

When a child is born into this world each mother might be experiencing something too special to conceive since she is giving a birth to a new little creature – a part and parcel of hers. These ineffable feelings are adjacent with some sort of magic, something which is too intimate and innermost and at the same time shared with the world. Still, notwithstanding the irrefutable act of grand mission which the child bearing may be attributed to, unfortunately far not all women are endowed with such power. So, what is left up to them? Certainly, there is always a way out – adopting a child, quite a common and worldwide practice after all. But with this connection many other questions arise such as What are the risks, What is the procedure like, What rights do birth parents have? Indeed, the issue of adoption is fraught with many thorny aspects one of which being a birth mom changing her mind. Apprehension, anguish, excitement, abashment – a complete whirl of feelings and emotions! Really, it's significant the adoption participants be well aware of all possible pros and cons of the matter, especially when the matter is a human being and his or her destiny.

Speaking on the issue of the very procedure of adoption it's worthwhile focusing on the most sticking point both sides may encounter – a birthmother's often unpredictable behavior. With the aim to better understand each situation and moreover the rights of a bearing mom it's quite to a point to get a closer insight into the issue itself. Thus, whether a woman who agreed to give her baby for adoption has the right to change her mind that is after all to keep it is due to consideration.

Generally, ambiguous nature of adoption practice is stipulated by the diverse legal regulations which vary from state to state. Mutual obligations of adoptees and birthparents and also the conditions determining the bond process are indicated and enumerated in corresponding laws. Apart from this, there are envisaged the circumstances under which the legal decision is to be put into force.

Thereby, before elucidating the points concerned with a birth mom's rights of revoking the consent it's important to make clear what the very notions stand for. Hence, adoption process presupposes that there has a consent been reached on the side of birthparents or an agency dealing with the adoption on behalf of the parents. So, the consent relates to the agree or relinquishment cases of placing a baby for adoption and takes two – the birth mother and father and their voluntary not impelled decision in favor of saying 'yes' to the adopting family. Actually it's only the mother who decides in or against giving a child for adoption. In many states the birthfather is supposed to claim his paternity to predict disregard of his opinion on adoption. Otherwise, as it is practiced in some states as well, the birthmother is in power to make decisions on her own.

To change one's mind, namely to revoke consent is possible and this right may differ depending on the state where the adoption is being in process. It may generally be supposed that the final decision i.e. consent can't acquire its legal status until the ending stage of adoption procedure and parents (or a parent – it may be just a mom if paternity was not legalized) have the right to 'withdraw'. Still, on the whole it is presupposed that under no other circumstances except fraud, compulsion or constraint at the moment the adoption papers are signed the consent becomes irrevocable. The law also contains some other conditions such as a fixed time space to decide on revocation which is in most states no more than 72 hours after the signatures have legitimized the documents. If there are some evidences that the revocation is better for the child or both parties of the adoption have arrived at such a conclusion then the agreement may be reconsidered even with the involvement of the court in favor of withdrawing the consent.

In addition, in cases when the questions of placing a child with a particular family or the time setting haven't reached their final point there may take place the revoking. Moreover, there can also be

some waiting period envisaged for birthparents to change their mind until the consent was not executed. Thus, the demand of some states for waiting period may comprise 10-15 days (the longest), 12-24 hours (the shortest), “only two States, Hawaii and Alabama, allow the birth mother the right to consent before the birth of her child”(Carrie Craft, About.com).

The rights of a birthmother to prevent the adoption documents from taking effect depend much on the birth father. In many states there exists so called ‘birthfather registries’ (Family education. Adoption: birthparent rights) which enable men who think they may have a baby but weren’t informed of to establish their paternity in the due process of law. However, there are also states where the notification procedure is obligatory – i.e. the birthfather must be clued-in that his child was born and register, thus he is authorized to object to a mom’s choice of child’s adoption placement. In cases (in some states) if the father was not abreast of his child even in years of time the adopting family may unexpectedly face the flinch-tacked situation when their adopted child may be given back to birthparents because the birthfather declared his rights neglected.

Another not the least of the factors concerned with and influencing the case of keeping a child after consent is bound with the ‘prebirth consent’ regulations which run in a number of states (Nevada Missouri, New Mexico, Oklahoma, Michigan New York, Oregon, North Carolina, North Dakota, North Carolina, Pennsylvania etc.). Such laws are not required everywhere in the US and generally are aimed at establishing birthfathers’ rights for preliminary decision in favor of child adoption placement before a baby is actually born. As usual the laws do not foresee consent revocation and if such happen to be, the time period is short.

Taking everything into consideration, when deciding on a birth mom’s right to keep a baby after she agreed on placement it is essential to take into account a number of factors such as whether the consent was signed or not, what the legal basis for revocation is (one of the circumstances envisaged by each state’s laws to govern the adoption process) or any other circumstances provided for by law.