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UNIVERSITY OF LOUISVILLE

ADOPTION PROCEDURES AND PRACTICES IN
JEFFERSON COUNTY, KENTUCKY, 1941

A Dissertation

Submitted to The Faculty

Of The Graduate School of The University of Louisville

In Partial Fulfillment of The

Requirements for The Degree

Of Master of Science in Social Administration

Division of Social Administration

By

Ruby Arnold Dennis

1943

NAME OF STUDENT: Ruby Arnold Dennis

**TITLE OF THESIS: Adoption Procedures and Practices
in Jefferson County, Kentucky, 1941**

**APPROVED BY READING COMMITTEE COMPOSED OF THE
FOLLOWING MEMBERS:**

John J. Cronin

Lois Blakey

Robert I. Kutak

NAME OF DIRECTOR: John J. Cronin

DATE: June 5, 1943

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**ADOPTION PROCEDURES AND PRACTICES IN
JEFFERSON COUNTY, KENTUCKY, 1941**

TABLE OF CONTENTS

	Page
LIST OF TABLES	vi
INTRODUCTION	1
 Chapter	
I. PERTINENT ASPECTS OF THE PROBLEM OF ADOPTION	5
II. THE NATURAL PARENTS	34
III. THE CANDIDATE FOR ADOPTION	54
IV. THE ADOPTIVE PARENTS	96
 CONCLUSION	 116
 BIBLIOGRAPHY	 121
 Appendix	
I. COPY OF ADOPTION LAW ENACTED JUNE, 1940	127
II. OUTLINE FOR CONFIDENTIAL REPORT FOR THE USE OF THE COURT	136
III. ADOPTION MATERIAL (OUTLINE USED FOR STUDY OF INDEPENDENT PLACEMENTS FOR ADOPTION OR IN PLACEMENTS NOT MADE BY A CHILD-PLACING AGENCY WITH AN APPROVED CASEWORK PROGRAM)	139
IV. OUTLINE FOR RESEARCH	144

LIST OF TABLES

Table	Page
1. Age of Mother by Marital Status at Time of Child's Birth	42
2. Natural Parents' Reasons for Relinquishment of Child for Adoption by Status of Child at Birth	46
3. Marital Status of Natural Parents at Time of Adoption by Status of Child at Birth Born In Wedlock	50
4. Marital Status of Natural Parents at Time of Adoption by Status of Child at Birth Born Out of Wedlock	51
5. Children Adopted in Jefferson County, by Race and per 10,000 Population	57
6. Sex of Children Adopted, by Relationship of Petitioner to the Child	59
7. Age of Child at Adoption, by Status of Child at Birth	61
8. Children Born Out of Wedlock, With or Without Benefit of Agency Planning, by Birthplace	62
9. Length of Time Child Lived in Adoptive Home Prior to Granting of Adoption	69
10. Age of Child at Time of Placement in Adoptive Home, by Status of Birth and Type of Placement	74
11. Persons or Agency Giving Consent for Adoption	82
12. Period of Residence of Child in Adoptive Home Prior to Grant of Adoption Decree, by Relationship of Child to Adoptive Parents	85
13. Status of Child at Birth, by Relationship of Petitioner to Child	101
14. Relationship of Adoptive Parents to Child	102
15. Age of Adoptive Mother, by Relationship to the Adopted Child	104

LIST OF TABLES - (Continued)

Table		Page
16.	Extent of Formal Education of Adoptive Parents by Relationship of the Parents to the Adopted Child	109
17.	Number of Persons in the Adoptive Family by Relationship of Child to Adoptive Parents	110
18.	Annual Income in Adoptive Homes	111
19.	Adoptive Parents' Motives for Adoption	113
20.	Duration of Married Life Prior to Child-Placement in Adoptive Home	114

INTRODUCTION

INTRODUCTION

This study is an attempt to evaluate the procedure employed in the adoption of children in Kentucky since the enactment of the new adoption law in June, 1940, which made mandatory a social investigation during the sixty-day period required between the date of the filing of the petition and the date of the court hearing.¹ It aims (1) to examine the operations of the Kentucky law in the area of Jefferson County for which the records were made available by the State Department of Welfare, Child Welfare Division, Frankfort, Kentucky, and (2) to measure the local procedure by the standard of the best available knowledge and practice.

In the process of examination and measurement of local procedure, it is well to bear in mind that (1) many of the adoptions studied were begun a number of years ago, without benefit of specialized adoptive-placing techniques, (2) the adoption law requiring social investigation is new and (3) the machinery set up for its administration has not been in operation long enough for us to evaluate its program of interpretation to the community. The community will get the kind of service in the field of adoption which it demands. For the information of those interested in the development of improved adoption practices for all candidates for adoption, this study will point out certain adverse aspects from which we may deviate in the future for the improvement and development of better standards in adoption as related to the child welfare of this community and the state.

¹ See Appendix I for Copy of Adoption Law.

The materials in this study are (1) seventy-five Confidential Reports for the Use of the Court at the time of the adoption hearings which furnished the basis for the required approval of the adoption by the State Department of Welfare and (2) pertinent literature on theory and practice of adoption.

The method of this study was to examine the participants chiefly concerned in the adoption procedure. They are the natural parents, the candidate for adoption and the adoptive parents.¹ These are studied in terms of (1) standard procedure and (2) local cases and local procedure.

The three chapters analyzing these three participants in turn are preceded by a chapter entitled Pertinent Aspects of the Adoption Problem, giving necessary background for this analysis in terms of the (1) movement in adoption procedure and (2) the new Kentucky law of 1940.

Jefferson County, one of one hundred twenty (120) counties in the state, was selected for the area of the study because it included a large urban community, small unincorporated communities and some distinctly rural areas. In Jefferson County child-placing is being done by both public and private caseworking agencies, and by religious institutions engaged in the care of dependent children. Jefferson County contains the largest city in the state, Louisville, with a population of 319,077. The total county population is 385,392, a little less than one-seventh of the population of the entire state, which is

¹ See Appendix IV for Schedule of Research.

2,845,627.¹ Since more children are adopted in urban areas than in rural areas,² we can expect from this county containing the largest city in the state a fairly representative picture of adoption procedures throughout the state.

The seventy-five Confidential Reports for the Use of the Court included each adoption filed and completed in Jefferson County in 1941, plus eleven adoptions which were filed in 1940 but not completed until 1941 and six adoptions which were filed late in 1941 but completed in 1942.³ For purposes of research, one adoption during 1941 was not included because of the lack of information, ordinarily found in a report for the use of the court.

¹ Sixteenth Census of the U. S., U. S. Dept. of Commerce, Table 22 (Washington, D. C.: U. S. Government Printing Office, 1940).

² Mary Ruth Colby, Problems and Procedures in Adoption, U. S. Children's Bureau #262 (Washington, D. C.: U. S. Government Printing Office, 1941), p. 4.

³ Consent to read these reports was given by Miss Elizabeth Fike, Director of the Child Welfare Division, Frankfort, Ky.

CHAPTER I

PERTINENT ASPECTS OF THE ADOPTION PROBLEM

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The practice of adoption was sanctioned by early civilizations as a method of caring for children. However, it was never accepted as part of the common law of England and so could not become the practice in this country without statutory provision. The first adoption law in this country was passed in Massachusetts in 1851 and, like early statutes in other states, put emphasis on the rights of inheritance and the legal privileges involved, instead of upon the social aspects¹ of the relationship.

At first, adoption was a method by which a family without an heir might secure an heir to succeed to the property rights for which nature made no provision. It was a procedure by which a natural father, whose claim to his child was not unlike the claim an owner had to an inanimate object that was the subject of property rights, might permanently divest himself of those rights and transfer them to the adopting parent.

According to the best standards in current adoptive practice it is generally accepted that whenever the custody of a helpless child is transferred from one person to another, there should not only be some final and authoritative action, giving the child security, but all possible care should be taken to insure satisfactory adjustment of

¹ Sarah T. Knox, The Family and The Law, Chapel Hill, N. C.: 1941, pp. 97-98.

the child and the new home to each other. Actually this is not always possible unless there is an antecedent investigation or social study¹ and later a trial period of the child in the home under supervision. The laws of Kansas, Indiana, Louisiana, Maine and Vermont now provide² for supervision in the home during the residence period.

The fact that in Kentucky an improved adoption law was enacted in 1940 gave evidence that certain interested persons and the legislature were aware of the need for improved practice in adoption. Since the individuals wishing to give a child for adoption and those taking a child for adoption are weighted heavily by the emotions involved, it is well to have adequate legislation to protect the child who is unable to speak for himself in plans which so vitally affect him and his future happiness. We are concerned with protective legislation because adoption more often involves an infant or young child rather than an adult. Too, more often the candidate for adoption is of illegitimate birth and the mother, in order to protect her original status in the community, is moved to do something, without benefit of a calm thinking through of the situation.

Statistics substantiate the statement that adoption has become³ an approved solution of the problem of children born out of wedlock, and Miss Elizabeth Jones includes another group for similar solution, that of children whose family status is unfortunate because of

¹ Elizabeth N. Jones, "Adoption Law in Cook County, Illinois", The Social Service Review, (Chicago, Ill., Vol. XI, No. 4, Dec. 1937).

² Colby, Problems and Procedures in Adoption, op. cit., p. 69.

³ White House Conference, Dependent and Neglected Children (New York: D. Appleton - Century Co., 1933), p. 267.

parental neglect.¹ In 1929 in Massachusetts, six hundred thirty-nine (639) illegitimates composed the larger group in one thousand forty (1,040) children adopted that year. The Cleveland Conference on illegitimacy found the same large proportion.² In conclusion, the White House Conference Committee on the Socially Handicapped: Dependency and Neglect, stated adoption should be considered only one of many solutions for the illegitimate child. In general, if the child is not wanted by his mother after a reasonable period and has no suitable relatives, he will be happier in a permanent foster family home. It was recommended that no legal action be taken until after a trial period of six months to a year.³

Recognizing that certain children are not good adoptive risks, because of jeopardizing heredity backgrounds, mental defect, and physical handicaps, it is imperative that the modern contributions of medicine, psychiatry, psychology and social work be made available to the candidates for adoption (exclusive of those adoptions by relatives) to determine their eligibility for adoption.⁴ Excluding children who are poor adoptive risks, there is an important aspect of adoption to be taken into consideration, namely, that of the matching of the child to an adoptive home in which he can adjust satisfactorily. The test of

¹ Jones, op. cit., p. 665.

² White House Conference, op. cit., p. 10.

³ Ibid., p. 10.

⁴ Douglas A. Thom, M. D., "Adoptions", Journal of Pediatrics (St. Louis, Mo.: American Academy of Pediatrics, C. V. Mosby Co., Vol. IV, No. 2, Aug. 1939), p. 259.

the validity of a good adoptive placement is found in its comparison to what might have been the natural home of the child, had there been no need to make an adoptive plan. With the social study of the hereditary background, the findings secured in periodic physical examinations, a period in a temporary foster boarding home for exploratory study of the child's developmental progress and behavioural status, and a series of periodic psychological examinations, a fairly adequate evaluation of the potentialities of the candidate for adoption can be¹ made.

Following the completion of this comprehensive study, which is the procedure of a caseworking agency, a matching adoptive home can be selected with a reasonable amount of assurance that the over-placement or the under-placement of the child will be avoided.

ADVANTAGES OF THE NEW ADOPTION LAW

Probably because the first conception of adoption was allied with inheritance and support, the legal procedure of adoption was placed under the jurisdiction of the court having to do with property rights. Under Kentucky's old adoption law of 1892, adoption was under the circuit court. The new law of June, 1940, placed adoption under the county court, which is less technical and complicated in procedure than is the circuit court which has jurisdiction over property, one of² the most complicated and technical divisions of the law.

¹ Norma Philbrick, "The Problem in Knowing Adoption Babies", Paper given at the Child Welfare League Round Table, National Conference of Social Work, Buffalo, N. Y., June 1939.

² Knox, op. cit.

Residence

The new law provides that the adoption take place in the county of residence of the adoptive parents.¹ The old law provided in addition that the adoption might take place in the county of the institution from which the child was taken.²

The States of Arizona, Georgia, and Indiana provide that jurisdiction follow the residence of the child.³ This gives a non-resident the privilege of adopting a child where the child lives.

Kentucky's provision of residence is like that of California, Delaware, Florida, Idaho, Michigan, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Rhode Island, Utah, Virginia, West Virginia and Wisconsin.⁴ We think this provision is preferable, because it provides a better opportunity for valid investigation of the petitioners, and offers added assurance to the local county judge in making the adoption decision. There is additional protection to the child placed by an institution. In the past, there have been innumerable instances in which adoptive parents have gone to another city, where they are unknown, and adopted a child from an institution. In a measure, this precludes the possibility of valid investigation. There are those who will object to the ruling of local residence, because they prefer that the records of the child be at a distance from their

¹ See Appendix I for Copy of Adoption Law, Sec. 331b.

² Carroll's Kentucky Statutes, 1936 ed., Sec. 2072.

³ Knox, op. cit., p. 101.

⁴ Ibid., p. 107.

residence, feeling that the records are less likely to be accessible to those of their acquaintance. However, the new law provides that records are to be confidential¹ and are to be seen only by court order, which would remove this difficulty.

Parties to the Adoption

There are three parties, or sets of parties, concerned in the adoption proceeding. The child to be adopted, with its natural living parents, if born in wedlock, but if not, then its mother, if living, and any testamentary or statutory guardian it may have, shall be made parties defendant to the petition for adoption. If the child's parents are dead, and there is no guardian, the person or persons standing in loco parentis² shall be made parties defendant. If the care, custody and control of the child has been lawfully transferred to any charitable institution or association, the institution or association is deemed as standing in loco parentis and shall be a party defendant³ to the adoption petition.

If the care, custody and control of a child has been transferred, the consent of the natural parents or of the mother is not legally required. However, we want to stress the importance of giving parents every opportunity to participate in the decision for an adoption plan, since the procedure severs the child's relationship to his

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-10.

² in loco parentis - in the place of parent.

³ See Appendix I for Copy of Adoption Law, Sec. 331b-3.

natural parent or parents. We were interested in observing that the county home for dependent children (which are committed to it by the juvenile court) in all adoptions, makes every effort to locate the parents for a signed consent to adoption, as part of a casework procedure.¹ A local private agency has the natural parents or parent enter appearance in court and request the judge to transfer the legal custody of the child to the agency, before an adoption plan is made.² This offers protection to the unmarried mother who is saved the embarrassment of appearing at the adoption hearing. It also gives the adoptive parents protection by avoiding the possibility of the identity of the adoptive parents becoming known to the natural parents or parent.

Kentucky, like Alabama, California, Delaware, Minnesota, North Dakota, and Wisconsin, places the authority for consent to adoption in the state department, while in New Jersey and Ohio the state department or an agency serving as next friend can give consent to the adoption.³

Kentucky's new law merely states that any adult resident may petition to adopt a child or another adult, with the provision that both husband and wife must be parties to the petition. The States of California, Montana, Nevada, New Jersey, New Mexico, North Dakota, Oklahoma, South Dakota, and Utah specify that the person who is adopting must be at least ten years older than the one who is to be adopted,

¹ Verified by the Louisville and Jefferson County Children's Home, Lyndon, Ky.

² Verified by The Children's Agency.

³ Knox, op. cit., p. 102.

while Idaho requires that the person adopting must be fifteen years¹ older than the person adopted.

Kentucky requires that a guardian ad litem be appointed for a minor parent giving consent to adoption, and that the guardian² ad litem³ concur with the giving of the consent to adoption.

It is the practice of some local institutions engaged in child-placing, to secure only a notarized consent for adoption from the mother. Later, when an adoption petition is filed and it is necessary to issue a warning order for the appearance of the mother at the adoption hearing, her current address is often unknown and it is impossible to locate her.⁴ It would seem that, in addition to the signed consent, it would be advisable to have the mother enter appearance in court, requesting an adoption plan with the legal custody of the child transferred to the institution⁵ making the permanent plan for the child. This would remove the chance of future interference on the part of the mother, since there had been absolute removal of her rights as a parent, and would contribute much to the security of both the adoptive parents and the child.

The new law repealed the provision relative to institutions advertising once a week, for a month, in the newspaper of the county

¹
Ibid.

²
ad litem - "for the suit" as defined in Cochran's Law Lexicon - 3rd Edition, p. 10.

³
See Appendix for Adoption Law, Sec. 331b-6.

⁴
Verified with Our Lady's Home for Infants, and All-Prayer Foundlings Home.

⁵
Carroll's Kentucky Statutes, Sec. 331e-9.

of the child's residence from which it was committed, giving printed notification that an adoption plan was about to be made. If the parents or relatives objected, the hearing was to be handled as an equitable action.¹ This is not necessary if the institution has casework service and a supervisory contact has been maintained with the natural parents or relatives. The plan of adoption is considered only if it is first ascertained that no placement can be brought about with the family or relatives.

A definite concept in child welfare is contained in Part III of the Children's Charter: "For every child a home and that love and security which a home provides, and for that child who must receive foster care, the nearest substitute for his own home."² The new adoption law provides that the child, if he has reached the age of fourteen must attend the adoption hearing³ and give his consent in writing in presence of the court.⁴ The court may waive the appearance of a younger child.

Social Investigation

The new law specifically states that a social investigation must be made of the former environment and antecedents of the child, for the purpose of ascertaining whether he is a proper subject for

¹ Carroll's Kentucky Statutes, 1936 ed., Sec. 2072.

² White House Conference, On Dependent Children, Washington, D. C., 1909, from the report of 1933, op. cit.

³ See Appendix I for Copy of Adoption Law, Sec. 331b-4.

⁴ See Appendix I for Copy of Adoption Law, Sec. 331b-5.

adoption, and of the petitioner to determine whether the home is suitable for the child. The report is to contain a full statement of facts found and a recommendation as to the desirability of the¹ adoption.

Following the filing of the petition, the court notifies the Department of Welfare, Child Welfare Division, Frankfort, Kentucky, of the date of hearing, to be held not less than sixty days later, and orders the appearance of the representative of that agency at the hearing.

It is during the sixty-day period that a caseworker from the Child Welfare Division visits the adoptive home, not just once, but often enough to know the adoptive parents and the candidate for adoption. The Child Welfare Division may delegate a child-placing agency in the community to make the investigation, or as sometimes is the case, the caseworking agency which has made the placement may be delegated to make the investigation and appear at the hearing. In the seventy-five adoptions used in this study, the Child Welfare Division representative made fifty-nine social investigations, the Louisville and Jefferson County Children's Home made six, the Home of the Innocents, one, and The Children's Agency did the investigation for nine of the adoptions.

An extension of time may be requested, if necessary, and this is often the case when parts of investigations have to be made in remote sections of the state. Out-of-state correspondence is some-

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-4.

times necessary. For this reason, we would recommend that the period for investigation be extended. The County Judge,¹ when interviewed, stated that he was content if the confidential report of the investigation reached him the day of the court hearing.

The making of social investigation carries tremendous responsibility for the caseworker. It is she who has collected the data, weighed and submitted them to the Director of the Child Welfare Division who, after objectively evaluating them, gives the consent of the department to the adoption. We like to think of the Child Welfare Division looking for the answers to a child's questions as put by the eminent psychiatrist, Dr. Douglas Thom. The questions are: "Who is to appear in the interest of the child and inquire for him? Why do these people want me? What kind of people are they? Are they thinking of someone to support them in their old age? Or do they want something to play with for the moment? What have they done to demonstrate that they are capable of bringing up a child? Has it ever occurred to them that I might not have chosen them had I had any say in the matter? How old are these respective parents of mine? Let them consider how old they will be when I am in need of counsel and advice in early adolescence."²

The social investigation prior to the final step in the adoption procedure is a constructive measure, but it should begin before the child is placed in the adoptive home. It is evident that the

¹ Mark Beauchamp, County Judge, August 23, 1942.

² Douglas A. Thom, Normal Youth and Its Everyday Problems, New York: 1932, pp. 35-37.

removal of the child from the adoptive home is fraught with insurmountable threats to the security of that child, because therein are perhaps the only family ties he has ever known. Often, the adjustment cannot be on a highly satisfactory level because of the child's inadequate abilities to meet the expectations of the adoptive parents or what is termed "overplacement" or the parents cannot meet the desires of the superior child and an "underplacement" results. Love and affection are major factors in building up the security of the child but clashes of contrasting abilities set up barriers to the development of a thoroughly satisfactory parent-child relationship. Therefore in the final analysis, it may be agreed by the social worker making the inquiry and presenting the findings to the Child Welfare Division (as a basis for evaluating the adoption situation) to approve the adoption as it stands. Such limitations can be avoided if skilled persons in approved adoption practices have entered the situation earlier or more specifically at the time an adoption plan is being considered. The physician, the psychologist and the technically trained social worker, as part of the agency casework procedure, can ascertain the candidate's level of adoptability and prepare a placement plan in a home which is commensurate with the child's potentialities, as indicated through these scientific or technical services in current use by caseworking social agencies.

Facilities for psychological examinations may be procured through the Mental Hygiene Clinic, 610 South Floyd Street, Louisville, Kentucky, or through the Child Welfare Division Staff Psychologist, State Department of Welfare, Frankfort, Kentucky. The Louisville and

Jefferson County Children's Home has its own Staff Psychologist. The foster boarding home used for study and exploration of the candidate for adoption during the period of preparation for adoptive placement in a permanent home is a vital part of the casework service given during the periodic testing by the psychologist.

Trial or Probation Period

The trial period, or period of adjustment, varies in the different states from six months to one year. The states which provide for a trial period are: Alabama, Arizona, Arkansas, Delaware, District of Columbia, Georgia, Iowa, Kansas, Louisiana, Massachusetts, Minnesota, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Rhode Island, South Dakota, Texas, Virginia, and Wisconsin.¹ Kentucky's new law requires only three months.² We should like to recommend that this period be extended to at least six months. Many child-placing agencies require a probation period of a year.

In reply to an inquiry made to the Child Welfare League of America in respect to the origin of the probation period of a year, we were told that it was not known where the practice originated. It was part of the developing movement toward the requirement of a probation period. The period of one year was arrived at because that seemed to be the time which served to make clear to a large number of prospective adoptive parents that they did or did not want the child in

¹ Knox, op. cit., p. 12.

² See Appendix I for Copy of Adoption Law, Sec. 331b-3. (When the bill was presented to the Legislature, a period of one year was requested).

question. The purpose of the year's period of probation before actual adoption was to give the prospective adoptive parents an opportunity to see how it feels to have a child, to see whether they really want the particular child, and to observe and help the child to adjust to his new parents. Most frequently the psychological and physical examinations have been attended to before the placement in the adoptive home, during the period of placement in a temporary study home. Placement with adoptive parents is an indication that to all intents and purposes the child can be adopted at the end of the year if the parents and the child can make a go of it. These are not standards confined to members of the Child Welfare League of America, although they are more largely observed by League members than by others.¹

The probation period should be long enough to allow no element of haste to enter into it. In some of the adoptions studied the probation period was a very short one, covering only the three months period required by law. It is recommended that the probation period be extended to at least a year. This objective regulation would mean that no adoptive parents might feel that they had been discriminated against as they would if requested to extend the probation period. This falls in line with the experience of agencies reporting to the Child Welfare League of America who are in agreement to a fairly high degree that the probation period should be of at least a year's length.²

¹ Verified by written correspondence with Mrs. Henrietta L. Gordon, Information and Publications Secretary, Child Welfare League of America, dated Aug. 18, 1942.

² Ibid.

The probation period, when required as part of the adoption procedure, will be accepted more easily during the period of supervision by a child-placing agency. It is our opinion that the probation period without adequate supervision is almost meaningless. It is here the experienced caseworker, with specialized techniques, is needed. Her technical casework knowledge helps her to be keenly aware of attitudes in the situation, which are difficult for the adoptive parents to verbalize or, at some points, even to recognize. However, it is not easy, once the child has been placed in the adoptive home, to remove him. Removal depends upon the degree to which the child's security is threatened, particularly in situations where the child has been in the home over a long period of time. If the prospective adoptive parents are to feel no frustration, every resource of the caseworker is called into operation to persuade those individuals that perhaps a more suitable child can be found for them, better able to accept the advantages of their home and affections. Obviously, the greatest amount of care should be used, earlier, in selecting the right child for the adoptive home. If the placement is made with special preparation, there should be no need to break up an adoptive placement.

Legal Status of Adopted Child

The new law provides that the adopted child, for all purposes of inheritance and succession and for all other legal consequences and incidents of the natural relation of parents and children, shall be to all intents and purposes as a child born in lawful wedlock to the

adoptive parents.^m If the adoptive parents do not survive the adopted child, the property of the deceased adopted child, without issue, shall go to the natural parents in the line of descent and distribution; but in the event that the natural parents are dead, his property shall descend to the natural and adopted relatives under the same provisions as are now or hereafter provided by Section 1393 of Carroll's Kentucky Statutes, 1936 edition.¹ Kentucky, like the States of Alabama, Arkansas, Colorado, Florida, Maine, Massachusetts, New Jersey, New York, Ohio, Texas, and West Virginia, provides that an adopted child does not lose the right to inherit also from his natural² parents.

It is here that criticism is often given. The adopting parents, usually, prefer that the natural parents do not know the identity of the adoptive parents and their whereabouts. The social worker feels that the natural mother has a right to proceed through life without the hazard of the existence of her child becoming known. Lawyers tell us that the blood-lines of inheritance must not be broken. We wonder if an adopted child should inherit from two sets of parents, and is this provision of inheritance, often a remote possibility, a bar to the child's future emotional security? Natural parents who have carried their responsibilities so lightly as to lose custody of their child, and unmarried mothers, some of whom are notably unstable in their behaviour, may create serious problems for the adoptive child, if they

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-8.

² Knox, op. cit., p. 107.

can, at will, re-enter his life at a later date, possibly for material gain. What embarrassment will the child suffer? It is a controversial subject and one in which adoptive legislation will be changed only with enlightened opinion, as more and more, the social aspects of adoption come to be better understood and accepted. It is our opinion that if one believes in the greatest good for the greatest number, there will come a conviction that a complete severance of the natural parent relationship is more favorable for the child adopted by persons other than relatives.

By the adoption procedure in Kentucky, the child is freed from all legal obligations of maintenance and obedience to the natural¹ parents. The legal rights of the natural parents have been transferred to the adoptive parents. Adult children in Kentucky are to support their "poor" parents. The penalty for failure is one to six² months in jail or workhouse.

Birth Certificate

The adopted child's name may be changed in the court order to that of the adoptive parents. The old law left the change of name to the discretion of the judge,³ and there was no provision for a re-certification of birth.

After the entry of the court order, the clerk of the county court is required to report promptly to the State Board of Health,

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-8.

² Carroll's Kentucky Statutes, Sec. 331-f.

³ Carroll's Kentucky Statutes, Sec. 2072-a.

Bureau of Vital Statistics, the necessary information to issue a new birth certificate in the new name.¹ The new birth certificate is filed with the original birth certificate.

The County Clerk is responsible for delivering to the Bureau of Vital Statistics the necessary information to prepare the new certificate. This information includes the prior name of the child, the date and place of birth of the child, the name or names of the natural parents, the name, address and occupation of the adoptive parents, the new name of the child, the date of the adoption order, and the change of name.

The new law provides that no person having charge of the birth record shall disclose the name of the adoptive parents without a court order from the county court in which the adoption took place.²

About one-third of the states have authorized the State Bureau of Vital Statistics to issue all birth certificates for an adopted child under his legal name.³ Therefore, when proof of age is necessary for school entrance, for work certificates, for social security requirements or for other purposes, the certificate issued bearing the surname of the adoptive parents will prevent any question of the situation surrounding birth.⁴ Kentucky specifically limits the issuance

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-7.

² See Appendix I for Copy of Adoption Law, Sec. 331b-10.

³ Agnes K. Hanna, "Special Certificates for Adopted Children", The Child (Washington, D. C.: U. S. Children's Bureau, May 1942), p. 289.

⁴ U. S. Children's Bureau, Folder 13, "Adoption", Washington, D. C., 1938, pp. 13-14.

of new birth certificates to children born in the state.¹

The new birth certificate bearing the names of adoptive parents is in no sense to take the place of telling a child he is adopted. There is always the possibility that the child might learn it from unfriendly sources. Certainly, when the child grows older and wonders who his own parents were, why they gave him up, and where they are now, the adoptive parents should answer these questions honestly and in a manner adapted to the child's understanding and emotional needs. Dr. Knight has suggested that sometime during the fourth year is a good time to begin interpreting the adoption to the child. In discussing the adoption, the adoptive parents are to make it sound desirable and pleasant to the child.² There is some security in thinking that the child's parents had positive qualities as well as negative ones and that there must have been real reasons why they found it necessary to entrust him to someone else.

In our opinion, the child-placing agency should be extremely careful to see that the new birth certificate is issued for each adopted child placed through the agency. The obtaining of a new birth certificate should be considered as a part of the service to be supplied by the agency, which is basically responsible for the adoptive placement.

In July, 1942, it was verified with the Bureau of Vital Statistics that in fifty-five of the seventy-five adoptions included in this study, a new birth certificate had been issued.

¹ Hanna, op. cit.

² Robert P. Knight, M. D., "Some Problems Involved in Selecting and Rearing Adopted Children", Bulletin of Menninger Clinic, Vol. 5, No. 3, Topeka, Kansas, May 1941, p. 65.

Certain provisions in the statutes relating to the Bureau of Vital Statistics have particular significance to the physician. He is charged with the responsibility for reporting births, within ten days, and if he neglects to file a "proper" birth certificate, shall be deemed guilty of a misdemeanor. If convicted, he will be fined not less than five dollars nor more than fifty dollars.¹ Any person who wilfully alters a birth certificate shall be deemed guilty of a misdemeanor. If convicted, there shall be a fine not less than ten dollars nor more than one hundred (100) dollars, or imprisonment in the county jail not exceeding sixty days, or at the discretion of the court, both the fine and imprisonment can be imposed.² We assume that these provisions would act as deterrents to ethical physicians in attendance on unwed mothers who try to conceal the child's real identity.

The Role of the Physician in Adoption

With respect to doctors placing children for adoption, we were interested in an editorial appearing in a medical journal describing one of Oregon's statutes³ prohibiting the placement of children for adoption by other than relatives and licensed child-placing agencies. It was stated that in warning doctors, nurses, midwives and hospital officials especially against such participation, the statute is

¹ Carroll's Kentucky Statutes - Sec. 2062a-22.

² Ibid.

³ Oregon Code, Sec. 31-716.

protecting individuals under the greatest pressure from those seeking children to adopt, for many are such persistent seekers, and they can and often do make nuisances of themselves, especially to busy doctors. The statute also tends to protect the medical practitioner from any appearance of participation in the shady profession of baby-farming, which, in reality, is traffic in babies.

The medical profession is urged by the Child Welfare Commission of Oregon to make full use of the licensed child-placing agencies by referring to them, children needing foster homes and adults seeking foster children. This practice frees the doctor from responsibility for a major social operation, the severing of a child from his own family and grafting him into a strange setting, a procedure which may or may not have a successful outcome. It relieves him of the time-consuming task of assembling and verifying detailed information, essential to high quality work in this line, a process requiring¹ a technique wholly outside the medical profession. Wherever the services of an agency can be utilized, and it is equipped to approach the problems of adoption from all its varied angles, medical, social, psychological, and legal; the physician would do well to allow those professionally trained people do the job, the doctor acting in the capacity of family adviser and cooperating with the agency and the family² to bring about a satisfactory result.

In order to protect all persons involved in placing a child for adoption, we should like to recommend that the legal statutes of

¹ Editorial, "Doctors and Infant Adoptions", Northwest Medicine (Portland, Ore.: Oregon, Washington and Idaho State Medical Associations, Vol. XXXII, No. 11, Nov. 1933), pp. 479-480.

² Thom, op. cit., "Adoption", p. 260.

Kentucky provide for making it mandatory that all situations relative to the relinquishing of a child for adoption be referred to the Child Welfare Division for social investigation and assistance in making the plan.

Placements of children by persons or agencies not properly licensed for such service was prohibited by the laws of six states of the nine included in an adoption study in 1941 by Miss Mary Ruth Colby¹ of the United States Children's Bureau.

Annulment of Adoption

The old Kentucky law had an interesting provision for annulment. If an adopted child became so disobedient to his or her foster parents that the peace and happiness of their home was thereby destroyed, the adoption could be annulled any time after the child had passed his or her seventeenth birthday. There was an accompanying provision that the foster parents, court, and institution entering² into the adoption must be in mutual agreement. This section was repealed with the enactment of the new adoption law.

Since the adopted child assumes the role of a natural child, provisions for annulment seem unnecessary, except in cases where it is to the advantage of the child. A parent is not thought of as being able to repudiate his natural child. We do concur with Minnesota's

¹ Colby, *Problems and Procedures in Adoption*, *op. cit.*, p. 42. These states are Alabama (1923), California (1937), Minnesota (1927), Rhode Island (1938), Oregon (1930), and Wisconsin (1939).

² Carroll's Kentucky Statutes, Sec. 2072b (1934, c121, Sec. 1, Effective June 14, 1934).

provision: that if within five years the child has developed certain defects - such as feeble-mindedness, insanity, epilepsy or venereal disease - from conditions existing prior to the adoption and then unknown to the adoptive parents, the decree may be annulled.¹ The probability of the occurrence of these situations can be eradicated in the majority of instances by comprehensive social studies of background, and the use of physical, psychiatric and psychological examinations prior to placement of the child in the adoptive home.

Establishment of Paternity

The legal establishment of paternity is of interest in relation to adoption because, first, it offers a means of securing maintenance for the child until he or she is sixteen,² thereby helping an unmarried mother keep her child if she so desires, and, second, it insures the inheritance rights of the child through paternal bloodlines. If paternity is established, it removes the possible stigma of promiscuity of the mother. Of importance, if an adoption plan is considered, the establishment of paternity enables the agency to give the background of the child to the adoptive parents with some degree of validity.

In bastardy cases the proceedings are civil and not criminal, and the chief object is the benefit of mother and child. The mother³ is not liable for costs.

¹ Knox, op. cit., p. 108.

² Carroll's Kentucky Statutes, 1930, Sec. 167, 181 and 978.

³ Chandler v. Com., 4 Met. 66; Francis v. Com., 3 Bush. 4.

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Any unmarried mother within three years after the birth of the child can make a bastardy filing. A warrant is served on the alleged father and he is required to give bond for his appearance. The county court of the county in which the child is born or in which the mother resides, if the child was born out of the state, has jurisdiction. The defendant may request a trial by jury. If the finding of the jury is against the defendant, the court shall order an annual sum (commensurate with the father's earnings) paid periodically until the child is sixteen. Payments by the father are made to the mother through the Juvenile Court. This is an advantage because they are recorded and can be given as proof (if the need arises) that the father is carrying out his obligation.

During 1941 there were fifty-two bastardy filings in Jefferson County.² Often the alleged father will voluntarily acknowledge paternity. This is the preferable procedure and insures more privacy in the matter. The social worker, with the consent of the mother, usually visits the alleged father (the child's father has a right to be consulted) and if his attitude is a cooperative one, voluntary proceedings are encouraged. The County Attorney or his assistant is glad to represent and attend to the matter. It has been our experience that the establishment of paternity does not necessarily mean that the unmarried mother receives maintenance for the child to assist her in keeping it. The father may, if he is unemployed, go to jail and give

¹ A married woman does not have legal recourse.

² Verified with records in County Clerk's Office.

the County Attorney ten days notice of intended application for discharge, take a pauper's oath and absolve himself from any further responsibility toward maintaining his child.¹

In spite of this adverse aspect, it is well to establish paternity since it is impossible to know that the father will have some estate at his death, to which the child will be entitled only if paternity was established.

Agency Procedure

Agency placements are said to protect the interests of the natural parent, and hence relieve the adoptive parent of the guilt of possible indirect coercion. The agency with a casework program can offer a reasonably complete knowledge of the child's background and potentialities and some sharing of responsibility, since it selects for the family's consideration only a child who might be satisfactory for this particular home; and agency procedure prevents hasty and ill-considered action in choosing a child. Prospective parents are given as much time as they need to get acquainted with the child and make their decision, and only after a trial period do they assume complete responsibility through legal action.²

There has been criticism of the time element involved by agency procedure, and the lay public has expressed impatience with the

¹ Carroll's Kentucky Statutes, Sec. 169.

² "Minnesota was the first state to require a trial period of residence", excerpt from a letter from Miss Mary Ruth Colby, U. S. Children's Bureau.

agency's delay in the adoption procedure. Miss Smith felt a certain part of the community wanted the adoption procedure "streamlined", apparently desiring the agency to take more babies and to make more babies available at an earlier age.¹ It is here that some institutions, physicians, relatives and friends of the child's parent have stepped in to speed up the process in placement, encouraging the placement of infants for adoption. We all know that some so-called haphazardly planned adoptions have turned out successfully, but we believe we have passed that point in this community, now that our attention has been focused by the new adoption law on the social aspects, involving the use of specialized techniques, in adoptive placement. Accepting the agency-procedure as the more skilled method, the law challenges agencies, institutions, doctors, and others to work toward a more comprehensive program of child-placement with the use of all of the current and available technical skills for better adoptive placements.

Adoption Statistics

Prior to the law of 1940, there was no centralization of adoption statistics in Kentucky. The adoption cases, along with all others in the circuit court, were unclassified. The only way to have ascertained the number of adoptions in Jefferson County for comparison with the year of the study, 1941, was to have examined all cases which

¹Mary Frances Smith, "Adoption as the Community Sees It", Journal of Social Work Process (Philadelphia, Pa.: Pennsylvania School of Social Work, Vol. III, No. 1, Dec. 1939), p. 13.

were on docket for each respective year. The Child Welfare Division,¹ Frankfort, Kentucky, has an Adoption Register in which each adoption petition is recorded. With the Adoption Register centralizing the information, comparisons of future years will be expedited. It is even now possible to secure the adoption rates of only a few states,² because adoption data are not well developed.

The aspects of adoption which have been described thus far will assist in understanding the chapters on The Natural Parents, The Candidate for Adoption, and The Adoptive Parents, in their relation to the seventy-five adoptions included in this study. Bearing in mind the trend in American adoption procedure and the provisions of the new adoption law in Kentucky, we will be able to make an analysis of the material examined in the following chapters.

Before proceeding to the next chapter, we will describe briefly the four cases of 1941 not included in the study, which were as follows:

1. One adoption was postponed indefinitely by the court, following the Child Welfare Division's recommendation for deferment. The adoptive mother, a relative of the child (14) had active tuberculosis, which would threaten the future security of that child. In the process of investigation, health information had been verified with

¹ Established June 1940.

² Verified by correspondence with Miss Mary Ruth Colby, Social Service Division of the U. S. Children's Bureau, and Mr. Ralph Hurlin, Director of Statistics, Russell Sage Foundation.

the Board of Tuberculosis Hospital Clinic.

2. and 3. Two children, under five and not related, for whom the same adoptive parents had filed petitions, were removed from the city, following a series of court hearing postponements, as recommended by the Child Welfare Division, for further investigation and supervision. The adoptive mother was fifteen years older than the adoptive father, and she was a permanent cripple. References stated that the adoptive mother had an unruly temper and gave evidence of being unable to manage, with any degree of adequacy, her finances. The adoptive father had superior earning ability. He was transferred by his employer to another state.

The Child Welfare Division, through its Director, offered casework service to the institution which had placed the children, with the alternative of having the children committed to the public agency. The children could have been placed with younger adoptive parents who could have participated more satisfactorily in future family relationships with these children. The point which interested us was that these children went on to another state apparently with no plan for agency supervision.

4. The adoption petition of an adult son by the mother and stepfather was refused, because they were unnaturalized residents, and the court ruled: "Not entitled to refuge in our laws".

CHAPTER II

THE NATURAL PARENTS

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In this chapter we will endeavor to assemble and classify the findings to show that which indicated what kind of individuals the natural parents of the cases in our study were, what happened to make it necessary for them to relinquish their child, how the parents maintained themselves, their age, their marital status, their ability to use resources furnished by their own efforts or in the laws and provisions of the community for the support of these children. Accepting parenthood as a partnership relationship, we have observed the physical condition and mental endowment of these parents for evidence of the cause of breakdown in their parental roles. It is with this knowledge, we can weigh the hereditary factors with some degree of validity when matching a candidate for adoption to prospective adoptive parents.

The court reports contained the information about the parents, where it was possible to obtain that information. The knowledge of the natural background of a child is what distinguishes professional from casual placements of children for adoption. Because in fifteen of the adoption situations, placements were made independently of an agency, and a large number of others were made by institutions not having, at the time of placement, a casework service, much of the background material was not collected or recorded. We can understand in the fourteen adoptions in which the natural mother and the step-

father were the petitioners for adoption, that some of the background information would not necessarily be included in the court report, because there would be no need for an exhaustive study.

A sketchy picture of the natural parents is gained from the court reports, but we could expect little else, when we consider that almost one-third of the children who were being adopted had been in the adoptive home from two to ten years or over. Considering the periods of time which had elapsed, it would be highly difficult to secure a fairly complete background history for the social investigation of the child, unless the adoption plan had been made by an agency which kept full records on those children under its supervision. However, enough information is contained in the reports to indicate a picture of some of the factors in the background which brought about the need for adoption plans for the children in this study. We agree with Dr. Thom, that jeopardizing hereditary background is one of the factors to be considered in deciding whether or not the child is a good adoptive risk.¹ Only an adequate evaluation of the hereditary background can give some assurance of the absence of unfavorable influences on the future of the child.

Birthplace, Nationality and Formal Education of Natural Parents

The location of the birthplace for each of the twenty-seven mothers whose children were born in wedlock was as follows: Seven in Louisville, eight in other counties of the state, three in other

¹ Thom, Adoptions, op. cit.

states, and nine not reported. For those mothers whose children were born out of wedlock, eighteen were born in Louisville, sixteen in other counties of the state, and the birthplace of fourteen was unknown.

For nationality, in most cases, American was given. Interestingly enough, for the unmarried mother there was some report of foreign extraction with three described as German, two Irish, and two of English descent. On only one was the alleged father's foreign extraction noted, and that, as an Italian. If we think in terms of a child's appearing as one who belongs, it is beyond question that certain inherited physical characteristics should be noted in the matching the child and the adoptive parents.

The degree of formal education attained can hardly be considered indicative of whether the individual can or cannot be self-maintaining, because it is highly possible that an economic need to seek work and the degree of emotional stability may color the situation. However, the amount of formal education does, in a measure, point toward limitations in vocational achievement and in cultural levels which might possibly be attained.

In considering the natural parents' education, we first viewed the father's educational preparation. In the twenty-seven situations involving the children who were later adopted, seven had completed the eighth grade, one had some high school education, one completed high school, one completed college, and one was said to be "illiterate, having come from the backhills of Kentucky". For sixteen there was no report of educational background.

For those mothers whose child was born in wedlock, a similarly incomplete report was given. Ten completed the sixth grade, one the seventh, and six the eighth, while one was described as illiterate, as was the father in this situation. Three had some high school training, one was said to have been graduated. One mother of the nine who, with the stepfather was adopting her own child, had graduated from an Eastern college. For eleven no information was given.

The educational attainment of twenty-three individuals, counting a mother and a father in each situation, presumably was unknown, since the educational level was not given in the reports. This information would have helped to predict the possible educational attainment level for the children of those individuals.

No psychological findings were given for the married natural parents.

In exploring the educational background of the forty-eight unmarried mothers, we found that thirteen had completed from five to nine grades of school; five had attained the third year of high school (two of those had been forced to discontinue school at that time because of pregnancy); sixteen had completed high school; and three had some work on a college level. Seven unmarried mothers had special training; three in business college; two were graduates of nursing schools; one had some nurse's training; and one, a colored girl, had attended a vocational high school for negroes, in another state. The court reports gave information for forty-four, leaving only four whose school background was unknown.

Legal paternity was established on only two of the children,¹ which explained the absence from the court reports of information relative to the educational achievement of all except two of the alleged fathers, one a graduate of high school, and the other having had three years of high school.

On the whole, from the court reports, the educational level is higher for the unmarried mothers than for the wedded mothers whose children were placed for adoption.

Psychological Findings

The practice of psychology has been defined as "the application of the principles and techniques of psychology to the measurement, evaluation, explanation, interpretation, motivation, guidance or redirection of human behaviour".² Psychological measurement may be considered reasonably reliable in evaluating an individual's ability to achieve.

The court reports gave the findings of psychological examinations for twelve of the unmarried mothers. The Child Welfare Division Staff Psychologist had examined two mothers, one with a rating of "High Grade Moron", and the other of "average" intelligence. The Mental Hygiene Clinic Psychologist had examined seven of the unmarried

¹ According to the director of the Child Welfare Division, when legal paternity has not been established, it is the policy to omit all information concerning the alleged father.

² William Goldfarb, Ph. D., "A Psychologist's Services in a Child-Placing Agency", The Family (New York, June 1941), p. 122.

mothers. The intelligence ratings were, respectively: three of "average"; one of "high average"; two of "low average"; and one of "borderline" (Submissive Type). The Louisville and Jefferson County Children's Home Staff Psychologist had tested one mother while she was a ward in that institution, and the rating was given as "Feebleminded Imbecile". (Of interest in the subsequent evaluation of the child's intelligence, the alleged father, also a former ward, had been examined and rated of "average" intelligence, which would somewhat offset the mother's low rating in her test when predicting the heredity of their child.) One mother had been examined at the request of the Juvenile Court in another state, where she became involved in an episode with a charge of delinquency. At that time, the rating given her was "borderline" intelligence. We do not question the value of these tests in working out plans for these respective mothers.

Occupations of Natural Parents

In what occupations did these mothers find placements? The court reports gave information on only seven of the married mothers, possibly because the majority of them were housewives at the time of the child's birth. However, the occupation, if any, of an individual prior to marriage can be meaningful in the evaluation of the stability or the amount of insight into future planning possessed by that person. Two mothers had worked in a factory; one in a meat packing house; two were secretarial workers; and one had intermittent work as a tutor. The occupations of painter and mechanic were listed for two natural fathers.

The occupational picture for the unwed mothers included: one W. P. A.; four domestic servants; five waitresses; one owner and operator of a small store; one stenographer; two students, one of whom had worked in the afternoons caring for children at twenty-five cents per hour; two graduate nurses; one practical nurse; one factory worker; and a statement that ten had not worked outside the home. Two of the ten were said to have worked "on the farm where they lived".

The above picture is bleak when we think of the difficult situation in which the unwed mother finds herself when she tries to support her child and herself. "The experience of social workers associated with children's agencies is that unmarried mothers, with rare exceptions, are incapable of providing sustained care and security for their illegitimate babies. When the unmarried mother is bound to her child by an infantile need of love or ties of guilt and aggression rather than by tenderness, affection and generous love; the economic and emotional strain of bringing up a child whose existence jeopardizes her standing in the community far outweighs any possibility of satisfaction from the child. She loses interest or becomes frankly hostile. The child is neglected and rejected and often eventually forced to suffer placement and replacements."¹

Age

The age of the mother more often appeared in the court report than that of the father, possibly because the father, the breadwinner,

¹ Dr. Florence Clothier, "Problems in the Placement of Illegitimate Children", Child Welfare League Bulletin (New York: Child Welfare League of America, Vol. XX, No. 3), p. 2.

had dropped out of the picture where there was need for an adoption plan.

Twelve, or nearly one-half of the twenty-seven wedded mothers were over twenty years of age. Seven of the wedded mothers, or one-fourth, were under twenty years of age. In the group of unwed mothers, seventeen, about one-third, were under twenty. The oldest wedded mother was thirty-five, and the youngest was fourteen. The oldest unwed mother was forty-seven, and the youngest was sixteen. Of the total mothers, wed or unwed, the largest group, twenty-three, fell between the ages of sixteen to nineteen. This last-named group is made up of individuals who ordinarily would be beginning to think in terms of self-maintenance. It would seem that these mothers had not reached a suitable age to assume the responsibilities of parenthood.

TABLE 1

AGE OF MOTHER BY MARITAL STATUS
AT TIME OF CHILD'S BIRTH

Age of Mother	Total	Marital Status	
		Wedlock	Out of Wedlock
Total	75	27	48
35 or Over	3	1	2
25 to 34	12	3	9
20 to 24	19	8	11
16 to 19	23	6	17
Under 15	1	1	0
Not Reported	17	8	9

Other Children

It was to be expected that more wedded mothers than unwed mothers would have other children. Of the former, two had four older children, four had two older children (one of these had a younger child, too), and four had one older child than the adopted child. One mother had one younger child who was adopted by a couple in another state. In the latter group, the unwed mothers, three each had one older child; one had two, one older and one younger; and one had three illegitimate children, two older and one younger than the child whose court report was in this study.

In examining the situations with other children present, we wondered what would have developed if benefits of Aid to Dependent Children had been available throughout this state.¹ Since the passage of the Social Security Act in 1935, aid for dependent children has become more generally available to the unmarried mother.²

According to the policies of the former Mother's Aid agency (now known as the Aid to Dependent Children agency) operated under the Jefferson County Welfare Department and in 1941 wholly maintained by Fiscal Court grants, illegitimacy was no bar to receiving aid. However, there had to be some indication of stability on the part of the mother. Very young mothers and those with a pattern of promiscuity were not accepted for care. Aid was being administered in some situa-

¹In 1941, there was no state-wide plan for Aid to Dependent Children in operation under the Social Security Board.

²Colby, Problems and Procedures in Adoption, *op. cit.*, p. 10. "The Social Security Board reported that in the fiscal year 1938 to 1939, 12,634 children of unmarried mothers in 40 states, the District of Columbia and Hawaii, had been accepted for such aid."

tions where there was a common-law marriage relationship, and the father had been out of the home for a year or, if in the home, was permanently disabled for work and unable to provide for his family.¹

Health

The health of natural parents was described in the court report, more often, with the statement, "Mother's health was understood to be good at the time of this child's birth." In a few instances we found such descriptive statements for the mother as, "not sturdy in physique", "undernourished", and "mentally ill at the time of child's birth". Five were described as dying on or near the date of delivery of the child. In one situation there was posthumous birth of a child whose mother had died of gunshot wounds inflicted by the father in a drunken rage. The natural father had not been convicted in the subsequent trial for murder of his wife, but the judge in that county had ordered the father to leave the state and never to return. Often the statement was made that there had been no discovery of hereditary disease in the background. In two instances it was mentioned that venereal tests were negative. The cause of deaths for two mothers was given as tuberculosis. Three mothers were mentally ill and were receiving treatment in institutions for the care of the mentally ill.

¹Verified with Department of Intake, Jefferson County Aid to Dependent Children.

Reasons for Relinquishing Child for Adoption

Frequently, the lack of economic resources was the reason given for the natural parent resorting to an adoption plan for the child. Often the Confidential Report included more than one reason. In Table 2 we have used the first reason given for the adoption plan, assuming it was the most influential one. Fourteen or 18.4 per cent of the natural parents petitioned with the stepfather to adopt an own child. The largest group with the same reason, the desire to return to previous status in the community, appeared in that of the unwed mothers. A total of twenty-eight or 36.8 per cent of the mothers wanted to return to their original roles in the community. Ten of the unmarried mothers had a second need caused by lack of economic resources. In one situation the maternal grandparents had taken an older illegitimate child into the home, but refused to accept the responsibility of maintaining the second illegitimate child. Six of the mothers had definite behaviour patterns of instability, including persistent delinquency, sexual promiscuity and one had rejected the marital state. Two of the unwed mothers wished to conceal the birth of the illegitimate child from their other legitimate children. In two situations the alleged father was not told of the pregnancy. These last two mothers felt that the alleged father would not contribute to the child's maintenance and would inform the community of the child's birth. Legal paternity was established on two of the children, in an effort to secure financial assistance for the mother, but in each situation the father left the state to escape his responsibility. The reasons for relinquishment for adoption are shown in Table 2.

TABLE 2
 NATURAL PARENTS' REASONS FOR
 RELINQUISHMENT OF CHILD FOR ADOPTION
 BY STATUS OF CHILD AT BIRTH

Reason	Total	Status of Child at Birth	
		Born in Wedlock	Born Out of Wedlock
Total	75	27	48
Mother Married to Stepfather	14	9	5
Lack of Economic Resources	11	4	7
Mother Mentally Ill	4	2	2
Desertion of Father	3	3	0
Both Parents Deserted	2	2	0
Instability of Mother	6	1	5
Both Parents Dead	2	2	0
Desire for Previous Role in Community	27	0	27
Mother Dead	5	4	1
Not Given	1	0	1

We were curious about the reason most often given in the situations of unwed mothers, that the mother wished to return to her role in the community. The casework treatment of the unmarried mother is a large field within itself, and one which we are not attempting to discuss in this dissertation. We do state, with confidence, that adoption is a good solution for the baby whose existence is too great a source of conflict in his own family. We are realistic enough to

know that it is not a perfect solution, that being adopted involves problems, too, but that for most children, fairly successful adoption can be achieved and adoption carries less conflict than life with a family which, unable to support a child adequately, rejects the responsibility of the parental roles, and in a community where his status is questionable. We know that some mothers have a special sort of relation to their problem or a need of their babies, which necessitates keeping the child, either openly or secretly. We know that for some mothers and children the relation between them has values which make a good life possible or make, at any rate, a separate existence impossible, but for those mothers who want a more normal social life for their children than keeping them can provide, for those who are mentally ill, or because of youth and lack of preparation, unable to rear their children, and for those to whom their babies constitute a tangible evidence of guilt, we believe in adoption. ¹ A comprehensive description of the attitudes of unmarried mothers as revealed in agency planning is given by Miss Ruth Brenner. ²

At this point, we may consider the reason for certain information about adoptive parents being given in the confidential court report, which is filed with the adoption order. It would seem that if such records are necessary, in case an adopted child, in his subsequent

¹ Julia Ann Bishop, "The Child's Part in Adoption Placement", Adoption Practice (Case Work with Parent, Child and Foster Parents), (New York: Child Welfare League of America, Dec. 1941), p. 11.

² Ruth F. Brenner, "Casework Service for Unmarried Mothers", The Family (New York, Nov. 1941, pp. 211-219, Dec. 1941, pp. 269-276).

conflict or curiosity about his natural background, should ask for information concerning his adoption, the fact that some evidence in the court report pointing toward his parents' relinquishment of him, gave reasons with which he could be fairly sympathetic would be of positive value, particularly from the standpoint of mental hygiene. The report should contain constructive information for that child. For instance, we can conceive of an adolescent boy or girl who is normally possessed with the urge to examine his status in life (who he is, and why he is in a certain home) seeking out information about his parentage. If there were no agency to turn to for facts in his background, he would naturally go to that adoption record for information. We reiterate that, where it is possible, all favorable aspects surrounding the mother's decision to give the child for adoption should be included in the confidential court report. In our opinion, this is just one more argument for more agency placements, rather than what Miss Sophie Van Thies calls "casual" placements.¹ The latter type is apparently less concerned with the importance of heredity, and a need for a study of parental backgrounds.

We are in agreement with Dr. Thom, that every parentless child is entitled to adequate care and to protection approaching as nearly as possible that of a normal home. There is a real problem involved in getting the largest number of acceptable children into the largest number of acceptable homes, with the objective of increasing the sum

¹ Sophie Van S. Thies, "Some Aspects of Good Adoptive Practices", Child Welfare League of America Bulletin, Child Welfare League of America, Nov. 1940, p. 1

total of satisfaction derived by the adoptive parents and children¹ with a minimum amount of risk of creating incompatible relationships. In skilled adoptive practice it is imperative to know the background of the natural parents. Recognizing that it is extremely difficult to find lines of division between the parts of the adoption process (namely, the natural parents, the child, and the adoptive parents) because they are so closely related, we have presented the material, as far as possible, which would influence the heredity of the candidate for adoption.

Before leaving this part of the adoption process, we want to point out the value of "timing" in the procedure. Timing in good adoptive practice can be skillfully used to give the agency and the individuals most intimately connected with the adoption an opportunity² for mutual participation and exchange of information. Although the information relative to the natural parents was, at times, fragmentary, we were inclined to feel, when reviewing the marital status of the natural parents at the time of adoption, that had the parents been reinforced by casework service in planning, some of them might have worked out plans with the relatives for the care of the children.

A picture of the marital status of the parents at the time of adoption appears in Tables 3 and 4. One questions what part the time element had played in these adoption plans. Had the unmarried mother been given ample time to make her decision? Perhaps this feeling

¹ Thom, Adoptions, op. cit.

² Van S. Theis, op. cit.

comes from having experienced the pressure of the community to meet its need for making permanent plans for children of unwed mothers, and the need of the family with the child for adoption. The responsibility of the casework agency is, first, to exhaust all resources to work out with the parents or the mother, a plan to keep the child, if the situation warrants it, because we know that the adopted child is never an own child to his adoptive parents. The force of emotional denial of this reality presses from all sides. It comes from within the agency or institution in its desire to give the child the feeling of really belonging to someone; it comes from the adoptive parents in their drive to make the child really their own; and it comes from the child¹ himself in his deep need to have a real father and mother.

TABLE 3

MARITAL STATUS OF NATURAL PARENTS
AT TIME OF ADOPTION
BY STATUS OF CHILD AT BIRTH
BORN IN WEDLOCK

Marital Status of Natural Parents	Number
Total	27
Parents Divorced	11
Mother Dead	8
Father Dead	1
Both Parents Dead	1
Parents Living Together	1
Parents Separated	5

¹
Ora Pendleton, "Agency Responsibility in Adoption",
The Family, Apr. 1938.

TABLE 4
 MARITAL STATUS OF NATURAL PARENTS
 AT TIME OF ADOPTION
 BY STATUS OF CHILD AT BIRTH
 BORN OUT OF WEDLOCK

Marital Status of Natural Parents	Number
Total	48
Mother Unmarried	11
Mother Married to Adoptive Father	5
Mother Widowed or Divorced	3
Mother Dead	3
Mother Now Married	5
Mother and Alleged Father Living Together	1
Not Determined	20

We have been impressed by the criticism of certain individuals with whom we have talked that so much secrecy surrounded the adoption procedure, and that, in the eyes of the law, apparently the chief concern was to protect the inheritance rights of children. From the material collected pertaining to the natural parents, it would appear that the inheritance rights¹ should demand least attention. It would seem to us that the most important thing in the court reports should be to protect the adopted child from the unpleasant facts in his background, unless they could, in some way, contribute to his future security.

¹See Appendix I for Copy of Adoption Law, Sec. 331b-8.

We have come a long way from the feeling that a child will be happy if placed with wealthy parents who can "do everything for him". Much more is taken into consideration. There is an interesting pair of photographs appearing in Dr. W. T. Slingerland's book entitled "Child-Placing in Families". Under the photographs there is a statement: "A child from this shack went to this fine free home." The shack, apparently, is an humble mountain cabin, and the picture of the adoptive home is nothing less than a palatial mansion surrounded by vast acreage.¹ The heredity factors as revealed in the social study of the natural parents predict on what level the child can best participate. Our current concepts in child-placement would make us question the advisability of taking a child from an "humble home" and placing him in a home demanding superior performance and subsequent achievement.

In this chapter we have attempted to give a picture from the procurable information describing the natural parents of those children who were adopted in Jefferson County during 1941. Every adoption begins a new adventure, which brings happiness to some and dissatisfaction to others. We shall see in the subsequent chapters whether the adoption practices have brought about adoptive placements which fitted each child, and whether these family backgrounds were or were not taken into consideration. Throughout the study of the natural parents we were aware of the gaps in the information which was

¹Dr. W. T. Slingerland, Child-Placing in Families, New York: Russel Sage Foundation, 1919, p. 142b.

secured. As skilled practice in adoption becomes more prevalent, this need for pertinent information will, no doubt, be met and secured at the time the child is given up by the natural parents.

CHAPTER III

THE CANDIDATE FOR ADOPTION

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THE CANDIDATE FOR ADOPTION

In this chapter there is discussion of the best standard of adoption to be striven for in planning for the child in need of permanent placement and the local procedure as was brought out in the study of the reports. An examination of the adoption rate, and those aspects of race, sex, age, birthplace, status of birth, and family ties which influenced the making of the respective adoption plans is given. To depict more clearly the dynamics of adoption, there is interpretation of the necessary steps in the working out of the adoption plans. These steps include the social study, the physical examination, the periodic psychological tests, the use of foster study home, the participation of the child in his own placement, and the probation period. The advantages of casework service and agency procedure in the attainment of the goal of the best possible standard of adoption for every child are pointed out.

Adoption Rate

The number of white children placed for adoption was almost twenty-five times the number of Negro children placed for adoption. There were seventy-two white children and only three Negro children. The Negro population is 47,158 for Jefferson County and the total of

the white and foreign born population for Jefferson County is 338,234.¹ The white population is nine times that of the Negro, while the white adoption rate is twenty-five times that of the Negro. Apparently, adoption is more generally accepted by the white race as a method of caring for the child born out of wedlock. From our own observation, in a child-placing agency, there are notably fewer Negro applications to adopt a child. This, coupled with the fact that the feeling of stigma toward illegitimacy is far less, would help to explain the very low adoption rate. There is the economic level to be considered and adoption fees ranging from twenty to one hundred dollars (with fifty dollars minimum as the recommended fee by the Jefferson County attorneys)² can be afforded only in rare instances by the Negro in the low income group.

The adoption rate for 1941 was 2.16 per 10,000 white population and .63 per 10,000 Negro population, making the total adoption rate for the county 1.97 per 10,000. One-third of the total of two hundred twenty-eight (228)³ adoptions for 1941 in the entire state were in Jefferson County.

The adoption rates (per 100,000) in some other states are

¹ Sixteenth Census of the U. S., op. cit.

² Verified by County Attorney.

³ The total was taken from the Adoption Register, Child Welfare Division, Frankfort, Ky.

as follows:¹

Alabama	7.6
New Mexico	11.1
North Dakota	15.5
Minnesota	33.7
Rhode Island	36.0
Massachusetts	42.9
California	43.5
Oregon	51.1

In comparison, Kentucky's 1941 adoption rate per 100,000 of its population, 2,845,627, is 8.01.² This would place Kentucky's adoption rate between those of Alabama and New Mexico.

TABLE 5

CHILDREN ADOPTED IN
JEFFERSON COUNTY, KENTUCKY
BY RACE AND PER 10,000 POPULATION

Race	Children	Population	Persons Adopted Per 10,000 Population
Total	75	385,392	1.97
White	72	338,234	2.16
Negro	3	47,158	.63

Sex of Child

There were forty-seven adoption petitions for girls, exceeding by nineteen the number of petitions for boys. In 1940, for all children registered in Kentucky, there were about four thousand (4,000)

¹ Colby, Problems and Procedures in Adoption, op. cit., p. 4.

² Verified with County Attorney.

more females than males under five years of age; for the City of Louisville, only one hundred ninety-six (196) more females than males¹ under five years of age; and for Jefferson County there were eighty-nine more males under five years of age than females. We have used the age under five years because there is a preference to adopt younger children. The possible explanation for more girls than boys being adopted is that more often the prospective application for adoption is instituted by the adoptive mother who wants a girl for companionship, and the lay person more often feels a girl is much easier to rear than a boy. The girl is thought of as wanting to stay closer to the home, and therefore would give more satisfaction to the adoptive mother. We have observed that prospective adoptive parents who have waited a long time for a child to adopt, when approached, will accept a boy, if he is available. However, if relatives adopt a child, the sex is of little importance, since the main reason for adoption is to give the child with blood relationship an assured position in the family group. A little more than one-third as many girls were adopted by relatives, and only one-sixth more girls than boys were adopted by other persons than relatives. Two and one-half as many children were adopted by other persons than were adopted by relatives. This information appears in Table 6.

Status of Birth

The status of birth in the seventy-five adoptions was divided into twenty-seven children who were born in wedlock and forty-eight

¹U. S. Census, 1940, op. cit.

TABLE 6
SEX OF CHILDREN ADOPTED,
BY RELATIONSHIP OF
PETITIONER TO THE CHILD

Sex	Total		Adopted By	
	Number	Per Cent	Relatives	Other than Relatives
Total	75	100.0	22	53
Boys	28	38.2	5	23
Girls	47	61.8	17	30

who were born out of wedlock. If we use the total of one thousand six hundred forty-two (1,642) born out of wedlock for 1938 in Kentucky,¹ approximately one out of every thirty-three children thus born was placed for adoption. There were one thousand one hundred twenty-five (1,125) births out of wedlock of white children and five hundred seventeen (517) births out of wedlock for other races.²

Age of Child

The ages of the children adopted are shown in Table 7. Thirty-one or approximately two-thirds of the children born out of wedlock were adopted under the age of four years by persons other than relatives. In contrast, seventeen, or very nearly two-thirds, of the

¹ Statistical Abstract of the U. S., U. S. Government Bulletin (Washington, 1940).

² Ibid.

children adopted by relatives were over the age of four years. Apparently the rejection upon the part of the mother of the child speeds her desire to relinquish the child at an early age. About forty-six, or two-thirds of the children, regardless of the status of birth, were adopted before they were six years of age. Only six children were fourteen years or over, which is the age at which the adoptee is required to give his consent to the adoption in writing in the presence of the court.

Birthplace of Child

Seven of the twenty-seven children born in wedlock were born outside of Jefferson County in other counties in the state, and one other child in this group was born in another state. Of the forty-eight children born out of wedlock, seven were born in other counties of this state. Six children were born out of wedlock outside the state. A total of seven of the children adopted in Jefferson County in 1941 had birthplace in another state.

Benefit of Casework Service

In the examination of those children having casework service¹ in planning, as is shown in Table 8, not one child born outside the state had benefit of specialized casework service.² Seven of the

¹ An individualized procedure including a thorough exploration of heredity factors, physical condition, intelligence and personality, plus a conscientious awareness in using those findings to place the child in an adoptive home commensurate with his potentialities.

² See Page 88.

TABLE 7
AGE OF CHILD AT ADOPTION,
BY STATUS OF CHILD AT BIRTH

Age	Total	Status of Child at Birth	
		Born In Wedlock	Born Out of Wedlock
Total	75	27	48
3 - 5.9 mos.	2	1	1
6 - 11.9 mos.	7	1	6
1 - 1.9 yrs.	12	4	8
2 - 3.9 yrs.	19	4	15
4 - 5.9 yrs.	6	2	4
6 - 7.9 yrs.	12	6	6
8 - 9.9 yrs.	6	2	4
10 - 11.9 yrs.	2	1	1
12 - 13.9 yrs.	3	2	1
14 - 20.9 yrs.	5	3	2
21 and Over	1	1	0

children born out of wedlock in other counties of the state had agency assistance in planning, and fifteen children born in Jefferson County had specialized casework service. In twenty-two of the forty-eight adoptions of children born out of wedlock, casework service was given.

The Kentucky Children's Home made plans for three children born in Jefferson County, and for six born in other counties of Kentucky. The Children's Agency made plans for nine children born in Jefferson County, six of whom were delivered in the Susan Speed Davis

TABLE 8

**CHILDREN BORN OUT OF WEDLOCK,
WITH OR WITHOUT BENEFIT OF
AGENCY PLANNING, BY BIRTHPLACE**

Birthplace	Total	Without Agency Planning	With Agency Planning
Total	48	26	22
Jefferson County	33	18	15
Other Counties in State	9	2	7
Outside of State	6	6	0

Maternity Home, two at the General Hospital, and one in a private hospital. One of the children had been referred by the Child Welfare Division for study, foster-home boarding care, and placement. The Home of the Innocents planned for one child only, born in a local private hospital. This agency, a Community Chest affiliate, has as its primary function the operation of a temporary receiving home for children and, in rare instances, has placed a child for adoption. According to Miss Norton, the Executive Director, not more than two children have been placed per year for adoption. The Louisville and Jefferson County Children's Home assisted with two children born at the Susan Speed Davis Home. The Family Service Organization helped in one situation where the mother later married and adopted her child. The Susan Speed Davis Home gave only maternity care.

Prior to placement in the adoptive home, an agency had arranged, in eight adoptions, for the mother to be given a psychological examination. During the investigation of the adoption petitions,

it was verified through the schools that six untested children, before adoption, were adjusting satisfactorily in school. These were six "old adoptive placements" of the Kentucky Children's Home. In one other Kentucky Children's Home Placement, where the child was adjusting poorly in school, a psychological examination was arranged for that child. The court sustained the recommendation that the adoption be deferred for six months until the caseworker, the adoptive parents, and the school could assist the child to work out a more satisfactory adjustment. This adoption was approved and completed at the end of the six-months period.

In ten of the twenty-two adoptions, the child was born at the Susan Speed Davis Home; in two, at the General Hospital; and in two, at a private hospital.

Length of Probation Period

In examining the length of time for each case prior to the completion of adoption, it was discovered that the periods of probation varied in length from less than six months to ten years or over. Adverse aspects present themselves at each extreme. Although the law states three months as the required period the candidate for adoption is to reside with the petitioners,¹ it is the practice of child-placing agencies with casework functions to require a year's period.²

¹ See Appendix I for Copy of Adoption Law, Sec. 331b-3.

² The Children's Agency, The Child Welfare Division, and the Louisville and Jefferson County Children's Home are in accord with a year's probation period recommended by the Child Welfare League of America. See Page 19.

A period longer than a year, unless there is a good reason for further observation, offers a threat to the future security of the child, more particularly if the child's status in the home drifts along without definite acknowledgement of the permanence of his role in the family unit.

For sixteen children there was no placement away from mother. Fourteen of these were adoptions by the mother and the stepfather. One was an adoption by the maternal grandparents when the girl was twenty. She was told at the age of ten that she was not a natural child.¹ This was at the time of her mother's death. One was an adoption by the maternal grandmother and step-grandfather.

Four had been in the adoptive home less than six months, and two of these children were born out of wedlock and placed by the same attending physician. In one of those situations, the natural mother paid the adoption fee. The adoptive mother had lost her baby at birth three months before at the same private hospital. The mother was told the name of the adoptive parents. In the other situation, the physician filled in the birth certificate with an assumed name for the mother. Each mother signed consent to adoption at birth, which is unfair to the mother, because she was hardly in physical condition or in possession of adequate equilibrium to warrant making a permanent decision about the disposition of her child. One child, whose parents

¹ Eric Kent Clarke, M. D., Unpublished Dissertation, University of Rochester, "Revolt Against Circumstance", Rochester, N. Y., 1938, p. 108, Dept. of Psychiatry (A Study of 200 Children Who Revolted). "Recognition of adoption seems to be inevitable: consequently, the earlier this knowledge is imparted to the child by the adoptive parents, the smaller the likelihood of conflict."

were divorced and whose father remarried, was adopted by her mother's cousin, who had cared for her since birth. One child's mother died shortly after the delivery, and the father had four other children being reared by elderly maternal grandparents. He felt he could not ask them to take the fifth child, and placed her with a cousin, the adoptive mother, and her husband. In ten of the adoptions, the child had been in the home from six months to one year. In one of these adoptions, the child was being boarded by The Children's Agency while the unmarried mother was making her decision to keep or give up her baby. After three months, she asked the foster boarding parents if they wanted to adopt the child. Prior to the boarding plan, the foster home had been approved and, fortunately, fitted the child's verified ability (through psychological testing) and the child's temperament.

Eleven children had probation periods of one year to one month less than two years. One of these cases was colored. The adoptive parents passed the mother and baby on the street and took them into their home. The mother later deserted, but was discovered, and gave her consent to the adoption.

Seventeen children, or 28 per cent of those placed, were in the adoptive home three years or over. We would question these lengthy probation periods if the child had been placed at the age of one year or one and one-half years of age because there was indicated a quality of doubt or indecision about the adoption. This might have been caused by lack of supervision by those having placed the children in these homes, as had happened in some situations because of limitations

in staff and lack of clearly defined adoption procedures. In some instances, children had been boarded in the home prior to the making of an adoption plan.

The court reports did not always indicate the date of change from the status of a boarding home to a free home with the intentions of adoption. Louisville and Jefferson County Children's Home boarded five of these children in foster homes prior to adoption plans, with the adoptive parents subsequently becoming attached to the children. Family situations varied, from deserting mothers for two children born out of wedlock, to a deserting father with the mother unable to support her three children, an unstable mother who had not seen her child since 1931, the father's whereabouts being unknown, and his parents being dead. The mother, of three children, was fond of the foster boarding parents who had boarded her youngest son since the age of one year and recognized his attachment to them and approved an adoption plan. The Kentucky Children's Home, caring for dependent children committed to it by county judges, where no other plan can be made, boarded one child whose mother wished to conceal his birth out of wedlock from her four legitimate children. The boarding parents became attached to the child and the adoption plan had the mother's approval. The Children's Agency, a private agency and Community Chest affiliate, boarded one of these children for a longer period than usual in order to have psychiatric service and approval that she was a good adoptive risk. Her mother was a patient at Central State Hospital. It was verified that the mother's psychosis could in no way be inherited before an adoption plan was approved.

For six of these children there were periodic psychological examinations to verify intelligence for use in determining the matching of future placements for them.

For the eleven children in the adoptive home for four years or over a description is given. One of these children was registered by the family physician as the natural child of adoptive parents. The scene was laid at night and the child, at the age of two weeks, was taken to the home of the adoptive parents who had arranged for the deception. According to the court report the child is never to be told he is adopted.¹ This child was born in another county of this state. When the adoption petition was investigated, worker requested a physical examination, and it was revealed that the child was syphilitic. He is receiving treatment. Adoptive parents were grateful for the knowledge and expressed appreciation of the worker's casework service in bringing it to their attention.

One child was a "foundling", given to adoptive parents by a county judge in another state, when the adoptive father was visiting his "place of birth". The child had been left at the county hospital. Two of these children were nineteen years of age. One became aware he was not a natural child in June, 1941,¹ when he sought employment and needed to secure a birth certificate. He was told of his mother's death in childbirth, and at that time he had been given by his father to his second cousin, the adoptive mother. The boy had been taught to believe his two older brothers were his cousins, although they knew he

¹See footnote p. 64.

was their brother, and his father was thought by him to be his uncle. The father and the boys' brothers lived in another city, but had visited annually in the adoptive home. This boy requested adoption to give him the legal right to the name he was using and wanted to continue to be known as the natural child of the adoptive parents. In the process of the adoptive investigation, the worker learned that the adoptive parents' own son, ten years older, considered a "moron" by references, had been a disappointment to them. He was away from the home, having enlisted in military service. The caseworker visited adoptive parents' references and did not divulge her real purpose, using as her reason for contact, the possibility that these parents were considering boarding a boy in their home. The adoptive home was considered an excellent one.

Another child, a boy of nineteen, was one of two children whose father had deserted. The mother kept the older boys, and some interested friends told the mother about the adoptive parents, who had one daughter, six, and wanted a son. The boy was placed at the age of one and one-half years. He was not told he was adopted until he was fourteen,¹ but seemed to accept it very well. Caseworker noted that he had an irregular school record and apparently had been unable to adjust on the high cultural level of the adoptive parents. Becoming dissatisfied with school, he had recently secured a job as a messenger boy. Adoptive father was a high school graduate and a successful business executive. He showed some disappointment in the boy's achievement, but hoped "he will do better".

¹ See footnote p. 64.

Still another adoption was that of a boy thirteen and one-half years of age. He has always known he was adopted, but is accepted "on the outside" as a natural child. In 1941, the adoptive parents arranged for the adoption to insure the boy's legal right to inheritance, as well as the use of their surname. Adoptive father is a college graduate, and has a \$3,000.00 policy to be spent for a college education for this boy whose school adjustment thus far is only average.

The distribution of these children in relation to their probation periods appears below in Table 9.

TABLE 9

LENGTH OF TIME CHILD LIVED
IN ADOPTIVE HOME PRIOR
TO GRANTING OF ADOPTION

Length of Time	Number
Total	75
No Placement	16
Less than 6 mos.	4
6 mos. to 1 yr.	10
1 yr. to 1 yr. 11 mos.	20
2 yrs. to 2 yrs. 11 mos.	8
3 yrs. to 3 yrs. 11 mos.	6
4 yrs. to 4 yrs. 11 mos.	2
5 yrs. to 10 yrs.	6
Over 10 yrs.	3

Age at Time of Placement

When we considered the age at the time of placement, the distribution of cases placed by agency and those placed independently reflect the past philosophy of the community service given in adoption. All institutions were included under the heading of agency, whether facilities for a casework program were or were not in operation. At present, The Children's Agency is the only private agency giving casework service in child-placing, and the Kentucky Children's Home and the Louisville and Jefferson County Children's Home are the two public agencies giving this service.¹

The children born in wedlock were older when placed, possibly due to the family break-downs occurring at a later period. The ages of the fifty-nine children (omitting fourteen adopted by the natural mothers and the two adopted by the maternal grandparents) at the time of placement for adoption are given and described below. We also differentiated between agency and independent placements.

The six of the seventeen children born in wedlock were placed by an agency when they were six years or over: three from the Louisville and Jefferson County Children's Home for dependent children; one from the Kentucky Children's Home with a similar function; one from the Christian Orphans Home; and one from the All-Prayer Foundlings Home.

¹ These agencies have a staff of technically trained caseworkers, case supervisors and executive directors. Their standards are those of the Child Welfare League of America.

Thirty-five of the forty-eight children born out of wedlock were placed by an agency or institution. The five children placed before the age of one month were three from the Kentucky Children's Home and two from Our Lady's Home for Infants. Two of the Kentucky Children's Home placements were made nine years ago and one was made six years ago, before that institution had a casework program, or prior to its being placed under the supervision of the Child Welfare Division, State Department of Public Welfare. The two placements of Our Lady's Home for Infants were made in 1940 and 1941. Since physicians are virtually in agreement that a period of at least three to six months is needed for a mother to recover her physical strength, and an unmarried mother certainly needs more time to recover her equilibrium, it is questionable that a mother should be asked to make a final decision about the disposition of her child before the child is three months old. A reasonable period of time is needed to study the background and development of a child in order to know what kind of an adoptive placement to make. Miss Mary Ruth Colby of the United States Children's Bureau questions whether any child should be considered for adoption under the age of four months.

Seven children under three months of age were placed for adoption, from Our Lady's Home for Infants. Of the thirty-five children born out of wedlock, Our Lady's Home for Infants had placed twelve: eleven of them were under the age of six months, and one was between

¹Colby, Problems and Procedures in Adoption, op. cit., p. 28.

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the ages of one and two months.

It is questionable whether a valid study of a candidate for adoption can be made in the comparatively short period of study and observation of these children. While the adoptive parents exert pressures in order to get a young child, it is fairer to the adoptive parents to wait until the child's capabilities and behaviour can be more predictable. Child-placing agencies are set up to care for the needs of the child, their client, rather than for the emotional needs of the adoptive parents who have failed to have children of their own. A longer period before the placement will give time to help the adoptive parents explore their motives and express their expectations of the child. It is the responsibility of the caseworker to place a child in the adoptive home which will meet the demands of that particular child. The disciplined training of the caseworker to maintain an objective attitude makes it possible to individualize the adoptive parents and to see more than a couple with a generous impulse to "take a child and care for it", as it is so often expressed by references when visited by the caseworker.

Seven children who were born out of wedlock were placed by The Children's Agency: one at six months; two at nine and eleven months; one at eighteen months; and one each at two and one-half years, three, and three and one-half years. All of these children

¹ Since making this study, we have talked with Father Lammers, Director of Our Lady's Home for Infants. It was learned that a plan is contemplated to have the children given psychological examinations before placement, and only recently the use of two or three foster boarding homes has been initiated, in an effort to raise the institution's standards of adoptive placement.

were given more than one psychological examination. One superior child was given five psychometrics. With an average of the periodic testing results the agency could place that child with a maximum of assurance, in a genuinely superior adoptive home, to which he was entitled. In six of these placements, the mother was given a psychological examination for use in evaluating the heredity background and its relation to the predictability of the performance of her child. These are important and available techniques in adoption. While the procedures are time-taking, they are necessary if placements are to be made with confidence.

Two children under four years old, of unmarried mothers, were placed by the St. Thomas Orphanage.

The All-Prayer Foundlings Home placed one child under one year, and one at one and one-half years of age.¹

The Home of the Innocents placed only one child (at the age of eight months). This child had been given a psychological examination.

Those children of unwed mothers, placed independently of an agency, through the attending physician, included two at the ages of ten days and six weeks. The remaining ones were placed by the mother of the child.

¹Mr. G. C. Cromer, Director of the All-Prayer Foundlings Home, stated he thought psychological examinations were still in an experimental state. Therefore, he had not used them except when the adoptive parents had requested a mental test. He had placed over nine hundred (900) babies in his thirty-seven years of experience, and if a child appeared retarded he held it a longer time than usual, for his own observation or until the child "grew out of it". The Child Welfare Division had offered the facilities of its Staff Psychologist. He planned to use this service when he was asked for a child's mental rating. If adoptive parents requested, he also arranged for venereal tests of the candidate for adoption.

Information relative to the age of the children at the time of placement is contained below in Table 10.

TABLE 10

AGE OF CHILD AT TIME OF
PLACEMENT IN ADOPTIVE HOME,
BY STATUS OF
BIRTH AND TYPE OF PLACEMENT

Age of Child at Time of Placement	Children Placed in Adoptive Homes				
	Total	Status of Birth			
		Born In Wedlock		Born Out of Wedlock	
		Placed by Agency	Placed Independ- ently of Agency	Placed by Agency	Placed Independ- ently of Agency
Total	59	10	7	35	7
Under 1 mo.	9	0	1	5	3
1 mo., under 3	10	1	0	7	2
3 mos., under 6	8	0	3	4	1
6 mos., under 1 yr.	7	0	0	7	0
1 yr., under 2	7	1	1	5	0
2 yrs., under 4	9	2	1	6	0
4 yrs., under 6	1	0	0	0	1
6 yrs. or over	8	6	1	1	0

Consent to Adoption

Consent to adoption was given by the mother in thirty-seven or in 49 per cent of the adoptive placements. One of these children was placed for adoption by the Home of the Innocents. Eight children were placed independently by the mother: one with maternal grandparents to be reared as a natural child, and one with a foster boarding mother; two through the attending physician; one with relatives, one through the maternal aunt who lived in Louisville and knew "someone who wanted a child", one with mother's former neighbors who had moved to Louisville; and one, nine years ago, through the Kentucky Children's Home Society, of which the mother was a ward. Her child had not been committed to that institution.

This last placement was somewhat strange. It had been arranged for the child to be placed while the husband was away on a business trip. The adoptive mother deceived her own mother and did not tell her the true circumstances until she had divorced her husband, who fought to gain legal custody of the child he thought was his own. Later this adoptive mother remarried, and her second husband's relatives thought he was adopting his wife's own child by a former marriage. The Caseworker explored this deception with the adoptive mother, who recognized that the situation might prove hazardous if the child later discovered the truth.¹ However, the child thought she was the natural child of the adoptive mother and was apparently secure.

¹ See footnote, p. 64.

References on the adoptive mother described her as refined and of slightly high-strung temperament. The adoptive father was understanding and accepting.

Twelve of these children were adopted by the own mother and stepfather. The mother became a party to the petition. Duration of married life of the mother and step-father prior to the adoption procedure varied, as follows: five months, nine months, one and one-half years, four years, five years, four for six years, and two for ten years.

Thirteen of the children for whom consent was given by the mother were placed for adoption by Our Lady's Home for Infants. Three of the children were born outside of this state. Arrangements for maternity care were made, in most cases, in private Roman Catholic hospitals. Apparently it was not the procedure to have the mother appear in court and have her child legally committed to this institution for planning, since in no instance had there been a commitment to the institution.

Three of the mothers placed their children for adoption through the All-Prayer Foundlings Home. In one situation, the director of this institution was of the opinion that the Relinquishment of Parental Control and Consent to Adoption paper was part of his permanent record on the child, and, in one case, it was necessary for the county attorney to issue an order for the paper to be submitted for filing with the adoption petition. One of the children had a defective eye. One child, when referred for a psychological examination during the adoption investigation, was rated "average". The child's mother

had been rated as a high grade moron prior to her abrupt departure from the Susan Speed Davis Maternity Home. It would have been helpful to observe this child for some time before placement to determine the level of adoptability with a more acceptable degree of validity.

Only one consent to adoption was jointly given. Those parents gave the child for adoption (following the Ohio River Flood Disaster, 1937) to a maternal uncle, "who had two boys and wanted a girl". The parents had one other child, and for economic reasons made the adoption plan.

Three children were given by the father for adoption following the mother's death. In one case, the worker making the required investigation verified the cause of the mother's death as tuberculosis (eleven days after the child's birth), and adoptive parents were grateful for this knowledge, which they had tried unsuccessfully to secure. Adoptive parents were cooperative with the Board of Tuberculosis Hospital Clinic in securing tests, and that clinic promised follow-up care. The caseworker also cleared this child's birth record, which had been filed incorrectly at the hospital because of the mother's having registered under the name of the alleged father rather than her own name. In another case, the father boarded in the home of adoptive parents and was addressed as "uncle" by his child. His niece was the adoptive mother, who had cared for this child since the death of the mother in delivery. The father had two older children, cared for by the maternal grandparents. In the third case, the father had been known to relief agencies, and, following his wife's death, he had gone to the home of the maternal grandparents, where he boarded his

four older children. He rejected his last born child, associating the child with the cause of the mother's death. The Children's Agency had known the adoptive home as a foster boarding home, and the adoptive parents had been rated as "excellent substitute parents" for boarding children.

Four adoptees, 16, 19, 20, and 21 years of age, since they were over 14, were required, according to the adoption law, to give consent to their respective adoptions. One was being adopted by a non-relative, and this was the only situation where there was no adoptive father. Adoption was approved in order to give permanent security to this girl who had lived in the adoptive home prior to the death, three years before, of the adoptive father.

There were seven Juvenile Court commitments, and one was to The Children's Agency. The one was the child of a Negro mother, who had died while she was a patient at the Central State Hospital. The child had been referred at birth to The Children's Agency for planning. The relatives refused to see the child or to accept any responsibility for her. The foster boarding parents became attached to, and wanted to adopt, the child, who was nearly 4 years of age. The Children's Agency had made a dependency filing in the Juvenile Court to secure legal custody. Both the psychiatrist at the hospital for the mentally ill and the psychiatrist at the Mental Hygiene Clinic approved this child as a good adoptive risk. The psychological examination had rated the child as "above average" in intelligence.

Two children had been committed to the St. Thomas Orphanage. It was difficult to understand why one of these children had a long

institutional experience of ten years before he was placed for adoption. The reason which was given to the caseworker who made the investigation was that a "high type" home was wanted to fit this child. This delay was questionable, when so many applications for children are on file in other agencies, many of them by Roman Catholics. The mother had had no contact with the child since leaving the maternity home. In the second situation, the mother had returned to live with the alleged father. There was no evidence of casework service in an effort to establish legal paternity or secure support for this child.

Four of the Juvenile Court Commitments were for dependent children to the Louisville and Jefferson County Children's Home (Ormsby Village). The parents of two made no effort to keep up any contact with these children. One parent died, and one was a patient in Central State Hospital, and the father had two older children. He was in accord with an adoption plan. All of these children were given the benefit of testing service by the staff psychologist to ascertain the level of adoptability.

Court Commitments

A difference in classification of court commitments was made because the children in Jefferson County are committed through the Juvenile Court, while in other counties of the state commitments are made through the County Court. Of the ten County Court commitments, two were to the Christian Church Orphans Home of Louisville; five were for children committed to the Kentucky Children's Home, Lyndon, Kentucky, now under the administration and the supervision of The

State Department of Public Welfare; one was a commitment to The Child Welfare Division of the State Department of Welfare; one was a commitment to the county judge, who placed the child directly; and the last one was a child from Tennessee, where the county judge gave legal custody. The counties which were represented were Bracken (2), Clark, Larue, Letcher, Mercer, Monroe, Pulaski, and Taylor.

There were eleven adoptions in which the consent was given by the agency or institution having both the Relinquishment of Parental Control and Consent to Adoption paper signed by the mother, and a commitment by the court. The Children's Agency gave consent to five adoptions. In four cases, the mother had appeared in court at a private hearing and asked that her child be committed to The Children's Agency for an adoptive plan. In another case, the mother had left the state, and a dependency filing was made. Efforts were made to locate this mother shortly before the adoption. The child had been in the adoptive home for five years. The Agency had stood by, while the prospective adoptive parents recovered from material losses suffered during the Ohio River Flood Disaster, and until the adoptive parents were ready to complete the adoption.

An accepted tenet of casework is that the client should be allowed to participate in the planning. The mother's decision becomes meaningful and gives evidence of some movement or active participation in the decision of giving up her child if, in addition to signing the release for adoption, she has voluntarily appeared before the judge and requested an adoption plan.

In another case, The Children's Agency approved the adoption

by a foster mother of a child to whom she had given boarding care. The Child Welfare Division gave consent, following the mother's signed release and legal commitment to that public agency by the county judge in the community of the mother's legal residence. The Children's Agency had been supervising the child in the foster boarding home, at the request of the Child Welfare Division.

In two adoptions, the children had been committed as dependents to the Kentucky Children's Home. Three children were committed as dependents to the Louisville and Jefferson County Children's Home. The relatives were consulted and gave consent to adoption. Although this is not legally necessary following legal commitment to an institution,¹ it is part of a casework procedure as administered by that public agency,² and doubly safeguards both the adopted child and the adoptive parents. There were three other cases, one in which a trust company was statutory guardian, one in which a Public Administrator and Guardian was appointed to give legal consent (for this child, born in another state, the mother's name had been withheld at her request) and the third, in which the child was colored. This last situation differed from all others studied in that the alleged father was seen by the caseworker while she was making the investigation. The alleged father voluntarily admitted paternity and had, when first interviewed, wanted to marry the mother and make a home for his child. However, he faced realistically the fact that the mother had a well-

¹ Verified by the County Attorney.

² Verified by the Case Work Supervisor.

set pattern of behaviour instability and would, because of her drive for excitement, prove unsatisfactory as a mother. Although legal paternity had not been established, and the mother's consent to the adoption would have been all that was necessary, the adoptive parents, who knew the alleged father, had asked that his consent be secured.

These figures can be seen in Table 11.

TABLE 11
PERSONS OR AGENCY
GIVING CONSENT FOR ADOPTION

Consent Given By	Number	Per Cent
Total	75	100.0
Mother	36	48.6
Mother and Father	1	1.3
Father	3	4.0
Adoptee	4	5.2
Juvenile Court Commitment	7	9.2
County Court Commitment	10	13.2
Relinquishment Papers plus Legal Commitment	11	14.5
No Record of Consent	0	-
Other	3	4.0

Period of Residence Prior to Adoption

The court reports gave the following information concerning the length of period of residence following placement.

For purposes of clarification, in situations where the mother

and stepfather have adopted the natural child, the length of the period following the marriage and prior to the grant of the adoption decree has been used. It can be assumed that each child is entitled to know, and be known by, the step-father before an adoption is consummated.

Younger children are usually preferred for adoption; therefore, it is easily understood that the largest number adopted by persons other than relatives would center around the group of forty children under three years of age, or 74 per cent of the total adopted by other persons. The relatives adopted fourteen children over three years of age, or about 63 per cent of those children accepted by relatives.

Of five children in an adoptive home for less than six months with other than relatives, two were placed through the unmarried mother's physician. One was given by the mother to the foster boarding mother while a caseworking agency was assisting the mother to come to a decision about a permanent plan for her child. In this case, the child was given a psychological examination, and the mother cooperated by being tested. The evaluations of the boarding home, the mother's background, and the child's indicated potentialities were well matched and the adoptive placement was approved. The only apparent disadvantage was that the mother would know the location of her child and might return as a threat to the security of the child. However, the adoptive parents accepted this liability and felt that the mother was sincere in wanting to remove herself permanently from the life of the child, who had adjusted satisfactorily to these adoptive parents.

One child was placed with friends by the father. The mother had died in childbirth, and the father felt he had developed no ties to this child as he had to his four older children. The fifth situation had to do with placement of a child by the mother with her cousin, the adoptive father. The parents were divorced and the father had remarried, left the state, and had not contributed to the support of his child.

On the basis of approved placing methods, including the recommended length of probation or adjustment periods, we question the advisability of the consummation of adoption as early as was the case in nineteen of these adoptions, where the candidate was in the adoptive home for less than a year.¹ Table 12 indicates the period of probation for each of the children whose court report was studied.

The act of removing a child from the home he has grown accustomed to is a threat to his security which is warranted only in cases of physical abuse and extreme circumstances. Therefore, the greatest possible care and precision should be had before making the adoptive placement. This would mean a study of all that is related to the child, the verification of factors in his heredity, plus his ability to adjust in the foster home during the temporary study period. With these findings, the final placement for adoption may be made with assurance. This is the advice of geneticists as well as the psychiatrists who are specialists in heredity and behaviour.

¹ See footnote, p. 19.

TABLE 12

PERIOD OF RESIDENCE OF CHILD
IN ADOPTIVE HOME PRIOR TO
GRANT OF ADOPTION DECREE,
BY RELATIONSHIP OF
CHILD TO ADOPTIVE PARENTS

Period of Residence in Adoptive Home Prior to Grant of Adoption Decree	Children Who Were Adopted				
	Total	By Relatives			By Other Persons
		Own or Stepparents	Grand- parents	Other Relatives	
Total	75	14	2	6	53
Less than 6 mos.	7	2	0	1	4
6 mos., less than 1 yr.	12	1	0	1	10
1 yr., less than 3	28	1	1	1	25
3 yrs., less than 5	12	4	0	2	6
5 yrs. or more	16	6	1	1	8

Genetics and Psychological Tests

Dr. G. M. McKinley states that feeble-minded children owe their defect to hereditary factors, ruling out obvious accidental causes - meningitis, syphilis, and glandular imbalance. Superior mentality comes from superior lines, in general. Geniuses are apparently never the offspring of mentally deficient parents. Dr. McKinley adds that poor nurture will prevent the best genetic assortment from appearing. What offers better opportunity than the foster home, giving good physical care to allow for the development and the study of the candidate for adoption? No doubt this is necessary before the agency or

others can assume responsibility for selecting an adoptive home commensurate with the child's capabilities.

Moreover, the geneticist stresses knowing the background well enough to rule out possible nervous disorders and epilepsy. Dr. McKinley added that an epileptic parent will produce an epileptic¹ child in one out of ten chances.

The psychologist with specially prepared tests can, with a series of periodic examinations of the very young child, predict with some assurance what that candidate for adoption might accomplish in an environment which offers sustenance or nurture to his social and emotional needs.

Miss Dorothy Kern Hallowell, Consulting Psychologist for two agencies doing child-placing in Philadelphia, Pennsylvania, completed a study of two hundred fifty cases. She was fortunate in being able to follow up the children tested at one, two, and three years; in later years from five to thirteen. It was interesting to note that these children subsequently tested higher in accomplishment. She stated that feeble-minded children can be diagnosed on the first examination, but superior children can be recognized only in about half the cases when the child is under three years. Her reason for the latter was that the measurement tests developed thus far are lacking in means to evaluate the verbal ability of the child before language has emerged. She felt her findings were reassuring and definitely

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G. M. McKinley, M. D., "Genetics in Child Adoption", Child Welfare League Bulletin (New York, N. Y.: Child Welfare League of America, Mar. 1940), Vol. XIX, No. 3, p. 3.

concluded that psychological tests have a real predictive value.¹

No doubt, these tests are valuable in reducing the danger of over-placing and under-placing in adoptive homes, the frequent cause of maladjustment in the later life of the child. More concretely, the social worker can use them in a situation where adoptive parents are college graduates and, traditionally, would want their children to attend college. The psychologist would tell us that only the superior child could do college work without difficulty; the average child, high school work; and so down the scale.

Casework Service

By specialized casework service in a child-placing agency, we mean the use of an approach and procedure which individualizes the candidate for adoption to the greatest possible extent to ascertain that child's level of adoptability. By adoptability, beyond legal release for adoption, is meant a reasonably clear heredity, essentially sound physical equipment, normal mentality and an emotional capacity for an adoptive relationship.² To ascertain adoptability, a scientifically planned procedure is needed to verify heredity factors, to have the child experience the relating of himself to substitute parental love objects in the foster study home, and to relate himself to the caseworker. The psychologist interprets the heredity from the

¹ Dorothy Kern Hallowell, "Validity of Mental Tests for Young Children", The Pedagogical Seminary and Journal of Psychology (Provincetown, Mass.: The Journal Press, No. 2, June 1941), pp. 268-288.

² Bishop, op. cit., p. 16.

social history gathered by the caseworker, and this, plus, not one, but several psychological examinations at periodic intervals, helps to validate the level of performance which might be expected of the candidate for adoption.

Acceptance of the belief that there is a need to study the candidate for adoption in order to place him scientifically in that environment in which he will best function, indicates that the logical place for the preparation to be provided is in a well functioning child-placing agency. If and when the time comes, the mother who wishes to plan adoption for her child is by social pressure or direction referred to a licensed ¹ agency doing adoption, the study and preparation would consist of the standard described below.

(a) There is acceptance of the child by the agency for a foster home boarding plan for the period necessary to determine the level of adoptability. The duration of study varies with the child.

(b) A series of periodic physical examinations by a pediatrician to give feeding advice and supervision, plus necessary inoculations, would be started.

(c) At the age of six months, a series of quarterly psychological examinations would be initiated, depending upon the physical condition of the child (in all fairness to him) to make a valid examination of his behaviour.

(d) The worker and foster mother would observe the child for signs of development, such as dentition, walking and language develop-

¹The new adoption law does not provide for the licensing of child-placing agencies.

ment. Play is observed, too, for evidence of bodily coordination. In addition to the opportunity in the foster study home for observation of basic personality traits of the child with subsequent interpretation to evaluate the introvertive or extravertive tendencies, the foster study home provides an opportunity for development of the child's affectional attitudes, with the absence of any feeling of rejection which might be encountered, should the child have remained with his own unwed mother, who, unconsciously, in her physical contacts with that child, might have rejected him. The experience of forming satisfactory love ties with the mother object and the receiving of satisfactory responses from that mother object in the foster study home forms a base on which the child is to build his future social relationships. The completion of a satisfactory experience, the severing of foster home ties, followed by the new relationships in the adoptive home, can be expected to develop with little or no discomfort.

During this time, the unwed mother of the candidate for adoption has had an opportunity, freed from any direct relationship with the child, to explore her own feelings about relinquishing parental control and giving consent to adoption. Certainly, in a nation presumably concerned with the mental welfare of its citizens, the unmarried mother is entitled to this privilege, in order that she may go on living her life with the development of her best possible usefulness, without the necessity of increasing her feelings of guilt at giving up her child. The paying of all, or a part of, foster home board to the agency may be a source of satisfaction in later years to the own mother, who is happy to know she supported a plan long enough

to secure the best interests of her child and an adoption plan which "fitted" him.

Possibly the most important step of all is the opportunity given to the very young child to participate in his own placement, described in such a feeling way by Miss Marian R. Gennaria, who interprets the procedure with a very young child who is being placed for adoption. Miss Gennaria was a senior visitor at the Children's Bureau at Philadelphia, and describes minutely the steps by which a child worked through a placement to the point where he could go off to a new home, the adoptive home, positively oriented toward it. Since much of the inevitable fear associated with such an experience had already been dealt with by the caseworker and the foster mother, who had prepared the child by repeating in pleasant tones, over a period of time, the news of the planned visit to meet the new "Mama" and "Daddy", when the worker showed this candidate for adoption in her office to the prospective adoptive parents, the experience was a pleasant one, and sometime later the child wanted to go with the new "Mama" and the new "Daddy".¹ The child was not upset by nights of crying, which would have caused much anxiety to the adoptive parents, crippling them at the very point when everything they had was needed to initiate the new experience, which should begin on a very sound basis of mutual approval. The process of "getting acquainted" through visits of the child to the agency to see the new "Mama" and the new "Daddy", and the return each

¹ Marian R. Gennaria, "Helping the Very Young Child to Participate in Placement", The Journal of Social Work Process (Philadelphia, Pa.: The Centaur Press, Philadelphia School of Social Work, 1940), Vol. III, No. 1, pp. 29-59.

time to that which is known, the foster boarding parents, enables the child to build up in his mind the subsequent change to the adoptive home, with a feeling of pleasant expectation.¹

No matter how carefully the adoption worker may have paved the way for the child with the adoptive parents, nor how well prepared the child may be for his new relationship, it soon becomes evident that no preparation can take the place of the actual experience in building up new relationships. After the placement, strong feelings on the part of both child and adoptive parents may come to the surface, for both may be fearful, as well as eager, to go forward. Many adjustments are not unlike those which any human being formed. In some adoptive families, content and secure in themselves, affection and love and respect for each other is built up, quite unconsciously and simply. Others achieve family unity by a step-by-step development. Those who believe that, after a child is placed in adoptive home he will live happily ever after are simplifying life absurdly. Adoptive parents, in the early period of accepting a candidate for adoption into their home, do need help of a skilled nature, which explains our emphasis on the need for the probation period, supervised by a professional social caseworker.

During the probation period, which really means the period of getting acquainted while confidence is gained, reassurance is given that the new relationship may grow into a permanent one. The adoption worker, in making her study of the adoptive home, has, we hope, been

¹This procedure has been used with success in The Children's Agency.

accepted as a friend of the adoptive couple. Because of her training in the significance of behaviour, she will know when to participate actively in helping the family or the child or both through difficult times and when to stand firm in doing nothing except to reassure the family as to their own ability to deal with problems. Since situations and individuals vary so tremendously, the frequency and the nature of the caseworker's supervisory visits must of necessity be flexible. Because the agency assumes some basic responsibility when it places the child in the adoptive home, it remains in a very unique position to give help. The agency's chief function may be to withdraw relatively soon, or it may be wise to continue to give some supervision and aid over a period longer than a year.¹ Adoptive parents are encouraged to articulate any rejection of the child, and it is explained to them that, if the child does not "fit", there are other children who might well profit by their home.

Following the probation period, when legal adoption is completed, the adoptive parents, in many instances, voluntarily keep in contact with the agency, partly for advice in case of difficulties and partly to share their joys. The agency is an impersonal source of help and the caseworker, who is removed from the tie to the background of the child, may, with all freedom, be approached by that child, as has been done, particularly when the adopted child has reached adolescence and has begun to think of the questions, "Who am I, and if this is not my real home, why was I placed here?" If valid affectional

¹Ora Pendleton, op. cit.

ties have been formed with the adoptive family, these questions are resolved with little or no difficulty. The Children's Agency has met with cooperation from adoptive parents in continuing annual psychological examinations from the ages of two to five or until the adopted child enters school. The adoptive parents have felt a satisfaction in being able to contribute to this aspect of research to determine the reliability of intelligence testing. It is always a gratification for them to know that the adopted child has progressed to a higher level of participation since being placed in their home. What could be more ideal than having the child-placing agency act as a repository for the confidential records of the child and his background, and the caseworker, with her finely developed skills, dispensing the information which the adoptive parents desire when the best possible constructive interpretation can be given. With skilled child-placing procedures, there is rarely a "returned child" to the agency, but knowing that at any time during the probation period that this can be done offers a unique opportunity for the adoptive parents to be free in making their final decision, of paramount interest for the welfare of the candidate for adoption.

In this chapter we have discussed the best standard of adoption and the local procedure. There was interpretation of the necessary steps: the social study, the physical examination, the periodic psychological tests, the use of the foster study home, the participation of the child in his own placement and the probation period.

Because of the time limit, adequate social study and exploration of the candidate for adoption was hardly possible to give us the

seven children placed under the age of three months or to the eleven placed between the ages of three months and under six months. Therefore, eighteen of the seventy-five children would have benefited by further exploratory study.

Two or more psychological tests should be given at periodic intervals of three months, usually beginning when the child is six months old. We should like to recommend that no child be placed under the age of six months and that it is preferable to wait until the age of nine months or one year is reached, before making the permanent placement. This would mean that the candidate for adoption would be around two years of age when the final legal step was completed in the adoption procedure. Some children might require even longer periods, depending upon the need for ruling out any unfavorable hereditary factors through extended observation in a study home. A longer period of exploration for the candidate for adoption would allow for the unwed mother to have ample time to make her decision of relinquishment of her child.

We should like to recommend the making of a psychological examination of the mother of the child. There were psychological findings on only twelve of the forty-eight unwed mothers and none on the wedded natural parent or parents to use for evaluation in relation to the child's predictable level of ability.

Fifteen of the seventy-five children were in the adoptive home for less than a year. These were adopted by persons other than relatives where it is apparent there is the greater need for proceeding without any evidence of haste.

There is positive evidence of the need for extending the advantages of casework service in the early stage of adoption planning if the goal of the best possible standard of adoption is to be attained.

CHAPTER IV

THE ADOPTIVE PARENTS

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THE ADOPTIVE PARENTS

In this chapter it is planned to give some description of the standard agency procedure in the investigation of the suitability of the adoptive home, interpretation of the dynamics of the agency relationship with the adoptive parents and to define the meaning of security in the light of the ability of the adoptive parents to give the child a feeling of belonging. Those factors which enter into the matching process of the child with the adoptive parents, namely, the age, formal education, duration of married life, other members of the family, economic status, and the motives for adoption as were found in the local procedure are analyzed. Some comment is included about those adoptive parents who were related to the candidate for adoption.

Standard Agency Procedure in Relationship to Adoptive Parents

The concern of the child-placing agency with the adoptive parents who apply to them revolves around the readiness of the couple for a new relationship (the foundation on which rests the child's whole adjustment), the ability these prospective parents have shown in being able to discuss their proposed plans with their respective families and mutual friends, as well as their capacity for sharing, which is the root of their ability to adopt.

The case-working agency proceeds on the assumption that, in applying, the would-be adoptive parents have asked to talk over this decision in the light of the reality of adoption. Those applicants who feel any child will do definitely need more help in exploring. What they expect from a child in his relationship with them, the level of the child's accomplishment as compared with their own and their individual drives would be expected to come out during the making of a full and reasonably complete study of their home. All this is needed to weigh and balance with all that the child can bring to the adoptive home if it is to be considered for a particular child.¹

The caseworker needs to make a number of visits to the home in order to know the applicants as individuals. The social study must be a leisurely one, to give ample opportunity to the adoptive parents for the expression of their hopes, ambitions, satisfactions and dissatisfactions. It is through the social study that the applicants take an active part and accept some responsibility for the making of an adoption plan. Here again, they are enabled to feel and experience preparation for their prospective roles as adoptive parents. The prospective parents appreciate the individual attention given them during this process of exploration, and therefore, with confidence, accept a plan made by the agency for a child to enter their home on a permanent basis, if they desire. The probation period is completed when they no longer feel there is any doubt, and having had the recommended one-year

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Elizabeth Harral, "The Foster Parent and The Agency in the Adoption Process", Adoption Practice, (Casework with Parent, Child and Foster Parents), (New York, N. Y.: Child Welfare League of America, Dec. 1941), pp. 49-59.

period explained to them early in the process of application, there is full acceptance of its purposes and meaning to them. At all times, they are free to return the child to the agency, whose first responsibility is to the child, the real client of the agency. It is in the child's interests, largely, that the entire process has been entered into by the agency.

When the prospective adoptive parents (following the discussion of their desires for a child, with each other, and perhaps their friends, the family physician and relatives on both sides) have brought themselves to the point of making an application for a child, the social worker sometimes appears as an obstacle for them to overcome in order to see a child and be presented with one. They are on the defensive when the worker visits in the home to see them in their own setting, and look upon her merely as an investigator in a role which involves some authority. An interpretation of what is meant by a trained child-placing worker, would bring about a more general and spontaneous acceptance of the functions of this worker. The more the social study made by the caseworker is seen as part of a procedure, preserving the interests and protection of the adoptive parents, the more quickly those desirous of obtaining a child will resort to the use of a child-placing agency, giving casework service.

It can be said that the caseworker in adoption should be familiar with a general body of knowledge pertaining to community life and the multiplicity of factors which are there intertwined. The child-welfare worker needs specific knowledge in the areas of behaviour, medicine, law, economics and other areas, and their relation to

the making of a satisfactory adjustment by an individual. This specific knowledge is needed, not so much for direct use, but to help sharpen perception at that point where the specialist is needed and sought. The knowledge of the mental hygiene and physical aspects of the growth and development of an individual is of help to the worker in recognizing any deviations of performance in an individual. Last, but certainly not least, the social worker must have an accepting, non-judgmental attitude toward other individuals, and the ability to recognize attitudes which have not been verbalized by the individual. The worker must have experienced discipline, stresses and strains with subsequent success as a well adjusted person. Until her own problems are resolved satisfactorily, she cannot hope to play a responsible role in assisting others to an adequate adjustment in their life situations. All this is necessary in order that she can be free to focus her attention upon the needs of the adopted child, as related to the needs of the adoptive parents. At no time is the caseworker to set up herself as a superior personality in the situation, but rather she is to maintain a plane of equality with the thinking and performance of the adoptive parents in this process of securing for them a child who is mutually recognized as the most suitable child obtainable, to become a permanent part of that family unit. The relation of the caseworker to her agency, its function and policies, frees her from the intimate personal aspects in the child-placing situation and thus with more ease she can discharge the responsibilities accompanying the decision of placing the candidate for adoption with the adoptive parents.

Relationship of Adoptive Parents

Continuing our study of the adoptive parents, let us examine the relationship of these parents to the adopted children. The petitioners in twenty-two adoptions were relatives and in fifty-three they were other than relatives. These figures are shown in Table 13.

TABLE 13
STATUS OF CHILD AT BIRTH,
BY RELATIONSHIP OF
PETITIONER TO CHILD

Status of Child at Birth	Total	Adopted By	
		Relatives	Other than Relatives
Total	75	22	53
Born In Wedlock	27	15	12
Born Out of Wedlock	48	7	41

The relatives who were petitioners included fourteen step-fathers, no stepmothers, two grandparents (on the maternal side) and six who were other relatives, five of whom were in the relationship of cousins and one an uncle to the adopted child. Seventy per cent of the adoptions were by adoptive parents who were other than relatives. This is shown in Table 14.

TABLE 14
RELATIONSHIP OF
ADOPTIVE PARENTS TO CHILD

Relationship	Number	Per Cent
Total	75	100.0
Relatives		
Stepfather	14	18.6
Stepmother	0	0.0
Grandparents	2	2.7
Other Relatives	6	8.0
Other than Relatives	53	70.7

Security

Although we think it is equally important to examine the motives for adoption by relatives,¹ we are more concerned with those of the adoptive parents where there were no blood-ties of relationship because of the great responsibility involved in these placements in an effort to assure future security for the child.

Let us examine security. A social psychologist, Mr. W. I. Thomas discusses the desire for security as the second of four categories into which he classified the simple human wishes of all individuals. The four categories are: (1) the desire for new experience; (2) the desire for security; (3) the desire for response; and (4) the desire for recognition.² If these wishes are in balance, we may

¹ Lucie K. Browning, "A Private Agency Looks at the End Results of Adoptions", Child Welfare League of America Bulletin, Vol. XXI, No. 1, Jan. 1942, p. 3.

² Healy, Bronner, Baylor & Murphy, Reconstructing Behavior in Youth (New York, N. Y.: Alfred A. Knopf, 1931), p. 143.

expect the emergence of an integrated personality.

The trained child-placing worker in the field of adoption takes into account the opportunities offered in the adoptive home for the candidate for adoption to have a balanced opportunity for the fulfillment of these four fundamental wishes. It is here that we cannot know too much about the adoptive couple and their respective personality traits, ambitions, capacities to share in giving recognition to others, and the capacity for consistent behaviour to create an acceptable pattern, as related to the mores of that community in which the adoptive parents live. The social worker, having been helped by technical training, appreciates the great variety of acceptable patterns of behaviour, without any preference or feeling of disapproval for the level of achievement into which the adoptive family has arrived.

We are assuming, broadly, that there is no social caste in a democracy. In other words, that a family limited in formal education, economic resources and appreciation for great achievement is still capable of providing a setting for a candidate for adoption of relative ability. For the happiness and security of each candidate for adoption, the most important thing is to place each child in that environment which is most easily related to his innate capacities. Therefore, we cannot develop too much skill to work effectively in the matching process of adoptive parents to the candidate for adoption.

Age of Adoptive Parents

The age of natural parents of a young child is normally between twenty and thirty, and it is easily understood that adoptive

parents might be from thirty to forty, because the decision to adopt a child is usually deferred until it is relatively certain that the foster parents will have no children of their own. Since the purpose of adoption is to give a child a home, as nearly as possible, approximating a natural family home, it is questionable whether adoptive parents would be able to participate satisfactorily in the parent-child relationship, if the adoptive parents are more than ten years older than¹ that of the natural parents. Therefore, the twelve "other persons", who were forty or over, adopting children are subject to question. The age of the adoptive mother was used as an index because it is she who more often is in closest relationship to the adopted child. The ages of the adoptive parents appear below in Table 15.

TABLE 15
AGE OF ADOPTIVE MOTHER, BY
RELATIONSHIP TO THE ADOPTED CHILD

Age of Adoptive Mother	Children who were Adopted				
	Total	By Relatives			By Other Persons
		Own or Stepparents	Grand- parents	Other Relatives	
Total	75	14	2	6	53
Under 30 yrs.	24	7	0	1	16
30 yrs., under 40	34	6	0	3	25
40 yrs., under 50	8	1	0	1	6
50 yrs., under 60	7	0	0	1	6
60 yrs. and over	2	0	2	0	0

¹ Colby, Problems and Procedures in Adoption, op. cit., p. 35.

Of these twelve, six of the adopted children were six years of age or younger. Four of the adoptive mothers had been boarding mothers first, and through this relationship had become attached to the child. One of the children was of "low average" intelligence, and the boarding parents felt that they understood her slow responses better than anyone else would. They had successful older children who approved this child's becoming a member of the family. The casework implications were that little would be demanded of the child. There had been demonstrated an accepting environment, in which every advantage would be given her to develop with adequate satisfactions. The child had been observed and studied over a period of several years, and she had been in this home since her removal at the age of three weeks from a maternity home. The mother had not wanted to know her address; therefore, the mother would offer no problem by reentering the situation at a later date to threaten the security of the adoptive parents or the child.

One child was colored. In this case, the boarding parents had boarded the child for two and one-half years.

Foster Study Homes

Foster boarding homes are investigated, approved and licensed¹ before a child is placed in them. They offer opportunity for the

¹The City of Louisville has an ordinance, authorizing the Child Housing Division to investigate and issue license to those boarding homes where there is no relative of the child living in the home. This does not apply to homes outside the city limits.

study and development of the candidate for adoption. Four, as revealed in our study, seems a small number of boarding parents to have become attached to the children, to the point of desiring to adopt the boarded child, who was being prepared by them, under agency supervision, for placement in an adoptive home. Affectional ties are needed to nurture and adequately encourage the child's fullest progress in development, and boarding mothers are in a situation where affectional ties are nurtured and expanded.

The motive of boarding mothers is usually the desire to have a child in the home, often after the "own children" have become adults, married, or left the city. A part of the foster home investigation is to ascertain that there is no economic need, because it is recognized that the usual boarding home rate, paid by child-caring agencies, hardly provides more than the cost of the child's food.

Education

The educational attainment of a person may have little relation to his desirability as an adoptive parent, but ordinarily it affords an indication of his interests, as well as what might be expected intellectually of a child in his home. The educational background of the foster parents should be taken into consideration, because the child's happiness is to some extent dependent on his ability to meet the intellectual expectations of his foster parents and to accept the opportunities they offer him.

¹ Colby, Problems and Procedures in Adoption, op. cit., p. 38.

There are many parents who have had grade school education only, and have subsequently carved out an economically and emotionally secure existence. If they desire more education than they had for their children, it is important to explore the attitudes of the adoptive parents, should the child be unable to accept higher education. Visualize the discomfort caused to a superior child placed in an adoptive home where there is no appreciation of, or encouragement to, him for endeavor on a higher level.

Not enough children had been given psychological examinations to warrant making a comparison between the child's innate ability and the parents' educational attainment. This was one of the weak points in the adoption picture and we think one of the most vital, in order to avoid the over-placement or the under-placement of the candidate for adoption.

With the six adoptive parents having a college background, The Children's Agency placed two children, each of "superior" intelligence, and The Home of the Innocents, one child with "high average" intelligence, while the other children placed in the adoptive homes with college background apparently were not tested. An old placement made eleven years ago by the Kentucky Children's Home, prior to its use of the staff psychologist of the Child Welfare Division, showed the child was doing "just average" work in school. The adoptive father had planned a college and professional career for this child. We recognize that this could have happened in the case of a natural child. But all parents who seek a child have lost the child of their dreams and at best the adopted child is a substitute. It is necessary

to recognize that every such family is a deprived family, to some extent, a neurotic family. As individuals they may be adequate but as a couple they have failed.¹ We are not wholly in accord with this description of a childless couple but it is something to take into consideration, if parents lack flexibility in their existing attitudes.

One child was placed by Our Lady's Home for Infants. The natural mother had completed three years of high school. Her occupation was in the small wage group of restaurant workers.

The sixth child in a home with college trained adoptive parents was placed through the family physician. The natural mother was said to have completed high school, but this could not be verified.

In respect to their goals for the education of the adopted child, it is well for the caseworker to look for flexibility in planning upon the part of the adoptive parents to assure acceptance of the performance of that child.

The formal education of adoptive parents appears in Table 16.

Other Persons in the Adoptive Homes

The majority of adopting parents were childless for in 80 per cent of the seventy-five there was no one in addition to the adopting parents in the home. This relieved the adopted child from competition with another child for love and affection. Certainly it is easier for the adopted child to grow comfortably into his status in the home if

¹Dr. Leslie E. Luehrs, Consultant Psychiatrist to State Charities Aid Placement Dept., New York, The Worker's Role in Adoption, Adoption Practice (Case Work with Parents, Child and Foster Parents) (New York, N. Y.: Child Welfare League of America, Dec. 1941), p. 7.

TABLE 16
 EXTENT OF FORMAL EDUCATION
 OF ADOPTIVE PARENTS,*
 BY RELATIONSHIP OF
 THE PARENTS TO THE ADOPTED CHILD

Extent of Formal Education of Adoptive Parents*	Children who were Adopted		
	Total	By Relatives	By Other Persons
Total	75	22	53
College Graduation	6	4	2
Some College	4	0	4
High School Graduation	23	5	18
Some High School	13	5	8
Eighth Grade	26	7	19
Sixth or Seventh Grade	3	1	2
Less than Sixth Grade	0	0	0

*
 Parent having the higher degree of formal education

there is no competition or sibling rivalry to combat. Only one adoption by "other persons" had the adoptive maternal grandparents in the home. In four of these adoptions by other than relatives there were own children who were much older by comparison with the adopted child. All the children were observed, and all seemed as if they were natural children.

TABLE 17

NUMBER OF PERSONS
IN THE ADOPTIVE FAMILY,
BY RELATIONSHIP OF
CHILD TO ADOPTIVE PARENTS

Number of Persons in the Adoptive Family	Number of Children Adopted				
	Total	By Relatives			By Other Persons
		Own or Stepparents	Grand- parents	Other Relatives	
Total	75	14	2	6	53
1 Person	1	0	0	0	1
2 Persons	60	12	1	5	42
3 Persons	4	0	0	1	3
4 Persons	7	2	0	0	5
More than 4 Persons	3	0	1	0	2

Income

With the exception of eleven adoptive homes, the annual income was reported. For those eleven, seven incomes were described as "Adequate" and three as "Better than Adequate". Three adoptive mothers were employed, one in the higher income bracket at \$5,000.00 or more (including the adoptive father's income) and two were in the lower income bracket of \$1,000.00 to \$2,000.00. During the process of the adoption investigation, one mother discontinued her employment in order to spend more time with the child. Apparently this was due to mutual exploration with the caseworker of the parent-child relation-

ship, and the need for the adoptive mother to be in the home.

Fifty-nine per cent of the relatives' homes fell in the income bracket under \$3,000.00 per annum, while 64 per cent of the annual incomes of other than relatives fell in that same income group. For incomes over \$3,000.00 per annum there was a total of 36 per cent in the relatives' homes. In comparison, only 16 per cent of the other than relatives' incomes fell in the bracket of \$3,000.00 or over. However, this might have been due to the absence of a report of income for ten. Of the four relatives with income over \$5,000.00, two were given as \$10,000.00 and \$15,000.00 per annum. The distribution of annual income is given below.

TABLE 18
ANNUAL INCOME IN ADOPTIVE HOMES

	Relatives' Homes	Other Persons' Homes
Total	22	53
Less than \$1,000	0	0
\$1,000, Less than \$2,000	8	22
2,000, Less than 3,000	5	13
3,000, Less than 5,000	4	7
5,000 or More	4	1
Not Given	1	10

Motives for Adoption

The court reports revealed the largest number, thirty-six or 46 per cent, of the adoption cases as having physical reasons precluding pregnancy as the desire for children on the part of those unable physically to bear children. The second largest number, thirteen or 17 per cent, of the adoptive parents gave the legal right to use stepfather's name as the motive. One child in this group was ready to enter school.

Four adoptive parents had boarded the child and had become attached to the child. Five adoptive parents wished to guard the inheritance rights of the child. In five cases, motives were not given. There were ten whose motives seemed to need individual classification. One had two boys and wanted a girl. One couple "could not afford children" and took a deceased relative's child with an inherited personal income. In still another situation, the maternal grandparents stated they wanted to "rear own flesh and blood". In another adoption, the relatives were interested only in that child, otherwise they would never have thought of adoption. One stepfather wanted to remove the stigma of the name of a criminal father. In the only situation in the entire study where there was no living adoptive father, the adoptive mother wanted the young girl to have the privilege of legally using the adoptive father's name, by which she was customarily known. For three adoptive parents, an "own child" had died and the adopted child was to be considered in the place of their own child. The adoptive parents' motives for adoption appear in Table 19.

TABLE 19
 THE ADOPTIVE PARENTS'
 MOTIVES FOR ADOPTION

Total	75
Physical Reasons Precluding Pregnancy	35
Boarded and Became Attached	4
To Safeguard Inheritance Rights	5
Requested by the Candidate for Adoption	3
Legal Right to Use Stepfather's Name	13
Other	10
Not Given	5

Duration of Married Life

In a measure, the number of years of married life prior to making an adoption plan might be considered an index of how long the adoptive parents had waited before deciding to conform to the conventional family pattern. The largest number, twenty-three, or 30 per cent of the adoptive parents, had been married ten years or over. The smallest percentage was 18 per cent, for fourteen cases, married less than three years. Sixty-seven per cent of the adoptive parents were married less than ten years.

TABLE 20
DURATION OF MARRIED LIFE
PRIOR TO CHILD-PLACEMENT
IN ADOPTIVE HOME

Period	Number of Adoptive Parents	Per Cent
Total	75	100.0
Less than 3 yrs.	14	18.4
3 yrs. to Less than 5 yrs.	15	19.7
5 yrs. to Less than 10 yrs.	21	29.0
10 yrs. and Over	23	30.3
Not Given	2	2.6

It is not doubted that the adoptive parents have had generous impulses to enter into an adoptive relationship with a child. That is not enough. Their job is doubly difficult because they are not the natural parents. To share the burden of a heredity for which they are not responsible, and to do so in the intimacy of their home, is an undertaking demanding infinite patience and ingenuity, and constant adjustment to unpredictable conditions. Adoption cannot be a selfish gratification; it must not hope for reward; it cannot count on success.

The reports revealed adoptive parents of diversified cultural levels, and for each couple we hope there was a child to derive adequate satisfactions in a socially acceptable fashion.

After having completed this study of the three parts of the

adoption process, namely, the natural parents, the child, and the adoptive parents, our message for the public is: there is still much to be done in the field of adoption; let the public be less complacent and ignorantly optimistic; let them be inspired to gain a wider knowledge of the delicate issues involved; and let there be a further swing away from romanticism to realism.¹

This chapter has been an attempt to describe the agency procedure in the investigation of the suitability of the adoptive home, to interpret the dynamics of the agency relationship with the adoptive parents, and to give a definition of security in the light of the ability of the adoptive parents to give the child a feeling of belonging. From the reports, an analysis of the factors which enter into the matching process of the child with the adoptive parents, namely, the age, formal education, economic status, duration of married life, other members of the adoptive family, and the motives for adoption, is given. Comment on adoptive parents who were related to the child has been included.

Under each specific topic we have pointed out the adverse aspects of the adoptive placement but because each situation at the point of adoption seemed to the best interests to preserve the child's security, all of these adoptions studied had been approved. Certainly the adoptive home to all appearances offered more than did the natural home, but in some instances better adoptive homes could well have been given those children capable of responding satisfactorily on higher levels of adoptability.

¹ Carol S. Prentice, An Adopted Child Looks at Adoption, New York: D. Appleton - Century, 1940, p. 213.

CONCLUSION

CONCLUSION

This examination of the operation of the Kentucky law of 1940, as revealed in these seventy-five cases, indicates:

(1) that the Kentucky law is in line with progressive legislation on adoption;

(2) that its administration admits of improvement in the following respects:

a. In regard to natural parents, there were only eleven cases in which both the consent of the natural parent or parents and legal commitment to the agency or institution were obtained.

b. Legal paternity was established on only two of the forty-eight children of unwed mothers. As long as inheritance rights are part of the present adoption law, it would be well to encourage the establishment of paternity to preserve the inheritance rights of the child with respect to the natural parents. Paternity establishment contributes to the future emotional security of the child.

c. In regard to the candidate for adoption, the physical condition of the child should be verified and the making of venereal tests required. It is possible that venereal tests had been made and the information was omitted in the court report.

d. Psychological tests should be made on every candidate for adoption if the description of the mental status is to be a valid one. Only fifteen children were given psychological examinations. By the omission of this modern contribution of psychology, the untested

children and the adoptive parents did not receive the protection to which they were entitled. Only twelve of the forty-eight unwed mothers had been given psychological tests. Therefore, the hereditary contribution of the untested mothers was unknown.

e. On the basis of this study, there is a real need for enabling legislation to improve and control the adoption procedure at an earlier period than at the time when the adoption petition is filed and the required social investigation is begun. Under the present law, it was through no fault of the Child Welfare Division or its delegated representative which made the social investigations that there was inadequate history of the natural parent. This history was not collected prior to the date of the placement of the child. An earlier entrance into the situation would facilitate the collecting of adequate social history vitally needed in making a fitting placement of the child. This would prevent casual adoptive placements of children by persons untrained in the field of adoption. This study revealed two infants were placed by the attending physician.

f. In fifty-five of the adoptions, the new birth certificate had been secured. Apparently some of the children had been born in states not yet providing for the new birth certificate.

From the findings in this study, the general conclusion is that the administration of the adoption law is as effective as it can be within its limitations. The new law does not encompass fully the social aspects of adoption or adequately safeguard those placements made by independent persons or institutions not alert to, or aware of, the progressive techniques of good adoption practice.

The study showed that the Child Welfare Division, in its investigatorial role, is making strong efforts to interpret the specialized techniques of good adoption practice and, in time, with greater cooperation from those engaged in child-placing, more specific improvement can be expected in the adoptions of the future in Jefferson County and throughout the State of Kentucky.

A general improvement would be brought about in the administration of the adoption law if the following recommendations could be effected:

(1) that the Child Welfare Division, with the participation of all agencies or institutions engaged in child-placing for adoption, work out a set of Standards of Adoption Practice, to be approved by the central authority, the Child Welfare Division, for use in licensing those agencies or institutions;

(2) that all agencies or institutions be required, by statute, to qualify under the accepted Standards of Adoption Practice;

(3) that the period of social investigation be a more leisurely one, and be extended to ninety days, instead of the present sixty days, in order to give a more effective service to the child and the adoptive parents;

(4) that the present law be amended so that all parents would have to be referred to the Child Welfare Division, of the State Department of Welfare, or its delegated representative, which should be an approved agency or institution, at the time when there is an expressed desire to place the child for adoption;

(5) that the birth certificate be secured as a part of the

adoption service to be discharged before the agency or institution which placed the child withdraws from the situation;

(6) that all institutions doing adoption secure a consent to adoption and legal commitment of the candidate for adoption as a protection to the adoptive parents and the child;

(7) that the probation or adjustment period be extended to one year, and that adoptive placements of children under six months of age be discouraged. Authorities suggest it is preferable to place no child under nine months of age;

(8) that those in charge of child-placing be assisted to realize the importance of a child's learning at an early age that he is adopted, in order that emotional maladjustments at a later date may be avoided. This is a current policy of the Child Welfare Division and routinely advised as a part of the casework service given during the period of social investigation.

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APPENDIX I

ADOPTION LAW

Sec. 331b-3. Persons who may adopt or be adopted; parties.

(1) Any adult person who is a resident of Kentucky may petition the county court of the county of his legal domicile for leave to adopt a child or another adult. No petition by a married person shall be granted unless the husband or wife joins therein, excepting that when the petitioner is married to the natural father or mother of the child joinder by the father or mother is unnecessary.

(2) Any person may be adopted after arriving at the age of twenty-one years as well as children before reaching that age.

(3) No petition for the adoption of any minor child shall be granted until the child has lived for a period of three months in the home of the petitioner.

(4) The child to be adopted together with its natural living parents, if born in wedlock, but if not, then its mother, if living and any testamentary or statutory guardian it may have, shall be made parties defendant to said original petition for adoption. If said child has no living parents and no guardian, then the person or persons standing in loco parentis thereto shall be made parties defendant therein, or if the care, custody and control of said child has been lawfully transferred to any charitable institution or association by a court order, then such charitable institution or association shall be deemed as standing in loco parentis and shall be a party defendant. In such instance the natural parents if child born in wedlock or the

mother of such child if born out of wedlock shall not be necessary parties to any such action, but in the absence of any of the above named, the Department of Welfare, or its authorized agent, shall be made a party defendant with said child. Each defendant thereto shall be brought before the court by personal or constructive service in the same way and manner as is provided for in the Civil Code of Practice in other civil actions.

Sec. 331b-4. Proceedings for adoption; investigation; hearing.

(1) Upon the filing of a petition for the adoption of any minor child the court shall cause an investigation to be made of the former environment and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption and of the home of the petitioner to determine whether it is a suitable home for the child. The investigation shall be made by the State Department of Welfare, or by any agency which the State Department of Welfare may authorize to conduct the investigation. The results of the investigation shall be embodied in a full report in writing, which shall be submitted to the court at or prior to the hearing upon the petition and be filed with the records of the proceedings and become a part thereof. The report shall contain a full statement of facts found in the investigation and a recommendation as to the desirability of the adoption.

(2) Upon the filing of a petition for adoption the court shall appoint a time and place for hearing which shall allow reasonable time of not less than sixty days for the prior investigation provided for in this section. The court shall mail notice of the date of

hearing to the State Department of Welfare. The petitioner and the child to be adopted, if fourteen years or over, shall be required to attend the hearing in person, but a younger child shall not be required to attend unless the court so orders.

Sec. 331b-5. Consent of parties.

Except as otherwise specified in this section no adoptions shall be permitted except with the notarized consent of the living parent or parents of the child or the mother of a child born out of wedlock or if parents cannot be located after reasonable search, next of kin, guardian or person standing in loco parentis.

(1) In the case of a child fourteen years of age or over the consent of the child must be given in writing in the presence of the court.

(2) Consent shall not be required of the parents of a child when the rights of such parents have been terminated by order of a court of competent jurisdiction; provided, however, that in such case adoption shall be permitted only on the consent of the State Department of Welfare, after a full investigation has been made by it, or some agency designated by it to make such investigation.

(3) If such child has no living parent adoption shall be permitted on the consent of the legal guardian of the child, or if there be no guardian by person standing in loco parentis, or if child is destitute of kin or guardian, by the State Department of Welfare, or by an agency or institution approved by it.

(4) In the case of a child, not born in lawful wedlock, consent of the father shall not be necessary, but in such case adoption

shall not be permitted without the consent of the State Department of Welfare, or some agency designated by it to give such consent, after a full investigation of the case has been made by the State Department of Welfare, or of some agency designated by it to make such investigation.

(5) In case the person to be adopted has arrived at the age of twenty-one years the consent of such person alone shall be necessary.

(6) In the case where the consent of a minor parent is required a guardian ad litem therefor shall be required and the consent of such minor parent shall be effective only if concurred in by the guardian ad litem.

Sec. 331b-6. Order of adoption; adopting persons, child; contents of order; name of child.

(1) The court shall not render an order of adoption of a minor child unless the court is satisfied that the petitioners are of good moral character, of reputable standing in the community and of ability properly to maintain and educate the child, that the best interests of the child would be promoted by adoption, and that the child is suitable for adoption.

(2) If after the hearing and receiving the required consent of the person whose consent to adoption is necessary the court is satisfied that the facts stated in the petition are true and that all legal requirements relating to adoption have been complied with, the court shall render an order setting forth all the jurisdictional facts and providing that from and after date thereof the child shall be

deemed to all legal intents and purposes the child of the petitioners. In the order the name of the child may be changed to that of the parents by adoption.

Sec. 331b-7. Report after adoption order; records by state health board.

After entry of such order the clerk of the court shall promptly report to the State Board of Health, Bureau of Vital Statistics, full information as to: (1) the prior name of the child, (2) the date and place of birth of the child, (3) the name of the natural parents of the child, (4) the name and address and occupation of the parents by adoption, (5) the new name of the child, if any, (6) and the date of the order of adoption of the court issuing the same. Upon receipt of the order of adoption the State Board of Health, Bureau of Vital Statistics, shall cause to be made a new record of the birth in the new name, and it shall then cause to be filed the original certificate of birth together with a new certificate which shall set forth the facts above.

Sec. 331b-8. Inheritance by and from adopted child; support of natural parents regulated.

The child so adopted shall be deemed for purposes of inheritance and succession and for all other legal consequences and incidents of the natural relation of parents and children, the same to all intents and purposes as a child born in lawful wedlock of such parents by such adoption. The adopted parents of such child shall inherit from said child under the statute of descent and distribution in the

same way and manner as if the child has been born of lawful wedlock to the adopted parents; provided, however, if the adopted parents of the adopted child shall not survive the adopted child, then in that event the property of the deceased adopted child without lawful issue shall go to the natural parents in the line of descent and under the same provisions as are now or may hereafter be provided by law for descent and distribution; but in the event that the adopted child without lawful issue shall not be survived by either of its adopted or natural parents, then his property shall descend to his natural and adopted relatives, share and share alike, according to Section 1393 of Carroll's Kentucky Statutes, 1936 Edition. Such child shall be freed from all legal obligations of maintenance and obedience to such natural parents; provided, that where the adoptive parent of such child shall be married to one of the natural parents of such child, then the relation of such child towards such parent shall in no way be altered by such adoption, and the natural rights and obligations of such natural and adoptive parents towards such child shall be the same as if such child were the natural child of both the natural parent and the adoptive parent. Nothing herein shall be so construed as to prevent the adopted child from inheriting under the general law in regard to the descent and distribution from its natural parents.

Sec. 331b-9. A subsequent adoption is authorized by this act and in such a case the words "father, mother, or parent" include father, mother, or parent by adoption.

Sec. 331b-10. Secrecy as to court records.

The files and records of the court in the adoption proceedings

shall not be open to inspection or copy by any person other than representatives of the State Department of Welfare, except upon order of the court expressly permitting inspection or copy. No person having charge of any birth or adoption records shall disclose the name of any adoptive parents appearing in such records or furnish any copy of any such records except upon order of the county court of the county in which the adoption took place.

Sec. 331b-11. Appeal to circuit from county court.

Any executor, administrator, guardian, trustee, or any person aggrieved by any order or judgment of the county court may appeal therefrom to the circuit court within sixty days from the date of the judgment appealed from. The appeal of any minor from an order of adoption may be taken by any person on his behalf or by a guardian ad litem. In an appeal from an order of adoption if the child is a minor the State Department of Welfare shall be served with notice of such appeal. The State Board of Health, Bureau of Vital Statistics shall be notified if the adoption order is reversed.

Sec. 331b-12. In appeals to the circuit court the appellant other than executor, administrator, guardian or trustee shall before his appeal be effectual file with the county court a bond in such sum with good surety as the judge thereof will approve to the effect that he will diligently prosecute his appeal to effect and pay all damages and costs which may be awarded against him, but no costs shall be awarded against any child, or person acting on behalf of a child, on appeal from such order of adoption.

Sec. 331b-13. No person, corporation or association shall advertise in any newspaper that they will receive children for the purpose of adoption. No newspaper published in the Commonwealth of Kentucky or sold in the Commonwealth of Kentucky shall contain an advertisement which solicits children for adoption, or the custody of children.

Sec. 331b-14. Wherever the word "child" is used in this Act it shall include an adult unless the context otherwise required.

Sec. 331b-15. Any violation of Section 11 hereof shall be punishable by a fine of not less than \$10.00 nor more than \$100.00 or by confinement in the county jail for a period of not less than thirty days nor more than sixty days, or both fine and imprisonment.

APPENDIX II

SUGGESTED OUTLINE FOR REPORT
TO THE COURT FOLLOWING INVESTIGATION
OF AN ADOPTION PETITION

I. The Child

- a. Date and place of birth
- b. Length of time in adoptive home
- c. Circumstances of placement
 - (1) Authority to place obtained through
 - Commitment by court
 - Surrender from parents
 - Request of parents (physician, hospital, friend, etc.)
 - Relative of child (mother, grandparents, etc.)
 - (2) By whom placed
 - (3) Date of placement
- d. Physical condition

II. Natural Parents

- a. Personal history (for both father and mother if parents married or if paternity determined, otherwise for mother only)
 - (1) Name
 - (2) Marital status (if married, date of marriage)
 - (3) Other children
 - (4) Present whereabouts (if either parent is dead give date and cause of death; if parents are divorced give date and place of divorce and disposition of child by court; if child was born out of wedlock and paternity determined show whereabouts of father and describe his attitude toward the child)
 - (5) Nationality background
 - (6) Religion
 - (7) Education
 - (8) Mental status
 - (9) Physical condition
- b. Reason for giving up the child

III. Consent**IV. Petitioners**

- a. Relationship to the child
- b. Residence
- c. Personal history
 - (1) Date of marriage
 - (2) Religion
 - (3) Age
 - (4) Nationality
 - (5) Education
 - (6) Mental and emotional stability
 - (7) Physical condition
- d. Economic condition
 - (1) Occupation and earnings
 - (2) Home ownership
 - (3) Insurance
 - (4) Other assets
- e. Community standing
- f. Atmosphere of home
- g. Other children - own or adopted and their attitude toward child.
- h. Motive for adoption

V. Adjustment of Child and Petitioners to Each Other**VI. Recommendation of Agency Making Report**

APPENDIX III

SUGGESTED ADOPTION MATERIAL
FOR AN INDEPENDENT PLACEMENT

I. THE CHILD

- a. Date and place of birth
- b. Length of time in adoptive home
- c. Circumstances of placement

(1) Authority to place obtained through

Commitment by court
Surrender from parents
Request of parents (physician, hospital, friend, etc.)
Relatives of child (mother, grandparents, etc.)

(2) By whom placed

(3) Date of placement

A. Health

Personal hygiene; dietary; appetite, amount and kind of exercise; sleeping arrangements, hours and soundness of sleep (cryout out; sleep walking). Does child enjoy using muscles? When he exerts himself in any way, does he begin to seem tired? How much rest or sleep does he seem to need before he is energetic again?

When tired, how does he show it - by restlessness, irritability, depression or sleeplessness?

Is he gaining in weight?

Medical examination?

B. Adjustment to Foster Home

Family's Attitude

What is the family's attitude toward child? Does he feel himself to be "one of the family"? What is child's attitude toward foster parents, brothers and sisters? Does he talk freely with them about his school, his companions, his interests? Does he turn to them with any little worries?

Discipline

What methods are used to prevent the child's repetition of an offense and what is child's reaction to punishment? Who does the punishing?

Home DutiesDemands on Him

What are his home duties? Are they specific and regular, or haphazard? Is patience exercised in teaching child, or is it assumed that he ought to know? Are his good points commended as well as his poor ones censured?

His Response

Are his duties performed willingly, well? Does he grasp directions quickly and profit by them, or do instructions have to be repeated constantly? Has he an allowance? How does he use it? Is he guided in its use?

PlayFacilities

Is child encouraged to bring friends home? What recreation do foster parents provide in the home, games, toys, books, pets, etc.? What recreation do family and child have together? What encouragement and assistance does he get in the use of the library? By whom? What kind of books does he read?

His Response

Does he seek or dread solitude? What are his resources for entertainment when alone?

C. Sex

Is the child well developed physically? Has he matured and at what age? Is he attractive in face, figure and manners? To what degree does he appear to crave petting and contact? Does he prefer friends of his own sex or otherwise? Are his friendships wholesome or feverish? What is his information on sex hygiene? If he has none, who will give it to him?

D. Adjustment to School

Situation

What grade is he in? If he is held back a grade, why? What course is he taking? And what are plans for further training? What is the attitude of pupils and teacher toward the child?

Response

Is his attendance regular; prompt; is it willing? What is his deportment? Does he dislike discipline or revolt against school authority?

Special Abilities or Disabilities

What subjects interest him, and which does he dislike? Do any stir him to spontaneous activities of thought or action? Has he shown talent for music, drawing, manual work?

E. Organized Activities

Group Contacts

What organized activities outside the home is he encouraged to join, e.g., clubs, scouts, Y.M.C.A.? Does he engage in competition and does he play the same games as other children his own age? Is he a member of a gang or group?

Social Traits

How readily does he make friends among either adults or children? Why? What kind of friends does he choose? Of what age? What does he admire in people? What loyalty and permanence does he show in friendship? Has he a chum? Is he a leader?

II. NATURAL PARENTS

a. Personal history (for both father and mother if parents married or if paternity determined, otherwise for mother only)

- (1) Names
- (2) Marital status (if married, date of marriage)
- (3) Other children
- (4) Present whereabouts (if either parent is dead, give date and cause of death; if parents are divorced, give date and place of divorce and disposition of child by court; if child was born out of wedlock and paternity determined, show whereabouts (if possible) of father and describe his attitude toward child)

- (5) Nationality background
- (6) Religion
- (7) Education
- (8) Marital status
- (9) Physical condition

b. Reasons for giving up the child

III. CONSENT

IV. PETITIONERS

a. Relationship to the child

b. Residence

c. Personal history

- (1) Foster Home Report as now in use plus suggested items listed in "Outline for Report to Court"
- (2) Verification of marriage

V. ADJUSTMENT OF CHILD AND PETITIONERS TO EACH OTHER

VI. RECOMMENDATION OF AGENCY MAKING REPORT

APPENDIX IV

OUTLINE FOR RESEARCH

THE CHILD

NAME OF CHILD Male.... Female....

BIRTH DATE DATE OF ADOPTION PETITION

DATE OF HEARING..... DATE OF COURT REPORT

BIRTHPLACE: Name of County..... Outside of State.....

Maternity Home..... Own Home.....

Not Given.....

RELATIONSHIP TO ADOPTIVE PARENTS..... None.....

BY WHOM PLACED: Agency..... Parents.....

Relative..... Hospital.....

Physician..... Minister.....

Institution..... Friend.....

USE OF STUDY HOME: Length of Period.....

Name of Agency.....

DATES OF PROBATION PERIOD..... If extended,
give reason.....

PHYSICAL STATUS.....

Source of Verification.....

MENTAL STATUS.....

At Time of Placement.....

Psychological Findings and Source of.....

.....

LEGAL PATERNITY ESTABLISHED..... Date.....

NATURAL PARENTS

BIRTHPLACE: Mother..... Father.....

MARITAL STATUS: At Time of Child's Birth.....
 At Time of Placement.....

OTHER CHILDREN..... Ages.....

REASON FOR GIVING UP
 CHILD FOR ADOPTION: Economic.....
 Prevented Mother Returning to Her Own Home.....

 Incapacitation of Mother.....
 Physical.....Mental.....
 Agency Active.....
 Remarks, Including Other Reasons.....

PHYSICAL STATUS OF MOTHER..... Source of.....

NATIONALITY..... White..... Negro.....

RELIGION..... Roman Catholic.....

FORMAL EDUCATION OF MOTHER: Grades Under 6..... Junior High.....
 Senior High..... College.....
 Special Training.....

OCCUPATION.....

MENTAL STATUS: Below Average..... Average..... Superior.....
 Source of Psychological Findings.....

LEGAL CONSENT GIVEN BY: Mother.... Relative.... Orphanage.... Depart-
 ment of Public Welfare..... Relinquishment of
 Parental Control.....
 Legal Commitment..... Without.....

PETITIONERS

RELATIONSHIP TO CHILD..... None.....

MARRIAGE DATE..... Number of Years at Time of

Placement..... Adoption..... Remarks.....

.....

AGE OF ADOPTIVE MOTHER..... OF ADOPTIVE FATHER.....OF CHILD.....

AGE AT TIME OF PLACEMENT:

Of Adoptive Mother..... Of Adoptive Father.....Of Child.....

FORMAL EDUCATION:

Adoptive Mother

Adoptive Father

Grades 1 - 6

Junior High

Senior High

College

Special Training

OCCUPATION:

MENTAL STATUS:

Adoptive Father..... Adoptive Mother.....

Source of Findings.....

PHYSICAL STATUS:

Adoptive Father..... Adoptive Mother.....

Source of Findings.....

ECONOMIC STATUS:

Annual Income..... Home Owned..... Buying.....

Renting..... Other Assets.....

COMMUNITY STATUS.....

OTHER CHILDREN IN ADOPTIVE HOME..... Own..... Others.....

REMARKS.....

MOTIVE FOR ADOPTION

.....

.....

ANALYSIS OF RECOMMENDATION.....

APPROVAL.....

WITH RESERVATIONS.....

DISAPPROVAL.....

NEW BIRTH CERTIFICATE

Secured..... Not Secured.....

KNOWLEDGE OF PLACE OF ADOPTION
KNOWN TO OWN PARENT

.....

AGENCY KNOWING CANDIDATE FOR ADOPTION BEFORE PLACEMENT.....

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