

Sen. Nader Hashim, Chair
Sen. Robert Norris, Vice Chair
Senate Committee on Judiciary State House, Room 1
Montpelier, VT 05633

Re: Testimony in support of H.98, An Act relating to Confirmatory Adoption

March 31, 2025

Dear Chair Hashim, Vice Chair Norris, and Members of the Senate Committee on Judiciary,

My name is Jocelyn York, and I have lived in Vermont since 2012. I am writing to encourage you to please support the Confirmatory Adoption Bill H.98.

When our first child was born in my and my wife's home in 2017, I was the only person certain to be legally recognized as our child's parent. Though my wife and I had dreamed, planned, funded, and purchased a home for our family, though our daughter was literally born into my wife's arms, we knew that our family was vulnerable.

Our family was better off than most because my wife is a family law attorney in Vermont. Knowing that the best way to protect our daughter and our family was through adoption, we prepared to file for a second parent adoption, gathering all the paperwork and documentation we needed well before our daughter was even born. Despite the early preparation, we did not have the opportunity to move forward on this matter for another month after she was born while we waited for her birth certificate, which was required by the court. Even after we filed the paperwork, it took another several months before we were scheduled for a hearing. During those months, we had to fly across the country. I remember the fear and uncertainty I felt for my daughter and my wife as we traveled.

The second parent adoption process is important, but it is not a fit for parents who planfully bring a child into the world together. We had to fill out paperwork that didn't make sense, like when my wife had to describe how she obtained physical custody of our daughter. My wife had to be fingerprinted and submit to a criminal background check. We had to request a home visit waiver. Although our waiver was granted, it was not without strings. In lieu of a home visit, we had to seek letters of recommendation for my wife. We had to sit in front of a judge who had never met us and hope that this judge was satisfied with the extensive paperwork we had to gather. Even the judge seemed frustrated by having a whole hearing to determine that a child's existing parent is their parent. Who else would be her parent? He shared with us that he had seen an influx of second parent adoption decisions since 2016. He stated that he had "one issue" with our application, and that was that even though we sent in 30 recommendation letters from all over the world, he said that he "would have liked to see more local people attest to [my wife's] fitness to be a parent." We didn't understand this, and it seemed incongruent with what he was saying before. Still, it was embarrassing and stressful. Looking back, the whole process was not only cumbersome and invasive, it was humiliating.

We need a better process. No one should have to ask permission to be their own child's parent. No one should have to jump through hoops to adopt the child they planned for. Yet, because discrimination exists, we should have a way to protect our families with dignity. We should have a way to obtain an adoption order that is respectful of families and makes good use of a court's limited resources. That's what this bill does.

I urge you to see confirmatory adoption as essential to the well-being of Vermont children and families. Thank you.

Respectfully,
Jocelyn York