

## Birth Parents Rights in Adoption

One of the big topics we covered in tonight's show on adoption was the rights of birth parents during the adoption process. In most cases, the rights vary depending on the type of adoption. With an agency adoption, the birth mother has a 30-day window to reconsider giving up her child. With a private adoption, however, the timeline gets bumped up to 45 days.

If a birth mother changes her mind, it needs to be determined whether the child would be safe if returned to her. If it would not be safe, the adopting family can contest the birth mother's decision. If it's decided the child would indeed be safe, the adopting family has to decide whether they want to go through a court battle with the possibility of having to give up the child at the end of the process.

It's not all about the birth mother in the adoption process. The birth father certainly has his own set of rights. The problem that comes up time and time again is that often the birth mother does not know who the father is or does not want to disclose that information, which she has every right not to do. In this situation, which has been termed as the "Fleeing Fornicator," it becomes the man's responsibility to learn whether or not he has become a father as a result of sexual activity. Basically, this means asking whether or not he has gotten the woman pregnant, even if it is just a one-night stand. If he does not come forward within a specified time period, then he gives up any rights he may have as the father.

If you have questions about your rights in adoption, call our office and speak to one of our family and matrimonial attorneys. They can be reached at 518-218-7100 or check out [www.tullylegal.com](http://www.tullylegal.com)