

By Mr. McKinnon, a petition (accompanied by bill, Senate, No. 676) of Allan R. McKinnon for legislation to establish certain rights for unwed fathers. The Judiciary.

## The Commonwealth of Massachusetts

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

### AN ACT TO ESTABLISH CERTAIN RIGHTS FOR UNWED FATHERS.

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

1 Section 210 of the M.G.L.A. is amended by adding a new  
2 section 4A:

3 *Section 4A.* Whenever the mother of a child born out of  
4 wedlock has surrendered the child in accordance with section  
5 two of this chapter, notice of such surrender and a right to  
6 petition for adoption shall be afforded to any person who, prior  
7 to such surrender, has filed a declaration seeking to assert the  
8 responsibilities of fatherhood, hereafter referred to as "Pater-  
9 nal Responsibility Claim." The Paternal Responsibility Claim  
10 shall be filed with the department of public welfare on a form  
11 to be devised by that agency. Such filing constitutes an ad-  
12 mission of paternity.

13 Any person or agency receiving a child for the purpose of  
14 adoption shall search the Paternal Responsibility Claim on file  
15 with the department, and if such a Claim has been filed with  
16 with respect to such a child, notify the father by registered  
17 mail, at the address stated on said Claim, of the receipt of and  
18 the county in which said child is residing. A copy of the con-  
19 sent executed by the mother in accordance with section two of  
20 this chapter shall be appended to said notice. The father shall  
21 have fifteen days from the receipt of said notice to file a peti-  
22 tion for adoption of such child in the probate court for the  
23 county where the child resides. If he fails to do so, he shall  
24 not be entitled to notice of any subsequent proceedings con-

25 cerning custody, guardianship, or adoption of the child. The  
26 court shall consider the case as expeditiously as possible, and,  
27 without regard to other potential adoptive parents, shall allow  
28 the petition of the father if it finds such an adoption to be in  
29 the child's best interest. Any such petition shall be subject to  
30 paragraph (E) of section two A of this chapter. Any costs in-  
31 curred for the temporary care of the child pending the hearing  
32 of the father's petition shall be borne by the father.

33 No other petition for adoption shall be allowed without proof  
34 of compliance with this section.