



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 7

TO: MEMBERS OF THE SPECIAL COMMITTEE ON ADOPTION AND TERMINATION OF
PARENTAL RIGHTS LAW

FROM: Anne Sappenfield, Senior Staff Attorney

RE: Summary of the October 4, 2004 Meeting of the Birth Father Registry Working Group

DATE: October 13, 2004

This Memo summarizes the discussion of the birth father registry working group at its October 4, 2004 meeting. Representative Steve Kestell, Susan Dreyfus, and Steve Hayes participated.

1. The working group discussed the importance of making the bill positive for fathers.
2. There appeared to be consensus that fathers who are aware of a pregnancy and take no action could be exempted from the notice requirements for a termination of parental rights (TPR) if the following conditions are met:
 - There is a mechanism to encourage mothers to notify fathers of a pregnancy and adoption plan such as a penalty for providing false statements about who the father is, having the mother sign a affidavit stating that she has informed the father, requiring persons who may have contact with the mother in connection with her pregnancy to encourage the mother to notify the father, and requiring agency court reports relating to a TPR to include a statement that the mother was asked about who the father may be and whether he has been notified of the pregnancy.
 - There is adequate publicity of the registry or other modification to the TPR notification laws.
 - Possibly, there is a delayed effective date for the legislation so that there is time to publicize the law.

The working group has requested additional information on how registries are actually working in other states and whether other states include protections for fathers in their laws. The working group is also considering whether a distinction could be made between public and private adoptions or between adoptions of infants and older children.

The working group will present specific recommendations at the November meeting.

AS:tlu