

HOUSE No. 1521

By Mr. Graham of Boston, petition of M. Ruth Norton for legislation to revise the law relating to adoption of children. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Three.

AN ACT REVISING THE LAW RELATING TO ADOPTION OF CHILDREN.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose which is that the provisions
3 of this act should take effect forthwith, therefore it
4 is hereby declared to be an emergency law, necessary
5 for the immediate preservation of the public welfare.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 210 of the General Laws is hereby amended
2 by striking out section 5B, as inserted by section 3
3 of chapter 737 of the acts of 1950, and inserting after
4 section 5C of said chapter 210 the following new sec-
5 tion: —

6 *Section 5D.* In making orders for adoption, the
7 judge, in the absence of very cogent reasons to the
8 contrary, and whenever practicable, must give cus-
9 tody only to persons of the same religious faith as
10 that of the child. In the event that there is a dispute

11 as to the religion of said child, its religion shall be
12 deemed to be that of its mother. If the court, with
13 due regard for the religion of the child, shall never-
14 theless grant the petition for adoption of a child pro-
15 fered by a person or persons of a religious faith or
16 persuasion other than that of the child, the court shall
17 state the facts which impelled such disposition to be
18 made contrary to the religious faith of the child or to
19 any person whose religious faith is different from that
20 of the child, and such statement shall be made part
21 of the minutes of the proceedings. The provisions of
22 this section shall be so interpreted as to assure that
23 in the care, protection, custody, adoption, discipline
24 and control of any child, its religious faith shall be
25 preserved and protected, and such interpretation shall
26 be followed in any such proceedings whether or not,
27 at the time of said proceedings, any person or persons
28 of the same religious faith as the child are seeking to
29 adopt said child.