



Family Law – Adoption of an Adult

Testimony of Judge Jennifer Fairfax in Support of
House Bill 243 – Adoption of an Adult
March 20, 2025

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Senate Judicial Proceeding Committee:

Thank you for the opportunity to offer my written testimony in support of HB243, the legislation known as Family Law – Adoption of an Adult.

My name is Jennifer Fairfax. I am a Judge for the Circuit Court of Montgomery County, Maryland. I was appointed to the bench by Governor Wes Moore on September 8, 2023, after owning my own Law Firm for 16 years. Throughout my private practice career of over twenty years, I focused on adoption and Artificial Reproductive Technology (ART) law. I remain licensed in the District of Columbia, Virginia and Maryland. While in private practice I had the honor of representing adoptive parents, adoptees, and expectant parents considering an adoption plan (often referred to as birth parents) albeit never in the same case. As a Judge, I have now had the pleasure to preside over adoption cases.

The Judiciary supports this bill, and I am testifying on behalf of the Judiciary bringing over two decades of experience as a former private adoption attorney to the conversation. In private practice, I handled hundreds of adult adoptions across the region and I want to note that in Virginia and the District of Columbia there are specific statutory provisions for adult adoptions that do not require notice or consent of the prospective adoptees legal (birth or adoptive) parent(s) consistent with this proposed legislation. This has allowed those seeking adult adoptions in our neighboring states a more cost-effective and time efficient process to securing the legal status as an adoptee or adoptive parent to an adult. It was my experience as a practitioner that adult adoptions in Maryland were often three times as expensive due to the notice requirement and often took over a year to complete compared to a few months in other jurisdictions. In a

significant number of my Maryland cases the legal parent has never been known, had been abusive toward the adoptee, or could not be located as there had been no contact for years. For Maryland families, I would have to explain to adult adoptees or their prospective adoptive parents (often stepparents, foster parents, guardians or other adults who served as the adoptees parent figure for most of their life) the “notice” and “consent” requirement in Maryland and it would often dissuade them from proceeding despite having strong emotional bonds with the prospective adoptive parent and pursuing the adoption for reasons related to those emotional relationships as well as inheritance and estate planning. There are so many positive and sound reasons adults seek to have their parental figures adopt them and it was disheartening when they did not proceed because of financial burden and/or trauma it would cause from engaging with or finding their legal parent.

As a member of the bench, each Judge is tasked to review any adoption carefully and I believe would, if there were concerns related to motivation or any other issue, order an investigation or inquire of the Parties or adoptee at a hearing before ruling on the Petition. I know from experience as a practitioner and now as a member of the bench that each Judge views adoptions as incredibly special hearings. I believe every Judge who felt there was good cause to order an investigation would do so and when that is not the case, grant adoptions that give adult adoptees the closure from the past and the hope they need to live their life with legal security regarding their family.

Respectfully,

/s/

Jennifer Fairfax