
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **497** Session of
1961

MESSRS. RIPP, DEVLIN AND STASEY, IN PLACE,
APRIL 10, 1961.

AS AMENDED ON THIRD READING, MAY 10, 1961.

AN ACT

Amending the act of April 4 1925 (P L 127) entitled "An act relating to

Adoption" further prescribing which persons must appear in court

The General Assembly of the Commonwealth of Pennsylvania

hereby enacts as follows

Section 1 Section 3 act of April 4 1925 (P L 127) entitled "An
act relating to Adoption" amended August 26 1953 (P L 1411) is
amended to read

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through
is to be omitted from bill.
Underscoring indicates new matter added to existing law. [Brackets] indicate matter
stricken from existing law.

1 Section 3 Hearings Upon presentation of any such petition to adopt
2 as aforesaid a time for hearing thereon shall be fixed not less than ten
3 days from said presentation which said hearing shall be private or in open
4 court as the court shall determine and may be adjourned from time to
5 time if the nature of the case should so require At said hearing the
6 adopting parents or parent the person proposed to be adopted ~~if~~ in the
7 opinion of the court [such persons' presence] THE PRESENCE OF
8 THE PERSON TO BE ADOPTED is deemed necessary and all the
9 persons whose consent is necessary hereunder} and any person con-
10 cerned individually or as a representative of an agency acting as an inter-
11 mediary between the natural parent or parents and the adopting parents
12 if in the opinion of the court such persons' presence is deemed necessary
13 and all the persons whose consent is necessary hereunder must appear in
14 person and be examined under oath by such court or judge but the per-
15 sonal appearance of the natural parents or other persons whose consent
16 is necessary hereunder may be dispensed with in the discretion of the
17 court or judge hearing the petition if such persons reside without the
18 jurisdiction of the court or if for any other reason the said court or
19 judge deem it unnecessary provided the duly executed consents of such

1 persons in writing have been filed with the petition and the said court
2 or judge may in his discretion require the personal appearance of the
3 natural parents of the child at a different time and separate and apart
4 from that of the other parties in interest THE PRESENCE OF ANY
5 PERSON CONCERNED INDIVIDUALLY OR AS A REPRESENTATIVE OF AN AGENCY ACTING AS AN INTERMEDI-
6 ARY BETWEEN THE NATURAL PARENT OR PARENTS AND
7 THE ADOPTING PARENTS MAY BE DISPENSED WITH BY
8 THE COURT OR JUDGE IF SUCH PERSON RESIDES WITH-
9 OUT THE JURISDICTION OF THE COURT

11 Where a finding of abandonment has been made by a court in ac-
12 cordance with the provisions of section 1.2 of this act but the court where
13 such finding has been made is a court other than the court in which the
14 adoption proceedings are pending the petitioners shall attach to their
15 petition to adopt a copy of the decree of abandonment duly certified by
16 the clerk of the court where the finding of abandonment was made

17 When abandonment is averred in the petition for adoption but has
18 not previously been found as a fact in a court notification to the parent
19 or parents of the time and place of the hearing shall be made by per-
20 sonal service or registered mail to the last known address If the parent

1 or parents cannot be found evidence of search satisfactory to the court
2 shall be given When parent or parents cannot be located the returned re-
3 ceipt of the registered letter to the last known address shall be con-
4 sidered conclusive evidence of search If parental rights have been term-
5 inated previously under the provisions of this act either by voluntary
6 relinquishment or by the finding of abandonment consent of the parent
7 or parents or notification of the hearing shall not be required The said
8 court or judge shall also hear any other testimony as to the facts set forth
9 in the petition or necessary to inform the court as to the desirability of
10 the proposed adoption and shall also make or cause to be made an in-
11 vestigation by some person or public agency or private agency (with
12 its consent) specifically designated by said court or judge to verify the
13 statements of the petition and such other facts as will give the court
14 full knowledge as to the desirability of the proposed adoption

15 The court shall establish a procedure for the payment of investiga-
16 tion costs by the petitioners or by such other persons as the court may
17 direct

18 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1901.

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Governor