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DIRECTOR

THE COMMONWEALTH OF MASSACHUSETTS
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September 15, 2021

The Honorable Michael J. Finn
House Chair, Joint Committee on Children, Families and Persons with Disabilities
Massachusetts State House
Boston, Massachusetts 02135

The Honorable Adam Gomez
Senate Chair, Joint Committee on Children, Families and Persons with Disabilities
Massachusetts State House
Boston, Massachusetts 02135

RE: H.243/S.123, An Act expanding access to adoption

Dear Chair Finn, Chair Gomez, and Members of the Committee:

As the Director of the Office of the Child Advocate (OCA), I appreciate the opportunity to submit testimony today in support of H.243/S.123, *An Act expanding access to adoption*. The OCA's mission is to ensure that the Commonwealth's children receive timely, appropriate, and quality services from the state agencies that serve them. With the office's mission in mind, I respectfully request the favorable release of H.243/S.123 from the Joint Committee on Children, Families and Persons with Disabilities.

This legislation would enact a simple procedural fix to allow a child to be adopted by any appropriate kin, when it is in the child's best interest. Currently, an antiquated law prevents children from being adopted by a sibling, nephew, or niece. Those family members are only able to obtain guardianship over the child, which is not a permanent legal option. Passage of H.243/S.123 will increase opportunities to achieve permanency for many of the Commonwealth's most vulnerable children.

Today in the Commonwealth, there are approximately 2,800 children in foster care with a goal of adoption.¹ Sadly, many of them will move from foster care placement to foster care placement and never end up being adopted. Updating the law to allow for all family

¹ *Who are the children?* Massachusetts Adoption Resource Exchange. (n.d.). Retrieved from <https://www.mareinc.org/page/who-are-the-children>

members to adopt will give these children an increased opportunity for a permanent stability and safety through kinship adoption. The pre-existing relationship between a relative caregiver and a child is one of the many factors that can make kinship care a positive experience for vulnerable children. Kinship caregivers know the child's history and unique needs, which can lessen the trauma of being separated from one's parent. Maintaining familial ties and cultural traditions can also be reassuring for the child, even if the child and the relative caregiver are just getting to know each other. The Commonwealth is overdue to seize on the opportunity to increase legal permanency for children by passing H.243/S.123.

Thank you for your consideration of this legislation. Please do not hesitate to contact me should you have any questions about the OCA's perspective on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria Mossaides", followed by a long horizontal line extending to the right.

Maria Mossaides
Director, Office of the Child Advocate

CC: Representative Jack Lewis
Senator Joan Lovely

