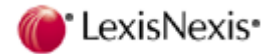


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## Legal News Headlines



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Virginia Lawyers Weekly

July 2, 2007

**SECTION:** NEWS

**LENGTH:** 516 words

**HEADLINE:** **Virginia enacts the Putative Father Registry**

**BYLINE:** Stanton Phillips

**BODY:**

Yesterday - July 1, 2007 - marked the beginning of a new era in Virginia adoption law. A new philosophical approach is embodied in the enactment of the Putative Father Registry. No longer will adoptive parents and adoption agencies have to chase the unmarried birth father and ask for his consent to adoption or notify him by an order of publication. The unmarried birth father is now responsible for coming forward and declaring his interest in the adoption proceeding.

Virginia joins about two-third of the states that have enacted some form of the Putative Father Registry. The Department of Social Services maintains a data basis where any unmarried father may register during the birth mother's pregnancy or up to 10 days after birth. If he registers, he will have the same rights as fathers of children born in wedlock, those that have established paternity through a court and those that have acknowledged paternity by a joint affidavit of the birth parents.

The Putative Father Registry protects the birth father who is interested in the child by providing him a centralized place he can register. No longer will he have to wait to receive notice to be able to assert his rights. He now has an available procedure in the event the birth mother lies or fails to disclose his identity or whereabouts.

To be listed on the Registry, the birth father completes a simple form that is available online or in a new brochure that even includes a return envelope.

The Department of Social Services will be conducting an awareness campaign to publicize the Registry. Information will be available at many malls throughout the state.

One unique feature of Virginia's Registry is that if the man's identity is reasonably ascertainable, then written notice must be sent to his last known address informing him of an adoption plan and the availability of registration. The legislative intent of this provision was not to have to use extensive efforts to track him down but rather to assist in publicizing the availability of the registry to a potentially interest party.

The Putative Father Registry, sponsored under the patronage of Sen. Jay O'Brien, R-Clifton, is found at Virginia Code Sect. 63.2-1249 et seq. and was enacted in 2006 with a delayed effective date and is unchanged since the publication of the 2006 cumulative supplement. The 2007 legislative changes tweaked language related to the Registry found elsewhere in the adoption chapter. The filing fee for all adoption cases except certain international adoptions and re-adoptions has increased \$50.00 to

\$84.00 to fund the Registry.

The Web site run by the Virginia Department of Social Services is <http://VAPutativeFather.com>. Email for the Registry is PutativeFather@dss.virginia.gov The telephone number is 1-877-IF-DADDY.

Stanton Phillips is an adoption attorney in Tysons Corner who has handled over 2,500 adoptions. He serves as the chair of the Congressional Coalition on Adoption Institute's Advisory Council. He assisted the Virginia General Assembly in drafting the 2006 and 2007 adoption statutes, including the Putative Father Registry.

**LOAD-DATE:** July 3, 2007

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