

# Catholic Family Center Notes Concern Over Adoption Case

While not judging the decision itself, the head of Catholic Charities in the diocese, Father William Charbonneau, declared the Court of Appeals ruling in the DeMartino adoption case "can have unfortunate effects" for adoptive parents who have not finalized adoptions.

The court ruled last week that the adoptive parents of a small girl must return the child to her natural mother, Mr. and Mrs. Nicholas DeMartino had had the child for nearly a year.

This decision demonstrates the necessity of making the surrender more binding on the natural mother, said Father Charbonneau. However, he said, the ruling merely makes it more important that all adoption agencies be aware of the present ruling and laws concerning adoption.

New York State law requires that six months elapse after a child is placed before the adoption can be legalized. In the DeMartino case, the final papers had never gone to court.

The child known as "Baby Lenore" was born May 18, 1970, to Olga Scarpetta, a native of Colombia who had come to New

York City for the birth. Four days after her birth the child was placed with an adoption agency and on June 18 was placed with the DeMartinos.

On June 23, Miss Scarpetta changed her mind, requested the child be returned. The agency opposed this, and Miss Scarpetta went to court.

The court ruled that "the surrender was improvident and the child's interests — moral and temporal — will best be served by its return to its natural mother."

Father Charbonneau expressed concern for other adoptive parents who have not finalized adoptions.

"It has been the common practice of all adoption agencies to look upon the surrender of the child on the part of the natural mother as the legal document terminating all natural rights on the part of the mother," he stated.

"With this decision," he continued, "it can be assumed that the courts do not necessarily look upon the surrender on the part of the natural mother as a final document."

He said that adoption agencies are presently supporting a bill (Pisani 4225B) which would make surrender final after a 30-day period during which the natural mother could obtain counsel relative to revocation of the surrender.

"At the end of the 30-day period, if there was no action on the part of the mother, the surrender would become final and could be attacked only if the mother could prove fraud or deceit."

He stressed that the Catholic Family Center has always made "every effort to protect the rights of all involved."

"The surrender is never taken from the natural mother

until the agency, through its caseworker, feels that she is ready," he said. "If there is any doubt or hesitation... the agency would continue to work with the mother until she was either ready to surrender the child or make another plan."

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## CYO Census Being Taken

The first comprehensive survey of figures on the number of Catholic youth and senior citizens in Monroe County and the parish facilities which are available for their use is being made by the diocesan Catholic Youth Organization.

Every pastor in the county is being asked to answer a 5-page questionnaire on parish programs now serving young and old in spiritual, social, cultural, educational and athletic fields.

Data received will be used by the CYO to plan ahead for the programs expected to be needed in the 70s, according to Paul B. Schmidt, executive director of CYO.

Pastors are being requested to list indoor and outdoor recreational facilities owned or available to the parish for its youth. Statistics on the number of gyms, social centers, athletic fields and open sports areas will be computerized as well as data on available vacant land owned by the parishes which might have future value to youth or senior citizen programs.

The CYO wants to find out parochial opinion, Schmidt said, on the "need for an active CYO program in individual parishes" and get suggestions on how the parish senior citizens might be served by new programs.

The CYO is prepared to provide full or part-time professional activities coordinators for youth and for senior citizens, if the parishes will hire them, Schmidt said.

## Mothers' Circles Workshop Set

"The Family in the Modern World" will be the topic at a Mothers' Circle workshop at St. Margaret Mary school, at 2 p.m. Sunday, April 18.

Father Gerald Appelby, chaplain at Rochester Institute of Technology and diocesan director of the campus ministry, will be the speaker. St. Margaret Mary mothers have invited women from St. Andrew's, St. Michael's, St. Stanislaus, Holy Redeemer and Our Lady of Perpetual Help.

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