

relinquishment and consent to adoption, normally she cannot withdraw that. But there's a specific provision in this bill, in Section 17, that says that in the event the biological father shows up and he tries to gain custody, that she has the right to revoke her previous relinquishment and consent. I am referring to the E & R bill...

SENATOR SCHIMEK: Oh, I see.

SENATOR MATZKE: ...at the bottom of page 10 and the top of page 11.

SENATOR SCHIMEK: ...11, um-huh.

SENATOR MATZKE: And I quote, the biological mother who has previously executed a valid relinquishment and consent to adoption of the child may revoke her previous relinquishment and consent of the child and seek custody of the child herself, for the sole and limited purpose of opposing the biological father's attempt to obtain custody. It's a very important point because she might have been perfectly willing to place the child up for adoption, but if the biological father shows up and starts contesting the adoption and he wants custody, then she has the right to revoke that consent and relinquishment and ask for custody herself. And that may occur.

SENATOR SCHIMEK: Okay, and that...and refresh my memory. It says at the hearing, and that would be how far down the line? This would be after...or this would be sometime during the original 30-day period or shortly thereafter?

SENATOR MATZKE: No, as you probably know, it has long been the law in Nebraska that no child can be adopted unless the child has been in the adoptive home for six months.

SENATOR SCHIMEK: Okay, so that's the hearing that we would be talking about.

SENATOR MATZKE: That's been part of the law for 70 or 80 years.

SENATOR SCHIMEK: Okay.

SENATOR MATZKE: And all of this would happen during that six month period.