

Clear Up the Confusion in the Adoption Law

The state's highest court made a sensible recommendation as well as a good decision last week in ruling that 2-year-old "Sarah K" belonged with her adoptive parents, the only ones she has ever known.

The Court of Appeals unanimously rejected the contention of the natural parents that a 1972 amendment to New York's adoption laws deprived them of due process when they changed their minds about surrendering the infant and tried to regain custody four months after she was born.

But the court also urged the State Legislature to head off future court challenges by clarifying the statute. A lower court whose ruling was overturned by the Court of Appeals had also found the law flawed and had similarly urged a legislative review.

The question is when the clock starts ticking on a 30-day waiting period during which natural parents can petition the courts to halt an adoption. The Court of Appeals didn't specifically resolve that issue, although it accepted the adoptive parents' argument that the natural parents were too late when they tried to have the adoption revoked 110 days after they first surrendered the child.

Aaron Britvan, the attorney who represented the adoptive parents, believes the 30-day period should start when the initial adoption papers are signed. He thinks the papers themselves should make this clear and should give notice to natural parents that even if they change their minds before the deadline, their request to regain custo-

dy of their natural child must be approved by a judge.

State Sens. Dean Skelos (R-Rockville Centre) and Michael Tully (R-Roslyn Heights) agree in principle with Britvan, and they're working with State Sen. Mary Goodhue (R-Westchester), chairman of the Senate Child Care Committee, on a bill that would implement these seemingly minor changes.

If that's all it takes in the way of legislation to prevent struggles similar to the two-year tug-of-war between Sarah K's adoptive and natural parents, the senators ought to have no trouble finding an Assembly sponsor for their bill. And when they do, both houses of the Legislature should speedily approve the changes.