

Adoption Bill Testimony - Barbara Bennett.pdf

Uploaded by: Barbara Bennett

Position: FAV

Members of the Senate Judicial Proceedings Committee.

My name is Barbara Bennett, the true mother of my stepdaughter, Rachael Clairmont.

Thank you for taking the time to review the adult adoption bill and my testimony.

Hopefully you have read my adult daughter Rachael Clairmont's testimony on her reasons for working so hard on getting this bill passed. You have hopefully read further details from her dad, David Bennett, why the adoption process should not be under the control of Rachael's biological mother. What you are going to read from me is what I believe to be the logical side of why this law needs to be changed.

Meaning of an adult

Adulthood means being responsible for where you are going, what you are going to do with the rest of your life and, most importantly, **being responsible enough to make the right decisions or the wrong ones, whichever it be.**

Meaning of Emancipation

Bear with me and you will read where this is going.

Emancipation – It is defined as the fact or process of being set free from legal, social, or political restrictions; it's a liberation, which is defined as providing a release from a situation which limits freedom of thought or behavior

A minor goes to court to be emancipated from a parent. Why? So, the court can decide if it is in the minor's best interest. But if a minor reaches the age of majority (18), gets married as a minor or enters the Military before 18, they do not need to go to court. Why? Because in these circumstances they are considered an adult.

So why does Maryland have an adult adoption law that contradicts the true meaning of being an adult?

Supporting this bill does not affect anyone but the adult who wants to be adopted. It allows them to control their own assets, control the well-being of their family and control the well-being of themselves. Supporting this bill doesn't help someone's political career and it doesn't cause the voters to pay additional taxes. And let's be honest, how often does an adult child want to be adopted? If biological parents were the parents they are expected to be, then this would not happen. So why not pass this bill?

I read that one of the defined responsibilities of an adult is Self-Care and Emotional Maturity. Emotional maturity being defined as taking responsibility for your feelings and actions.

Isn't this what my adult daughter, Rachael Clairmont, is trying to do?

Tying together everything I just wrote, Rachael, as an adult, is trying to take responsibility for her feelings and actions and promoting her own self-care (responsibilities of being an adult) by "emancipating" herself from her biological mother, meaning she is freeing herself from legal and social restrictions as well as liberating herself from her biological mother. Why can't she do this as an adult?

Being designated officially as Rachael Clairmont's mother, through the adoption process, allows me, as her mother, the peace of mind that my child is no longer suffering. Isn't that something we all want with our children – a peace of mind?

Thank you,

Barbara Bennett

David Bennett Testimony.pdf

Uploaded by: David Bennett

Position: FAV

Members of the Senate Judicial Proceedings Committee. My name is David Bennett, and I want to thank you for taking the time to read my testimony.

In 1996 my daughter's birth mother and I separated, and the court ordered that I was the physical custodian of both my daughters who were 2 & 7 years old at the time.

During our 2-year separation while waiting for final divorce proceedings, their birthmother was absent in their lives. She neglected to show up and visit them at the prearranged court ordered times.

At the final divorce 2 years later, I was awarded physical custody again by the court. This remained in effect until they were adults when the order expired. My daughters continued to live with my current wife of 20 years until they eventually moved out on their own.

Other than this testimony this year and the testimony from last year, I have never spoken publicly about the mental abuse that my daughter's birthmother caused them. It is rare for their birthmother to take responsibility for her inactions or wrongdoing, and it is always someone else's fault. Many times, she made my daughters feel guilty and that it was their fault. She also refused to help financially in any way throughout their lives and always had an excuse as to why she couldn't help.

Once my daughters were in their teens, the time that they spent with their birthmother was further reduced at both my daughters' requests. The environment at their birthmother's location was not healthy and was mentally abusive towards them. Neither of my daughter's homework or after school activities were ever a priority.

This left my daughters with feelings of guilt about things that had nothing to do with them and has caused them some very difficult and almost tragic emotional problems through their younger lives. Currently, neither one of them has had any contact with her, and for one of my daughters, it has been years.

Thankfully my wife Barbara Bennett came into our lives 23 years ago. She chooses to step into my daughter's lives and help them as any great mother figure would. She has been perfect for them, given them the motherly love and guidance that any great mother would do. She still fulfills that roll today even as both my daughters are married and with families of their own.

Rachael made the decision a few years ago as an adult in her late 20's that she would like Barb to adopt her. Rachael's reasoning was that Barb has always been her mother, and she wants to make it official.

We found out that Maryland law, as currently written, does not allow this without the consent of the birthmother. Rachael's birthmother will not consent to the adoption.

The courts saw fit on two separate occasions to award custody of my daughters to me and not their birthmother.

When a person reaches the age of being a responsible adult, they should be allowed to make the decision about who is legally their parent.

Rachael, my 30-year-old adult daughter, college graduate, successful in her profession, married, homeowner, and all-around great person, is not able to make the sole decision on who is legally her mother.

Instead, the law as currently written allows the abusive parent to still have one last bit of control over an otherwise grownup, successful, well-adjusted adult.

Thank you,

David Bennett

SENATE FAV HB243 Written Testimony Del. Boyce.pdf

Uploaded by: Delegate Regina T. Boyce

Position: FAV

REGINA T. BOYCE
Legislative District 43A
Baltimore City

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Vice Chair
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 20, 2025

RE: Favorable Testimony for HB243: Family Law – Adoption of an Adult

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

I am Delegate Regina T. Boyce, presenting **HB243: Family Law – Adoption of an Adult**. For historical reference, this bill was introduced in 2024 as HB214, and in 2023 as HB1117.

HB243 alters the provisions of law for adopting an adult (18 years or older) to include the termination of parental rights (TPR), investigations of the parent, and a home study, where necessary. The legislation establishes that certain legal requirements, such as the issuance and service of a show-cause order on a prospective adoptee's parents, do not apply if the adoptee is an adult. It grants the court the authority to order investigations before ruling on adoption petitions involving adult adoptees, but only when there is good cause shown. Furthermore, the bill establishes that parental consent is not required for adult adoptions.

Adult adoption is common and occurs for a myriad of reasons. Some of those reasons include inheritance, medical decision-making, death of parents and/or relatives, stepchildren, or moving from a long-term foster relationship.

In the case my constituent, she met the general parameters to adopt her son under the adoption laws, those under 18: abandonment, abuse, and lack of financial support, for instance. The adoptee was also international, with one parent in the United States and the other in another country. However, given the adoptee's age, 18 and over, the process required a host of steps deemed unnecessary for someone considered by law to be an adult.

In the context of adoptions involving minors, show-cause orders may be issued to notify the legal guardians, including known biological parents when applicable, granting them the opportunity to object to the adoption. HB243 eliminates provisions requiring the issuance and service of a show-cause order for adult adoptions. The bill operates on the premise that adults, being capable decision-makers, have the right to autonomy in managing their own circumstances.

HB243 seeks to change the law to ensure no one goes through such an arduous ordeal and at times an unnecessary process.

Thank you for your time and consideration of HB243 and I ask for your favorable report.

Sincerely,

A handwritten signature in blue ink that reads "Regina T. Boyce".

Delegate Regina T. Boyce

HB0243_Fairfax Written Testimony 2024.03.20.pdf

Uploaded by: Jennifer Fairfax

Position: FAV



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

HB0243 Testimony - Senate Judicial Proceedings Com

Uploaded by: Rachael Clairmont

Position: FAV

Members of the Senate Judicial Proceedings Committee.

My name is Rachael Clairmont and I am testifying in favor of House Bill # 243.

For the first 22 years of my life, I was subjected to verbal abuse and emotional manipulation from my biological mother. Because of these years of abuse, I formed an eating disorder, I used alcohol as a coping mechanism, and I considered suicide. I've spent the last 8 years in counseling trying to make peace with my biological mother's abuse, to learn healthy tools to live with the effects from the abuse, and to grow a new appreciation for my stepmom, who stepped into the role of mom when I was 8.

For any abuse victim, a major part of their recovery is taking back their control. For me, that was asking my stepmom to adopt me to ensure that my abuser no longer had her parental rights to make major life decisions for me on my behalf. You can imagine the punch to my gut when I learned I couldn't do this without my abuser's permission. Let that sink in. I've spent 8 years in counseling to recover from 22 years of abuse and now the last piece of the puzzle to my recovery is in the hands of my abuser.

Now, let me be abundantly clear. The decision to call another person "mom" and make it official by law is not made lightly. It's a devastating reminder that the person who was supposed to love me unconditionally was the same person who chipped away at my psyche and made me believe I wasn't worth a dime on this earth.

So I sit here today, now as a 30-year-old, asking you to take that piece of the puzzle out of her hands and put it back in mine. Put it back in my hands so that I can fully heal from that abusive chapter of my life. Put it back in my hands so that I never need to worry if my abuser will have any say over my future children's life decisions should anything happen to my husband and myself. Take that control that parental abusers have over their victims and give it back to the victims so they can have a shot at a fulfilled life with full autonomy.

Thank you

HB0243 - FAV - Written Testimony - Senate JPR.pdf

Uploaded by: Rachel Sledge Government Affairs

Position: FAV



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

March 20, 2025

The Honorable Will C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB0243 - FAMILY LAW - ADOPTION OF AN ADULT - POSITION:
FAVORABLE**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable position for House Bill 243 (HB 243).

With offices in every one of Maryland's jurisdictions, DHS empowers Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. Our Social Services Administration (SSA) implements child and family well-being and Adult Services programs, serving individuals whose lives would be positively impacted by the passage of HB 243. The bill supports the Department's efforts to improve services, permanency, and family connections for older youth entering adulthood.

Rooted in all of our practices is the guiding principle that Family Matters. HB 243 supports our efforts in reversing Maryland's history of older youth "aging out" of foster care. Through our Family Matters initiative we focus on empowering families and youth in out-of-home placements to build stronger, lasting bonds with family, whether by blood or by choice. Youth who exit care without permanent connections to adults face challenges in establishing themselves as young adults and creating stability in their life. Currently 1 out of 5 youth experience homelessness, 50% face difficulty gaining employment, and over 50% are involved with the juvenile justice

system. Moreover, about half of young adults live with their parents today, and youth in care deserve the same opportunities for support and success as their non-fostered peers.

HB 243 supports older youth establishing permanent family connections by empowering youth over 18 years old to consent to their own adoption. As of January 23, 2025, the Department has 101 youth, age 18 or older who have been with the same foster family or kin family for the past 18 months. HB 243 reduces barriers to adult adoption and empowers young adults and their families to decide if adoption is right for them.

Youth who emancipate from foster care, even if emotionally connected to an adult, do not have the same rights as a child who is adopted. HB 243 empowers families to choose adoption with less administrative burden, providing additional benefits for the adoptee, including the ability to receive Social Security benefits of the parent(s) and inheritance through intestate succession laws. Further, in the event of medical emergencies, it is important for adults to have trusted individuals who can help make life or death medical decisions and receive medical records. We believe in empowering Marylanders with choices over their medical decisions which respect their life and dignity. The bill will help fortify chosen families to make medical decisions and protect them from potential harm during times of distress.

We appreciate the opportunity to offer favorable testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,



Carnitra White
Principal Deputy Secretary