, Ronda Slater will perform her play, "...A Name You Never Got" at the University of Michigan. For information, phone Michelle Thompson (313) 971-2230. Ronda has been nominated for the National Association for Campus Activities' Harry Chapin Award for Contributions to Humanity.

December 6: In San Francisco, "Transracial Adoption." A workshop for adopting parents. What are the responsibilities in transracial adoptions? What is your responsibility to your child? What will you and your child face? How can you enhance your child's racial

pride? Explore empowerment strategies for transracial families. 7 to 9:30 pm, Fort Mason. To register, contact **Pact, An Adoption Alliance**, (415) 221-6957.

Chain of Life has expanded to 12 pages!

It is published 4 times a year; at \$15 a year, both the cost and the number of pages are the same annually as they have been since 1991. There has been a slight increase in cost (to \$20) for people who use *Chain of Life* in their professions, including libraries, adoption agencies, and psychotherapists. *Chain of Life* is not funded by ads but by your subscriptions and donations. ▲



I Want to Subscribe to Chain of Life...

I am sending a check for 4 issues, payable to **Chain of Life**, P.O. Box 8081, Berkeley, CA 94707:

\$15 for individuals

\$20 for agencies, professionals, and libraries (in U.S. funds; add \$5. for international postage)

Name _____

Address _____

City _____ State/Province _____

Zip _____

I am an adoptee, a birth parent, an adoptive parent, an adoption professional, or _____