



State of Connecticut
Probate Court - District of Redding

RICHARD L. EMERSON, JUDGE
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March 28, 2007

The Honorable Andrew J. McDonald
The Honorable Michael P. Lawlor
Room 2500
Legislative Office Building
Hartford, CT 06106

RE: Raised Bill No. 1437

Dear Senator McDonald and Representative Lawlor:

I am writing to you in support of Raised Bill No. 1437. Approval of this Bill will allow probate courts to determine the correct biological age and date of birth for individuals adopted in foreign jurisdictions. It has come to my attention that certain foreign countries assign later birth dates to prospective adoptees in order to make them more attractive to potential adopting families. Younger children are more likely to be adopted. The Bill would require the probate court to make that determination based upon medical and other evidence relevant to a determination of the biological age and date of birth of the adopted person. I believe that the standard of evidence provided in this Bill will be sufficient to provide an appropriate standard for determining the correct age of foreign adopted persons.

I recently received an application in my court where it appears that the chronological age of the adopted person is greater than the age shown on the foreign adoption documents. Under current law, probate courts are unable to modify the age of the adopted person. I believe it is appropriate for probate courts to modify the age of the adopted person where medical evidence supports that conclusion.

This inability to modify the age of an adopted person may result in a number of potential problems. For example, the child may not receive appropriate educational evaluations where the actual age is greater than the age shown on the adoption

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documents. Educational achievements for a twelve (12) year old child are not the same as for a ten (10) year old child and appropriate modifications to educational programs would be delayed where a school system believes the child is only ten (10) years old. In addition, the child would be grouped with younger children socially and educationally and may not qualify for educational opportunities that are restricted to older children.

Lastly, the child may receive inappropriate medical examinations and diagnosis and insurance companies may disallow appropriate medical testing and procedures which would be allowed where the age of the child was appropriately established.

I very much appreciate your consideration of this amendment to Section 7-54 of the Connecticut General Statutes and urge you to act favorably on this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Emerson", with a large, sweeping flourish extending to the right.

Richard L. Emerson

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