

Fig. 1. Surrender.

#	State	Abbr.	Surrender
1	Alabama	AL	<p><b>Ala. Code § 26-10E-15</b> (surrender of custody of minor under age of majority); <b>Ala. Code § 26-10E-22(d)</b> (fees and charges affidavit by parents surrendering the adoptee for adoption); <b>Ala. Code § 26-25-1</b> (anonymous surrender of infant); <b>Ala. Code § 26-25-1.2</b> (emergency service provider to have place where individual can safely surrender an infant).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption.</p>
2	Alaska	AK	<p><b>Alaska Stat. Ann. § 11.81.500</b> (no prosecution for safe surrender of infant).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption.</p> <p><b>Common Law:</b> <u>See, Delgado v. Fawcett</u>, 515 P.2d 710, 716 (Alaska 1973) (Erwin, J., dissenting) (noting that "[t]he problem of consent arises because children were originally viewed as chattels and adoptions were viewed as contractual relationships between the natural parent... surrendering parental rights and duties, and the prospective adoptive parents assuming those rights and duties.").</p>
3	Arizona	AZ	<p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption.</p>
4	Arkansas	AR	<p><b>Ark. Code Ann. § 9-9-101</b> (statutory title - surrender of custody of minor to hospital or birthing center; relinquishment of parental rights); <b>Ark. Code Ann. § 9-34-202</b> (voluntary surrender of child - leaves child; relinquishes the child confidentially; not criminally liable for relinquishment, abandonment; termination not to be subsequently be used against parent); <b>Ark. Code Ann. § 9-34-203</b> (anonymous surrender); <b>Ark. Code Ann. § 28-65-221</b> (stand-by guardian does not require surrender of parental rights).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Ark. Code Ann. § 9-9-202 (Definitions).</p>
5	Colorado	CO	<p><b>Colo. Rev. Stat. Ann. § 13-21-107.5</b> (defining "emancipated minor" as a person under eighteen years of age whose parents have surrendered parental responsibilities or custody, the right of care); <b>§ 19-3-604</b> Criteria for termination - abused, neglected, abandoned, parental rights surrendered); <b>§ 19-4.5-111</b> (court order of parentage under surrogacy agreement - surrender of child to intended parent); <b>§ 19-4.5-114</b> (surrogacy agreement not a surrender of custody or TPR of child by donor in violation of the requirements of Title 19); <b>§ 25-2-113.5</b> (record access - adoption based upon termination of parental rights - after surrender of child); <b>§ 42-4-116</b> (restrictions for minor drivers--defining emancipated minor as &gt; 18 or parent or guardian surrendered parental responsibilities); <b>§ 42-4-1716</b> (notice to appear or pay fine - defining emancipated minor).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Colo. Rev. Stat. Ann. § 19-1-103 (Definitions)</p>
6	Connecticut	CT	<p><b>Conn. Stat. Ann. § 7-36</b> (defining foundling as a child of unknown parentage - infant voluntarily surrendered); <b>§ 10a-28</b> (defining emancipated person over 18 and parents who surrendered right to care, custody, earnings....); <b>§ 17a-58</b>. (physical custody of infant upon voluntary surrender by parent).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> and Conn. Gen. Stat. Ann. §§ 45a-707, 45a-743 (Definitions).</p>

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#	State	Abbr.	Surrender
7	Delaware	DE	<p><b>Ch. 8 - Uniform Parentage Act - Del. Code Ann. § 8- 807</b> (gestational carrier to provide for surrender of all resulting children); <b>Title 16, Ch. 9 Abuse of Children - § 907A</b> (abandonment of a baby is irresponsible act by parent - surrender is preferable).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Del. Code Ann. tit. 13, § 901 (Definitions) and § 1101 (Definitions - TPR).</p>
8	Georgia	GA	<p>Title 15, Ch. 11, <b>Ga. Code Ann. § 15-11-243.1</b>. (no summons required where PR terminated or voluntarily surrendered); <b>§ 15-11-243.3</b> (summons on biological father required absent surrender of all parental rights); <b>§ 15-11-262</b> (right and role of attorney in TPR); <b>§ 15-11-265</b> (consent judgment to TPR or surrender); <b>§ 15-11-280</b> (TPR petition, including copy of voluntary surrender); <b>§ 15-11-283</b> (service of summons on biological father before TPR hearing unless surrender PR); <b>§ 15-11-310</b> (statutory grounds for TPR include abandonment); <b>§ 15-11-321</b> (placement of child in TPR or surrender matters); <b>§ 15-11-322</b> (petition seeking adoption where PR-T or surrendered); Title 19 Adoption - <b>§ 19-8-1</b> (defining "legal father" as male who has not surrendered his legal rights to a child and "legal mother" as a female who is the biological or adoptive mother of the child and who has not surrendered her rights to the child); <b>§ 19-8-4</b> (surrender of rights to child); <b>§ 19-8</b> (surrender of rights to child to non-relative); <b>§ 19-8-6</b> (surrender of rights to child being placed for adoption to spouse of parent); <b>§ 19-8-7</b> (surrender of rights to child for adoption by extended family); <b>§ 19-8-9</b> (withdrawal of surrender of rights); <b>§ 19-8-10</b> (TPR not required when child abandoned or parental rights surrendered); <b>§ 19-8-11</b> (termination of rights of remaining parent after TPR, surrender, or abandonment); <b>§ 19-8-12</b> (notice to biological father who is not legal father after surrender or TPR); <b>§ 19-8-13</b> (petition to include copy of voluntary surrender or order of TPR); <b>§ 19-8-15</b> (objections by relative where parents deceased regardless of surrender or TPR); <b>§ 19-8-18</b> (judicial hearings on adoption - TPR or surrender); <b>§ 19-8-23</b> (defining biological parent as mother or father who surrendered or had their rights terminated); <b>§ 19-8-26</b> (form for the surrender or relinquishment of rights); Title 29 Guardian &amp; Ward - <b>§ 24-6-603</b> (define parent using surrender and terminated).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Ga. Code Ann. § 19-8-1 (Definitions).</p>
9	Idaho	ID	<p>Title 7, Ch. 16 <b>Gestational Agreement Act - Idaho Code Ann. § 7-1607</b> (child to be surrendered to the intended parent); <b>Title 16 Juvenile Proceedings, Ch. 15 Adoption - § 16-1504</b> (unmarried biological father who does not comply with the conditions of this section have waived and surrendered any right in relation to the child); <b>§ 16-1504</b> (registration of paternity or waived and surrendered right in relation to the child); <b>Title 39, Ch. 82 - Safe Haven Act - § 39-8206</b> (claim of parental rights to abandoned child before TPR if not waived or surrendered).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption.</p>

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#	State	Abbr.	Surrender
10	Kansas	KS	<p><b>Ch. 21 Crimes &amp; Punishments, Art. 56 Family Crimes</b> - Kan. Stat. Ann. § 21-5605 (no abandonment if child safe surrendered).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Kan. Stat. Ann. § 59-2112.</p>
11	Mississippi	MS	<p><b>Title 43, Public Welfare, Ch. 15 Child Welfare, Art. 5 Baby-drop off law</b> - Miss. Code Ann. § 43-15-201 (safe surrender of child, leave child for emergency medical services provider); § 43-15-207 ("<b>Surrender</b>" or "<b>Surrenders</b>" means the action of a parent in leaving an infant on the premises of an emergency medical services provider, with a facility employee or member of the professional medical community at the facility, or in a newborn safety device, without expressing an intention to return for the infant); § 43-15-211 (baby safety device with instructions to surrendering parent); <b>Title 93, Domestic Relations; Ch. 15 MS TPR Law - § 93-15-109</b> (to accomplish the surrender of child to DCPS); § 93-15-111 (voluntary release of parental rights for purposes of TPR court must acknowledge home to which the child has been surrendered); <b>Title 93, Domestic Relations, Ch. 17 Adoption - § 93-17-6</b> (petition for determination of rights - alleged fathers after mother surrendered child, TPR); § 93-17-8 (surrender of child for adoption is not evidence of abandonment).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> § 93-15-103 (Definitions) but is defined in terms of Baby-drop off law § 43-15-207.</p>
12	Nebraska	NE	<p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> Neb. Rev. Stat. Ann. § 43-101.01 (Terms, defined).</p>

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13	New Jersey	NJ	<p><b>Title 9. Children. Subtitle 1. Parental Relationship. Ch. 2. Care &amp; Custody. N.J. Stat. Ann. 9:2-13</b> (defining custody to include written surrender to an approved agency); <b>§ 9:2-14</b> (no surrender of custody of child valid unless made to an approved agency); <b>§ 9:2-15</b> (surrender or TPR of one parent does not affect the other); <b>§ 9:2-16</b> (voluntary surrender to approved agency); <b>§ 9:2-17</b> (<u>surrender</u> shall be such that person desires to relinquish custody of the child and acknowledge the TPR); <b>§ 9:2-18</b> (agency may seek TPR and the transfer of custody of such child to the agency); <b>§ 9:2-19</b> (surrender under certain circumstances parent shall have no further right to custody of the child); <b>Subtitle 2. Adoption, Ch. 3. Adoption. § 9:3-38(j).</b> (“Surrender” means a voluntary relinquishment of all parental rights by a birth parent, previous adoptive parent, or other person or agency authorized to exercise these rights by law, court order or otherwise, for purposes of allowing a child to be adopted); <b>§ 9:3-41</b> (surrender of child reqlinquishment of rights); <b>§ 9:3-41.1.</b> (surrender of child to agency - to conduct investigation); <b>§ 9:3-45 Notice of Complaint &amp; Hearing to Parent</b> (no notice required where valid surrender to approved agency; or TPR - court to conduct hearing the surrender is voluntary and that the birth parent knows (1) that the hearing is to surrender birth rights; (2) that the hearing is to permanently end the relationship and all contact between parent and child; (3) that such action is a relinquishment and termination of parental rights and consent on the part of the birth parent to the adoption; and (4) that no further notice of the adoption proceedings shall be provided to the birth parent if the surrender is accepted by the court. <b>§ 9:3-46</b> (guardian who meets time qualifications is entitled to notice of adoption proceedings and entitled to object); <b>§ 9:3-47</b> (complaint shall describe circumstances surrounding the surrender of the child); <b>§ 9:3-48</b> (adoption when child not received from approved agency must state facts and circumstances surrounding the surrender of custody by child's parents); <b>§ 9:17-65</b> (Gestational carrier agreement to provide for surrender of the child); <b>§ 9:17-68</b> (gestational carrier agreement NOT surrender or TPR in violation of Title 9); <b>§ 26:8-40.35</b> (safe haven children surrendered); <b>§ 30:4-49.2</b> (settlement of minor born in wedlock by surrender of custody); <b>§30:4C-2</b> (defining custody as "continuing responsibility" for the person of a child, established by a surrender &amp; release of custody or consent to adoption); <b>§ 30:4C-23 (voluntary surrenders, releases, or consents to DCCP - "irrevocable" except at the discretion of DCCP or order of court).</b></p> <p><b>Note:</b> The term "surrender" IS statutorily defined in the context of adoption. N.J.S. 9:3-38(j) (definition).</p>
14	South Carolina	SC	<p><b>Title 59. Education. Ch. 112. S.C. Code Ann. § 59-112-10</b> (defining emancipated minor to mean a minor whose parents have entirely surrendered the right to the care, custody and earnings of such minor and are no longer under any legal obligation to support or maintain such minor); <b>Title 63. SC Children's Code. Ch. 7. Child Protection. Art. 1. General. § 63-7-20.</b> Definitions. (defining abandonment as the willful desertion or <b>willful surrender</b> of physical possession of a child without adequate arrangements for the child's care; Legal Guardianship relationship between a child and caretaker intended to be permanent and transfers certain PR - does NOT TPR including right of inheritance).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See S.C. Code Ann. § 63-9-30 (definition).</u></p> <p><b>Common Law:</b> <u>Children's Bureau of S.C. v. Johnson</u>, 237 S.E.2d 893 (1977) (noting that the adoption statutes also provide for the use of a "<b>document of surrender</b>" in adoption proceedings, which authorizes an agency to take custody of the child and consent to his legal adoption in loco parentis).</p>

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#	State	Abbr.	Surrender
15	West Virginia	WV	<p><b>Ch. 48. Domestic Relations. Art. 22. Adoption. Part 1. Definitions W. Va. Code § 48-22-108</b> (defining consent as the voluntary surrender to an individual, not an agency, by a minor child's parent or guardian, for purposes of the child's adoption, of the rights of the parent or guardian with respect to the child, including the legal and physical custody of the child). <b>Ch. 49. Child Welfare - § 49-4-112</b> (legal guardianship may not require TPR or surrender of PR); <b>§ 49-4-206</b> (safe surrender of child).</p> <p><b>Note:</b> The term "surrender" is not statutorily defined in the context of adoption. <u>See</u> W. Va. Code Ann. §§ 48-22-101 to 48-22-117 (definitions).</p>
16	Wyoming	WY	<p>The term "surrender" is NOT explicitly used in the context of adoption in Wyoming.</p>

Fig. 2. Relinquish

#	State	Abbr.	Relinquish
1	Alabama	AL	<p><b>Ala. Code § 12-15-301(1)</b> (defining abandonment as the voluntary and intentional relinquishment of the custody of a child by a parent); <b>§ 26-10A-2(1), (10), (13) (repealed 01/01/24)</b> (defining abandonment as a voluntary and intentional relinquishment of the custody of a minor by a parent) (<b>defining relinquishment as giving up of the physical custody of a minor for purpose of placement for adoption to licensed child placing agency or the Dept. of Human Resources</b>); <b>§ 26-10E-2(1)(c)</b> (eff. 01/01/24) (defining abandonment as the voluntary and intentional relinquishment, without good cause or excuse, of the custody of a minor by a parent); <b>§ 26-10E-7 (a)</b> (consent to adoption or relinquishment for adoption); <b>§ 26-10E-8</b> (consent to adoption or relinquishment for adoption by a minor parent); <b>§ 26-10E-9</b> (consent to adoption or relinquishment for adoption - implied consent); <b>§ 26-10E-10</b> (consent to adoption or relinquishment for adoption - consent not required); <b>§ 26-10E-14</b> (express consent or relinquishment - withdrawal); <b>§ 26-10E-16(c)</b> (petition for adoption to include relinquishments); <b>§ 26-10E-17</b> (notice of pendency of adoption proceeding - relinquishment and termination); <b>§ 26-17-103</b> (surrogate permitted to relinquish all rights).</p> <p><b>Note:</b> The statute that defined relinquishment was repealed 01/01/24).</p>
2	Alaska	AK	<p><b>Alaska Stat. Ann. § 13.26.157 (West)</b> (guardianship after voluntary relinquishment); <b>Alaska Stat. Ann. § 25.23.050</b> (consent to and notice of adoption not required if parent relinquished the right to consent under AS25.23.180); <b>Alaska Stat. Ann. § 47.10.013</b> (discussing abandonment; leaving; and relinquishment of parental rights); <b>Alaska Stat. Ann. § 47.10.089</b> (voluntary relinquishment of parental rights and termination proceedings); <b>Alaska Stat. Ann. § 47.70.010</b> (interstate compact on the placement of children, relinquishment of parental rights).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption.</p>
3	Arizona	AZ	<p><b>Ariz. Rev. Stat. Ann. § 8-116.01</b> (failure to comply with agreement regarding communication not reason to set aside adoption decree or <b>relinquishment</b> of parental rights); <b>§ 8-533</b> (petition based upon termination, relinquishment, or abandonment); <b>§ 8-847</b> (review proceedings unless parental rights have been terminated or relinquished); <b>§ 25-218</b> (surrogacy and voluntary relinquishment of parental rights); <b>§ 25-503</b> (voluntary relinquishment of physical custody in support context); <b>§ 36-551.01</b> (services to children with developmental disability does not require relinquishment or restriction of parental rights).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption.</p> <p><b>Common Law:</b> <u>J.D.S. v. Superior Court In and For County of Maricopa</u> (App. Div.1 1994) 893 P.2d 749, vacated 1994 WL 718861, opinion issued 893 P.2d 732 (finding father's due process rights were violated in connection with attempted adoption of his child - never relinquished his parental rights).</p>
4	Arkansas	AR	<p><b>Ark. Code Ann. § 5-26-204</b> (unlawful solicitation for relinquishment of parental rights); <b>§ 9-9-101</b> (statutory title - surrender of custody of minor to hospital or birthing center; relinquishment of parental rights); <b>§ 9-9-206</b> (no fee permitted as consideration for the relinquishment of a minor); <b>§ 9-9-207</b> (persons as to who consent and notice not necessarily required if parent abandons child, relinquished rights, or had rights terminated); <b>§ 9-9-212</b> (relinquishment petition requirements); <b>§ 9-9-220 (relinquishment of parental rights</b> and termination of parental rights); <b>§ 9-14-105</b> (petition for support by Office of Child Support Enforcement where physical custody has been relinquished); <b>§ 9-14-210</b> (Arkansas real party in interest where physical custody of child has been relinquished); <b>§ 9-14-236</b> (recovering arrearages where custody relinquished); <b>§ 9-34-202</b> (voluntary surrender of child - leaves child; relinquishes the child confidentially; not criminally liable for relinquishment, abandonment; termination not to be subsequently be used against parent).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Ark. Code Ann. § 9-9-202 (Definitions).</p>

Fig. 2. Relinquish

#	State	Abbr.	Relinquish
5	Colorado	CO	<p><b>Colo. Rev. Stat. Ann. § 13-90-107</b> (Witnesses) (testimony without consent in proceeding for voluntary relinquishment of the parent-child relationship); Title 19 - Children's Code <b>§ 19-1-115</b> (guardianship - child out of home for greater than 90 days no termination or relinquishment of parental rights required); <b>§ 19-3-308</b> (action upon report of intrafamilial, institutional, or third-party abuse and petitions for relinquishment); <b>§ 19-3-612</b> (reinstatement of parent-child relationship after termination or voluntary relinquishment); <b>§ 19-5-100.2</b> (legislative declaration - parental relinquishment and adoption of children are important to facilitate permanent placement of minor children); <b>§ 19-5-101</b> (termination of the parent-child legal relationship - no parent shall relinquish the parent-child relationship except as provided for in this article); <b>§ 19-5-102</b> (Venue for purposes of relinquishment and termination proceedings); <b>§ 19-5-103</b> (relinquishment procedure); <b>§ 19-5-103.5</b> (expedited relinquishment procedure - parental rights to be terminated); <b>§ 19-5-103.7</b> (anticipated expedited relinquishment - contest termination of parental rights); <b>§ 19-5-104</b> (final order of relinquishment - may occur after relinquishment - which may be revoked under certain circumstances; or, after termination); <b>§ 19-5-105</b> (proceeding to terminate parent-child relationship after relinquishment); <b>§ 19-5-105.7</b> (termination of parent-child relationship after - sexual assault - no conviction; relinquishment by consent); <b>§ 19-5-108</b> (notice of relinquishment - required); <b>§ 19-5-109</b> (birth parent access to records - relinquishment); <b>§ 19-5-203</b> (availability for adoption - termination, voluntary relinquishment of the parent-child relationship, parent deceased; abandonment); <b>§ 19-5-205.5</b> (nonpublic agency interstate and foreign adoptions to look at termination and relinquishment documents); <b>§ 19-5-206</b> (Placement for purposes of adoption - relinquishment); <b>§ 19-5-207</b> (home study - child's desire to contact relinquishing parent; reason for termination of parental rights); <b>§ 19-5-207.3</b>. Placement of sibling groups - relinquishment); <b>§ 19-5-208</b> (Petition for adoption - termination - relinquishment); <b>§ 19-5-305</b> (access to adoption records after termination or relinquishment); <b>§ 19-5-305.5</b> (access to personal records relating to a former ward of the state home - termination, relinquishment, temporary waiver); <b>§ 22-20-114</b> (funding of student programs where parental rights terminated or relinquished); <b>§ 23-7-103</b> (college - presumption regarding emancipation - relinquishment of rights).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Colo. Rev. Stat. Ann. § 19-1-103 (Definitions) and § 19-5-203.5 (Confirmatory adoption - short title - definitions).</p>
6	Connecticut	CT	<p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Conn. Gen. Stat. Ann. §§ 45a-707, 45a-743 (Definitions).</p>
7	Delaware	DE	<p>Ch. 8 - Uniform Parentage Act - <b>Del. Code Ann. § 8-103</b> (authorizing agreement between a woman and another after relinquishing all rights as a parent); Title 13, Ch. 11 - TPR - <b>§ 1103</b> (grounds for TPR - relinquish parental rights - Consent, abandonment, conviction, delinquency, failure to plan (agency or private); prior involuntary TPR; abuse; unexplained serious injury or death to child); Title 31, Ch. 3 Child Welfare - Interstate Compact for the Placement of Children - <b>§ 381</b> Art. V. (appropriate consents or relinquishments).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Del. Code Ann. tit. 13, § 901 (Definitions) and § 1101 (Definitions - TPR).</p>
8	Georgia	GA	<p>Title 19, Ch. 2, <b>Ga. Code Ann. § 19-2-4</b> (relinquished custody); § 19-8-26 (form for the surrender or relinquishment of rights).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Ga. Code Ann. § 19-8-1 (Definitions).</p>
9	Idaho	ID	<p><b>Title 7, Ch. 11 Paternity - Idaho Code Ann. § 7-1126</b> (court shall not consider relinquishment of PR in determining best interest of child); <b>Title 16 Juvenile Proceedings, Ch. 15 Adoption - § 16-1505</b> (notice of proceedings unless PR terminated by waiver, relinquishment or previously terminated); <b>Title 16, Ch. 20 TPR - § 16-2005</b> (conditions for termination include abandonment); <b>Title 16, Ch. 24 Children's Mental Health Services - § 16-2402</b> (services do not require parents relinquish custody); <b>Title 56 Public Assistance &amp; Welfare, Ch. 2, Public Assistance Law - § 56-203</b> (State Dep't may take custody of children committed to district court where child legally relinquished); <b>Title 56 Public Assistance, Ch. 2, § 56-204A</b> (services to unmarried parents - counseling regarding relinquishment).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption.</p>

Fig. 2. Relinquish

#	State	Abbr.	Relinquish
10	Kansas	KS	<p><b>Ch. 38 Minors, Art. 22 KS Code for Care of Children - 38-2264</b> (permanency hearing circumstances relinquishment or TPR); <b>38-2268</b> (TPR &amp; voluntary relinquishment); <b>38-2271</b> (court to TPR upon finding of abandonment et. al.); <b>38-2403</b> (host family program - TPR, POA if rights not relinquished or terminated, POA not indicia of abandonment); <b>Ch. 59 Probate Code, Art. 21 - Adoption - § 59-2111</b> (Kansas adoption and relinquishment act); <b>59-2115</b> (consent or relinquishment to adoption). <b>59-2124</b> (relinquishment and effect upon termination of party's rights); <b>59-2128</b> (petition contents must cite knowledge of TPR proceedings &amp; facts to eliminating the necessity for relinquishment if neither obtained); <b>59-2136</b> (relinquishment &amp; adoption - TPR proceedings).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Kan. Stat. Ann. § 59-2112.</p> <p><b>Common Law:</b> <u>Int. of P.R.</u>, 48o P.3d 767, 776, (2021) (finding that one exception to termination following relinquishment of a child to an agency is when a parent relinquishes parental rights with the belief that the other will also relinquish or be found unfit and neither circumstance occurs. In that case relinquishment does not amount to a termination of parental rights).</p>
11	Mississippi	MS	<p>Title 93, Ch. 15 TPR Law. <b>Miss. Code Ann. § 93-15-103</b> ("Abandonment" means any conduct by the parent, whether consisting of a single incident or actions over an extended period of time, that evinces a settled purpose to <b>relinquish all parental claims</b> and responsibilities to the child).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> § 93-15-103 (Definitions).</p>
12	Nebraska	NE	<p><b>Ch. 43 Infants, Art. 1 Adoption Procedures - Neb. Rev. Stat. Ann. 43-101</b> (adult child eligible for adoption where parent relinquished the child for adoption or abandoned the child); <b>43-104</b> (consent to adoption not required where rights are relinquished, child abandoned; or TPR); <b>43-104.07</b> (foreign adoption must show parents TPR, abandoned, or relinquished their rights); <b>43-104.13</b> (born out of wedlock, father, relinquish and consent to adoption waiver of parental rights); <b>43-104.14</b>. (notice); <b>43-105</b> (substitute consent from third party okay when parent relinquished minor child for adoption); <b>43-106.01</b> (relinquishment shall be relieved of parental duties); <b>43-106.02</b> (ramifications of relinquishment explained to parent); <b>43-109</b> (no decree for adoption unless record contains confirmation of relinquishment); <b>43-143</b> (relinquishment or consent before 2002 parent permitted to file a notice of nonconsent - no release of information prior to death); <b>43-163</b> (guardian ad litem in relinquishment cases); <b>43-164</b> (failure to comply with order after relinquishment); <b>43-166</b> (communication agreement between relinquishing parent and adoptive parent(s)); <b>Art. 2, Juvenile Code - 43-247</b> (juvenile court to have jurisdiction over abandonment cases, TPR, and voluntary relinquishment); <b>43-906</b> (TPR, adoption, and relinquishment); <b>Art. 11, Interstate Compact for the Placement of Children - 43-1103</b> (placement upon receipt of appropriate relinquishments); <b>Art. 13, Foster Care</b> - (defining foster care placements to include placements for children voluntarily relinquished); <b>Title 15, Nebraska Indian Child Welfare Act - 43-1506</b> (procedure upon voluntary relinquishment or termination); <b>43-1512</b> - improper removal from custody, or retention, after voluntary relinquishment).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Neb. Rev. Stat. Ann. § 43-101.01 (Terms, defined).</p> <p><b>Common Law:</b> <u>In re Donald B.</u>, 933 N.W.2d 864, 873 (2019) (Under the adoption statutes, a voluntary relinquishment is effective when a parent executes a written instrument and DHHS or an agency, in writing, accepts responsibility for the child).</p>



Fig. 2. Relinquish

#	State	Abbr.	Relinquish
13	New Jersey	NJ	<p><b>Title 9. Children. Subtitle 1. Parental Relationship. Ch. 2. Care &amp; Custody. 9:2-15</b> (surrender or TPR of one parent does not affect the other); <b>9:2-16</b> (voluntary surrender to approved agency); <b>9:2-17</b> (surrender shall be such that person desires to <u>relinquish</u> custody of the child and acknowledge the TPR); <b>Ch. 3. Adoption. 9:3-41</b> (surrender of child relinquishment of rights); <b>9:3-45 Notice of Complaint &amp; Hearing to Parent</b> (no notice required where valid surrender to approved agency; or TPR - court to conduct hearing the surrender is voluntary and that the birth parent knows (1) that the hearing is to surrender birth rights; (2) that the hearing is to permanently end the relationship and all contact between parent and child; (3) that such action is a <b>relinquishment</b> and <b>termination of parental rights</b> and consent on the part of the birth parent to the adoption; and (4) that no further notice of the adoption proceedings shall be provided to the birth parent if the <b>surrender</b> is accepted by the court; <b>30:4C-15.7</b> (safe surrender Division to search children to ensure that the relinquished child has not been reported as missing).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> N.J. Stat. Ann. §§ 9:2-13 (definitions); 9:3-38 (definition).</p>
14	South Carolina	SC	<p><b>Title 59. Education. Ch. 63. Pupils. Art. 1 General. S.C. Code Ann. § 59-63-31</b> (providing for attendance at a school as a result of relinquishment by parent or guardian of complete control of the child as evidenced by failure to provide substantial financial support and parental guidance); <b>Title 63. Ch. 9. Adoptions, § 63-9-30(8) (defining "relinquishment" to mean the informed and voluntary release in writing of all parental rights with respect to a child by a parent to a child placing agency or to a person who facilitates the placement of a child for the purpose of adoption and to whom the parent has given the right to consent to the adoption of the child.); § 63-9-80</b> (biological medical history to be disclosed if provided at time of relinquishment); <b>§ 63-9-310</b> (persons who must give consent or relinquishment - unless deceased or TPR); <b>§ 63-9-320</b> (persons not required to give consent or relinquishment - person TPR); <b>§ 63-9-1360</b> (informational brochure relinquish child to DSS).</p> <p><b>Note:</b> The term "relinquishment" <b>IS</b> statutorily defined in the context of adoption. S.C. Code Ann. § 63-9-30 (definition).</p>
15	West Virginia	WV	<p><b>Ch. 16 Public Health, Art. 5 Vital Statistics - W. Va. Code § 16-5-16</b> (certificate of adoption to include information from non-relinquishing parent); <b>Art. 22, Adoption - § 48-22-102</b> (defining abandonment as relinquishment of all parental rights); <b>§ 48-22-115 (relinquishment defined as voluntary surrender of PR); § 48-22-302</b> (timing of relinquishment); <b>§ 48-22-303</b> (content of relinquishment including warning of TPR effects); <b>§ 48-22-304</b> (consent to relinquishment by minor); <b>§ 48-22-305</b> (revocation of relinquishment); <b>§ 48-22-501</b> (petition for adoption after consent or relinquishments obtained and rights of nonconsenting terminated); <b>§ 48-22-601</b> (grandparent to receive notice where deceased parent had not executed a consent or relinquishment to their parental rights); <b>Ch. 49. Child Welfare - § 49-4-114</b> (consent by agency after relinquishment or TPR petition); <b>§ 49-4-203</b> (Emergency petition for relinquishment); <b>§ 49-4-204</b> (no prosecution for relinquishment within 30 days from child's birth).</p> <p><b>Note:</b> The term "relinquish(ment)" <b>IS</b> statutorily defined in the context of adoption. <u>See</u> W. Va. Code Ann. § 48-22-115 (West).</p>

Fig. 2. Relinquish

#	State	Abbr.	Relinquish
16	Wyoming	WY	<p><b>Title 1. Ch. 22 Adoption - Wyo. Stat. Ann. § 1-22-109</b> (relinquishment and consent in petition by guardian if PR-T); <b>§ 1-22-201</b> (defining confidential intermediary as person able to inspect confidential relinquishment &amp; adoption records); <b>Title 14, Ch. 2, Art. 2 - Children, Parents, Rights &amp; Obligations - § 14-2-309</b> (grounds for termination - including abandonment, relinquishment); <b>§ 14-2-403</b> (parentage allows birthing agreement where woman relinquishes all rights as a parent when conceived by assisted reproduction); <b>Art. 7, Wyoming Indian Children Welfare Act - § 14-6-705</b> (voluntary TPR or relinquishment proceedings); <b>§ 14-6-711</b> (improper removal of Indian child or retained custody after temporary relinquishment); <b>Ch. 11, Safety for Newborn Child § 14-11-103</b> (providing a means to relinquish the child safely); <b>§ 14-11-103</b> (relinquishment of newborn child); § 14-11-106 (relinquishment is not a criminal act); <b>Title 20. Domestic Relations, Ch. 3, Dissolution of Marriage, Art. 2 Custody &amp; Visitation - § 20-2-201</b> (parental responsibility in divorce to relinquish care to the other parent); <b>Title 35, Ch. 1, Admin., Art. 4 Vital Records - § 35-1-401</b> (Gestational Agreement - carrier agrees to relinquish parental rights).</p> <p><b>Note:</b> The term "relinquish(ment)" is not statutorily defined in the context of adoption. <u>See</u> Wyo. Stat. Ann. § 1-22-101 (Definitions).</p>

Fig. 3. Transfer

#	State	Abbr.	Transfer
1	Alabama	AL	<p><b>Ala. Code § 12-15-315</b> (transfer of legal and physical custody to a relative after termination of parental rights).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
2	Alaska	AK	<p><b>Alaska Stat. Ann. § 47.10.084</b> (legal custody after termination of parental rights and residual rights after transfer of custody); <b>Alaska Stat. Ann. § 47.10.990</b> (defining custodian as "a natural person 18 years of age or older to who a parent has <b>transferred temporary physical care</b>, custody, and control of the child for a period of time..."); <b>§ 47.12.150</b> (legal custody of delinquent child where parental rights have been terminated or have been transferred).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
3	Arizona	AZ	<p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
4	Arkansas	AR	<p><b>Ark. Code Ann. § 9-9-702</b> (order transferring custody required before newborn placed with adoptive parents); <b>Ark. Code Ann. § 9-27-327</b> (adjudication hearing and transfer of custody); <b>Ark. Code Ann. § 9-27-332</b> (transfer of custody where family in need of services); <b>Ark. Code Ann. § 9-27-335</b> (order transferring custody in dependency-neglect cases).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
5	Colorado	CO	<p><b>Colo. Rev. Stat. Ann. § 13-3-113</b> (transfer of physical custody to from one parent to another using family friendly courts).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
6	Connecticut	CT	<p><b>Conn. Gen. Stat. Ann. § 45a-728b</b> (Discharge of newborn identified for adoption from hospital - physical transfer of custody to be arranged by hospital).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. <u>See</u> Conn. Gen. Stat. Ann. §§ 45a-707, 45a-743 (Definitions).</p>
7	Delaware	DE	<p><b>Del. Code Ann. tit. 13, § 728</b> (temporary transfer of custody where interference is found to have occurred); Title 13, Ch. 11 - Termination of Parental Rights - <b>§ 1105</b> (TPR petition may contain consent to transfer PR to organization until adoption is finalized); <b>§ 1106</b> (consent requirements TPR and transfer); <b>§ 1106A</b> (consent to terminate &amp; transfer); <b>§ 1106B</b> (revocation of consent to terminate &amp; transfer); <b>§ 1108</b> (order of termination &amp; transfer of parental rights); <b>§ 1109</b> (transfer of PR of deceased parents); <b>§ 1113</b> (effect of TPR &amp; transfer of PR); Title 31, Ch. 3 Children Welfare <b>§ 363</b> (Elizabeth W. Murphey School, Inc. in which child is placed or surrendered - Private Welfare Agencies).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. See Del. Code Ann. tit. 13, § 901 (Definitions).</p>

Fig. 3. Transfer

#	State	Abbr.	Transfer
8	Georgia	GA	<p><b>Title 15, Ch. 11, Ga. Code Ann. § 15-11-212</b> (transfer of <b>temporary</b> legal custody).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. See Ga. Code Ann. § 19-8-1 (Definitions).</p>
9	Idaho	ID	<p><b>Title 16, Juvenile Proceedings, Ch. 16 Child Protective Act, Idaho Code Ann. § 16-1602</b> (defining commit as the transfer of legal and physical custody); <b>Title 16, Ch. 24 Children's Mental Health Services - § 16-2406</b> (access to services do not require transfer of PR); <b>Title 20, Ch. 5, Juvenile Corrections Act § 20-511A</b> (services not condition upon transfer of custody or parental rights).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
10	Kansas	KS	<p><b>Note:</b> The term "transfer" is not used statutorily defined in the context of adoption.</p>
11	Mississippi	MS	<p>Ch. 31 Supporting &amp; Strengthening Families Act <b>Miss. Code Ann. § 93-31-3, 5</b> (POA cannot terminate parental rights of another nor does <b>transfer</b> constitute abandonment).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. See § 93-15-103 (Definitions).</p>
12	Nebraska	NE	<p>Art. 15, Nebraska Indian Child Welfare Act - <b>Neb. Rev. Stat. Ann. § 43-1503</b> (defining Indian custodian to mean any Indian person who has legal custody of an Indian child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of such child); <b>§ 43-1514</b> (transfer of the child to the jurisdiction of the appropriate Indian tribes); <b>§ 43-2929</b> (transfer of child for visitation - parenting plan); <b>Art. 29, Parenting Act - 43-2934</b> (manner of transfer of child for custody, parenting time, visitation, or other access).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. See Neb. Rev. Stat. Ann. § 43-101.01 (Terms, defined).</p>
13	New Jersey	NJ	<p><b>Title 3B Admin. of Estates. Ch. 12 Minors &amp; Incapacitated., Art. 7. Standby Guardian.</b> Ch. 12A. Kinship Legal Guardian. <b>3B:12A-1</b> (family caregivers unwilling to seek TPR, adoption is not feasible or likely, kinship legal guardianship is intended to be permanent and self-sustaining - <b>transfer to caregiver certain parental rights</b>, but retains the birth parents' rights to consent to adoption, obligation to pay child support, and parents's right to have some ongoing contact with the child); <b>3B:12A-4</b> (kinship legal guardian does not limit or terminate any rights or benefits derived from child's parents). <b>Subtitle 2. Adoption, Ch. 3. Adoption. 9:3-38g.</b> ("Placement for adoption" means the transfer of custody of a child to a person for the purpose of adoption by that person).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. See N.J. Stat. Ann. §§ 9:2-13 (definitions); 9:3-38 (definition).</p>

Fig. 3. Transfer

#	State	Abbr.	Transfer
14	South Carolina	SC	<p><b>Title 63. SC Children's Code. Ch. 7. Child Protection. Art. 1. General. S.C. Code Ann. § 63-7-20.</b> Definitions. (defining abandonment as the willful desertion or willful surrender of physical possession of a child without adequate arrangements for the child's care; Legal Guardianship relationship between a child and caretaker intended to be permanent and transfers certain PR - does NOT TPR including right of inheritance).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption. <u>See</u> S.C. Code Ann. § 63-9-30 (definition).</p>
15	West Virginia	WV	<p><b>W. Va. Code Ann. § 48-22-303</b> (content of consent or relinquishment - (5) If a consent, that the person executing the document is voluntarily and unequivocally consenting to the transfer of legal and physical custody to, and the adoption of the child by, an adoptive parent or parents whose name or names may, but need not be, specified; (6) If a relinquishment, that the person executing the relinquishment voluntarily consents to the permanent transfer of legal and physical custody of the child to the agency for the purposes of adoption).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>
16	Wyoming	WY	<p><b>Title 14, Ch. 3, Art. 4 Child Protection Act - Wyo. Stat. Ann. § 14-3-402</b> (defining "Deprivation of Custody" as the transfer of legal custody by the court from a parent or to another person, agency, organization or institution. <b>Ch. 6, Art. 2, Juvenile Justice Act - § 14-6-201</b> ("Deprivation of custody" defined to mean transfer of legal custody by the court from a parent to another person, agency, organization or institution); Art. 4, ChINS - <b>§ 14-6-402</b> ("Deprivation of custody" defined to mean transfer of legal custody by the court from a parent to another person, agency, organization or institution); <b>§ 14-6-429</b> (providing for the temporary transfer of custody if child is in need of assistance); <b>§ 14-6-433</b> (order transferring custody may be stayed by juvenile or supreme court); <b>Art. 7, Wyoming Indian Children Welfare Act - § 14-6-702</b> (defining child custody proceeding to include TPR &amp; "Indian custody" control may be transferred to another).</p> <p><b>Note:</b> The term "transfer" is not statutorily defined in the context of adoption.</p>