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**Applying the Multiple Constituents' Model and Social Justice Variables to
Determine the Constituents' Perception of the Virginia Putative Father Registry**

A dissertation submitted in partial fulfillment of the requirements for the requirement for Doctor of Philosophy in Public Policy and Administration at Virginia Commonwealth University.

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ABSTRACT

APPLYING THE MULTIPLE CONSTITUENTS' MODEL AND SOCIAL JUSTICE VARIABLES TO DETERMINE THE CONSTITUENTS' PERCEPTION OF THE VIRGINIA PUTATIVE FATHER REGISTRY

Tracey G. Jackson, Ph.D.

A dissertation submitted in partial fulfillment of the requirements for the requirement for Doctor of Philosophy in Public Policy and Administration at Virginia Commonwealth University.

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A putative father registry represents a legal option for unmarried males who wish to secure legal notice regarding an adoption proceeding for a child they may have fathered. Putative father registries must balance the interests of the putative father against those of the child, the birth mother, and the adoptive parents. This study utilized a framework adapted from the Multiple Constituency Model and used social justice, as indicated by distributive justice and procedural justice, to determine the perceptions among primary constituency groups of the Virginia Putative Father Registry.

This research utilized a mixed-methods approach to analyze qualitative data from focus groups in combination with quantitative results from an online survey. The results of the qualitative analysis revealed eight principal findings: First, nearly all putative fathers were unaware of the existence of putative father registry in general, or the Virginia Putative Father Registry in particular. Second, putative fathers were unaware that sex is legal notice in Virginia. Third, once aware of the concept of a putative father registry, the focus group males had positive opinions about putative father registries and the Virginia Putative Father Registry. Fourth, putative fathers preferred to receive notice through the mail regarding an alleged child. Fifth, putative fathers have a negative opinion of providing notice by posting it in newspapers. Sixth, promoting awareness of putative father registries needs to target male audiences and preferably have an interactive component. Seventh, putative fathers expressed strong positive feelings about knowing about a child they may have fathered being placed for adoption. Finally, single male participants in the focus groups were more convinced about the importance of a putative father registry in comparison to married male participants. Quantitative survey data indicated that putative fathers were perceived as the primary constituent group that would benefit the most from a putative father registry. The safeguard variable was significant as it relates to occupation, putative fathers and birth mothers. The study also found that survey respondents indicated that the general public was not aware of putative father registries, and this perception was borne out in focus group results.

GLOSSARY OF TERMS

Adoption triad: A term used to describe birth parents who place their children for adoption, adoptive parents who adopt children, and the adoptee who is adopted.

Constituency: A group of individuals holding similar preferences or interests (Connolly, Conlon, & Deutsch, 1980; Tsui, 1990).

Distributive justice: A component of organizational justice that refers to the ends achieved or the content of fairness (Tang & Sarsfield Baldwin, 1996); in other words, distributive justice represents the fairness of outcomes, decisions, or laws that yield fair outcomes (Thrasher, Besley, & Gonzalez, 2009).

Effectiveness: Whether a given alternative results in the achievement of a valued outcome of action (Dunn, 2004).

Efficiency: The amount of effort required to produce a given level of effectiveness (Dunn, 2004)

Home study: An inquiry made by a child-placing agency to determine the suitability of prospective adoptive parents. A home study is usually completed prior to the adoptive parents petitioning the circuit court for adoption.

Order of Publications- Section 8.01-317 of the Code of Virginia: A code that states the following: Except in condemnation actions, every order of publication shall give the abbreviated style of the suit, state briefly its object, and require the defendants, or unknown parties, against whom it is entered to appear and protect their interests on or before the date stated in the order which shall be no sooner than 50 days after entry of the order of publication. Such order of publication shall be published once each week for four successive weeks in such newspaper as the court may prescribe, or, if none be so

prescribed, as the clerk may direct, and shall be posted at the front door of the courthouse wherein the court is held; also, a copy of such order of publication shall be mailed to each of the defendants at the post office address given in the affidavit required by § [8.01-316](#). The clerk shall cause copies of the order to be so posted, mailed, and transmitted to the designated newspaper within 20 days after the entry of the order of publication. Upon completion of such publication, the clerk shall file a certificate in the papers of the case that the requirements of this section have been complied with; provided, the court may, in any case where deemed proper, dispense with such publication in a newspaper. The cost of such publication shall be paid by the petitioner or applicant (Code of Virginia).

Procedural justice: A component of organizational justice that refers to the means used to achieve the ends, how decisions are made, or the process of fairness (Tang & Sarsfield Baldwin, 1996). Procedural justice is also defined as the belief that authorities fairly and consistently apply rules in decision-making processes (Thrasher, Besley, & Gonzalez, 2009).

Putative Father: The alleged or possible father of a child born out of wedlock.

Report of Investigation: An inquiry order by a circuit court to determine the suitability of prospective adoptive parents to adopt.

Safeguard: A component of justice that refers to the consistent application of methods, mechanisms and processes used to provide a standard application across people to promote fairness (Greenberg, 1986).

CHAPTER 1: INTRODUCTION

Recent decades have witnessed a staggering rise in the number of children born to parents who are not married—or at least not married to each other. According to data collected from 2006 to 2010 by the National Center for Health Statistics, the percentage of first births to women living with a male partner jumped from 12% in 2002 to 22% for the period 2006 to 2010, which represents an 83% increase (Jayson, 2012). Moreover, these numbers are even more dramatic in African-American communities where nearly four in five first-born babies are the children of unwed parents. These changing family demographics have led policymakers to focus on the fathers of these children—particularly in light of the fact that the rights of unmarried fathers have traditionally taken a backseat to those of the birth mother.

Historically, a “putative father,” a term denoting a male who is the possible father of a child born outside of marriage, was not afforded many legal rights for his child (McKenna, 2004). However, over the years the United States Supreme Court has heard several cases (*Stanley v. Illinois*, 1972; *Caban v. Mohammed*, 1979; *Lehr v. Robertson*, 1983) that recognized some constitutionally-protected rights for men regarding their children born out of wedlock under the due process and equal protection clauses of the Fourteenth Amendment. Despite the significance of these landmark cases, the federal government has yet to pass legislation establishing a national putative father registry (Beck, 2007). In response, approximately 30 states have created putative father registries to address requirements of due process and equal protection for the rights of unwed fathers.

Putative Father Registry

A putative father registry represents a legal option for unmarried males who wish to secure parental rights for their children. Importantly, it allows an unmarried male who engaged in sexual relations with a woman to register with the state to establish and secure his right to notice and/or his opportunity to contest the adoption of a child he may have fathered (Helms & Spence, 2005; Nolan, 2005; Thompson, 1998). In other words, a putative father registry empowers a man who wants to be identified as the possible father of a child born out of wedlock to being notified regarding an adoption or termination of parental rights proceedings (Standlee, 2006).

In 1997, President Clinton signed the Adoption and Safe Families Act, which is a legislative decision that focuses on expediting the adoption process and therefore has implications for unmarried fathers. The creation of putative father registries allows alleged birth fathers the ability to preserve their rights regarding a child they may have fathered, including adoption decisions. Conversely, if a putative father does not register, he may forfeit any rights concerning any parental rights, including the birth mother's decision to put his alleged child up for adoption.

In 2006, Senator Mary Landrieu from Louisiana planned to introduce the "Protecting Rights of Unknowing Dads and Fostering Access To Help Encourage Responsibility (Proud Father) Act," 109th Cong. 2006 (S. 3803, 2006), which would have established a national putative father registry, but as noted above, no federal legislation has been enacted to coordinate state-by-state putative father registries, or protect putative fathers' rights in cases of interstate adoptions for men who may have registered in another state (Beck, 2007). Therefore, individual states must determine how to address due process rights about providing notice to these out-of-

state putative fathers. For example, in order to allow adoptive parents the right to a secure adoption, some state registries require a man either to assume parental responsibilities or to terminate his rights in a timely manner (Barton, 2003). For a putative father to register, many registries require the man to provide his name, address, social security number, date of birth, and if known, the mother's name and address, along with the child's name and date of birth or expected date of birth (Barton). As a result of registering, the putative father is provided notice of his termination of parental rights and/ or the onset of adoption proceedings (Barton).

In order to ensure that notice is received, the putative father is required to take proactive steps to secure his parental rights and due process. Many registries, for example, require meeting specific filing deadlines. In many states, a putative father may register during the pregnancy or within approximately 30 days of the child's birth (Barton, 2003). Other states set a more open-ended timeframe by requiring registration anytime prior to the voluntary relinquishment of the mother's rights or the filing of an adoption petition (Beck, 2007). Still, other states use a hybrid approach that allows the putative father to register prior to the child's birth, placement, or the commencement of any proceeding to terminate the birth mother's parental rights (Beck).

Putative father registries must balance the interests of the putative father against those of the child, the birth mother, and the adoptive parents—a process that is typically complex and sometimes confrontational. Barton (2003) reported that a state must provide maximum efficiency and minimum administration in addressing these issues, since the objective for any state government is to meet the needs of its constituents. However, most states continue to struggle to serve its various constituencies with fewer financial and human resources. Nonetheless, the federal government has required states to establish paternity for putative fathers in order for a state to be able to access federal financial assistance (Child Support

Enforcement Amendments, P.L. No. 98-378, 1984). Therefore, the process of establishing paternity is an important issue for all constituencies—but especially for the child.

Paternity Establishment

Title IV-D of the Social Security Act created the Child Support Enforcement (CSE) program, which is a cooperative undertaking by Federal, State, Tribal, and local entities. These entities work together with a variety of government organizations to locate parents, establish paternity, establish, modify, and enforce support orders, and collect and distribute child support payments (Child Support and Establishment of Paternity Title 42 U.S.C. § 652(a)(10) (Supp. V 1999)). One of the requirements associated with the CSE program is that states must establish a single unit whose mission is to collect child support and establish paternity for children on public assistance. Thus, paternity establishment is an important role of the organization. State and local Title IV-D agencies are required to establish the paternity of all children who are born out of wedlock and either receive public assistance benefits or have applied for Title IV-D services. Title IV-D also authorizes the use of Social Security records to locate parents and other methods to find non-custodial parents. In many cases, the non-custodial parent is the father.

Many states have established paternity registries, which facilitate a birth father's ability to legitimize his child or establish paternity. The Child Support Enforcement Amendments of 1984 allow each state to permit a paternity action at any time before a child's 18th birthday, (Child Support Enforcement Amendments, P.L. No. 98-378, 1984). A paternity registry usually requires the father to claim his intent to support and/or have a legally defined relationship with the child. In comparison, a putative father registry is primarily intended to provide a mechanism whereby a father can receive notice regarding an adoption plan or termination of parental rights. Thus, even though the law permits a father to establish paternity any time before the child is 18

years old, a putative father may only have days to establish his rights to contest the adoption of his child.

Historical and Contemporary Context for the Study

Child Welfare

Contemporary child welfare services in the U.S. have two overarching goals: to rescue children from abusive or neglectful families and to support and preserve families (Schene, 1998). Historically, the child welfare in the U.S. is modeled after the English Poor Law of 1601, which provided care for the impoverished; including indigent, abandoned, or orphaned children who were placed in almshouses, orphanages or essentially became indentured servants (Hill & Macan, 1996). In 1853, Charles Loring Brace formed the Children's Aid Society, and in 1877, the New York Society for Prevention of Cruelty to Children (SPCC) was organized (Schene, 1998). SPCCs operated in cities throughout the United States under the umbrella of the American Humane Association and is considered a forerunner to modern day child protective services (Schene). Eventually, the focus shifted to include public support for mothers in need via the Mothers' Aid Movement (Hill & Macan). One result of the Mothers' Aid Movement was the establishment of the Children's Bureau under President Theodore Roosevelt. Efforts to protect children eventually became the responsibility of government agencies that provided human services; in 1935 the child welfare movement was further bolstered by the passage of the Social Security Act of 1935 (Schene). This Act established the Aid to Dependent Children program that provides cash assistance to single mothers to care for their children. Thus, history of child welfare in this country has strong ties with supporting mothers. In contrast, there is very little historical evidence of similar support or services for fathers. An analogous history of support for mothers is evident in a review of adoption practices.

Adoption

The early history of adoption can be traced to ancient Babylonians, Assyrians, Greeks, and Romans (Leavy & Weinberg, 1979). In ancient societies, adoption essentially provided a male heir to childless couples (Leavy & Weinberg). Having a male child was also important because the male could perform religious rites and maintain the family line of inheritance (Leavy & Weinberg; Admanec & Pierce, 2000). Ancient Rome was a male-focused society and only men were legally allowed to adopt. It was not until 291 A.D. that women were permitted to adopt under special circumstances, such as the loss of a biological child (Admanec & Pierce). However, the focus on the male's role and influence in the adoption process continued throughout the early history of adoption. In 527-565 A.D. under the reign of the Byzantine emperor Justinian, the adoptive parents, the person to be adopted and the head of the birth family were required to formally appear before a magistrate in order for an adoption to be legally recongized (Admanec & Pierce). Even today, children placed for adoption need to have the rights of both parents terminated (Volume VII, Section III Chapter C) before they can join their new family.

By definition, adoption is a process to bring a person into a family into which he or she was not born. The adoption process is a formal legal process with far-reaching effects. Although adoption also includes the adoption of adults, the focus of this research is only on adoption practices as they relate to children. Mallon and Hess (2005) reported that there are more than 2 million adopted children in the United States. The 2000 Census documented that 2.5 percent of all children are connected to a family through adoption (U.S. Census Bureau, 2003). Nationwide, there are approximately 120,000 adoptions a year; in Virginia, 3537 adoptions occurred in 2005 (Virginia's Adoption Program, 2005). Although adoption affects many families

in the U.S., research in this area is still in its “toddler stage” (Mallon & Hess, 2005). In fact, the adoption process continues to be fine-tuned—including the process for identify and providing due process for a putative father faced with the possibility of relinquishing a child through adoption.

United States Adoption History

Most Western societies base their adoption laws on the original Roman code or Napoleonic code (Admanec & Pierce, 2000; Javier, Baden, Biafora, & Camacho-Gingerich, 2007). In contrast, English common law did not recognize adoption (Carp, 2002). Instead, the English laws of inheritance had a heavy emphasis on blood lines, making the introduction of an “outsider” a rare occurrence. Eventually, adoption laws and practice became codified in England in 1926 (Admanec & Pierce; Javier et al.). One aspect of English law that was incorporated into the statutes in this country was the concept of *paren patriae*, where the government acts as a parent (Admanec & Pierce).

The recent history of legal adoption in the U.S. began in the mid-19th century with the establishment of a legal relationship whereby children could be transferred to relatives and non-family members (Javier et. al, 2007). In 1846 in Mississippi and 1850 in Texas (Carp, 2002), adoption procedures featured a legal method for authenticating and making a public record of a private agreement of a transfer of a child (Leavy & Weinberg, 1979). The first statute that required judicial supervision was passed in Massachusetts in 1851 and for a number of important reasons is credited as the first modern adoption. First, a judicial review or court appearance was required in order to adopt a child (Admanec & Pierce, 2000; Leavy & Weinberg). Second, the law specified that adoptive parents were no different from birth parents in terms of their legal obligations. The adoptee was entitled to both parental support until the age of majority and

inheritance (Javier et al., 2007). Third, the Massachusetts statutes also required a written consent of the child's birth parents prior to adoption, as well as the consent of the child if the child was 14 years of age or older. Fourth, the law required the spouse of the person adopting to join the petition for adoption, after which the judge would determine the suitability of the adoptive parents; if found acceptable, the judge would then terminate the parental rights of the biological parents (Hollinger, 2002).

In 1891, a Michigan statute required an investigation of prospective adoptive parents (Admanec & Pierce, 2000), which is similar to a home study today. From that time until the mid-20s, many states passed statutes that required social investigations as a prerequisite in all adoptions or as required at the discretion of the judge (Leavy & Weinberg, 1979). Other developments that occurred during this period included the introduction of the concept of "best interest of the child" and that parental consent be informed and voluntary (Javier et. al, 2007). Additionally, if a child was born to a single mother, only her consent was needed for the adoption to be legalized (Javier et al.).

Adoption continued to evolve in the early 20th century with statutes that would address confidentiality of adoption information. Specifically, adoption records were closed to the general public, but open to the adoption parties. This practice was designed to protect the adopted child from the stigma of being "illegitimate," and protect the adoptive parents from the stigma of raising an illegitimate child or having the birth parents track them down later (Moe, 1998). As the practice of adoption and adoption laws developed, the individual birth parents, adoptive parents and the adoptee became distinct groups with distinct and often competing needs.

The adoption process involves three major groups known as the “adoption triad,” comprised of the birth parents, the adoptive parents, and the adoptee (Mallon & Hess, 2005). Many aspects of the adoption process continue to be regulated by the State government, including who may adopt, who may be adopted, the persons who must consent to the adoption, the notice of investigation and formal hearing of adoption, the legal effects of adoption, the procedures for appealing the adoption, and the confidential nature of the records in adoption (Carp, 2002). Adoption regulations are also subjected to the mandates of state legislatures (Moe, 1998). Each member of the adoption triad may be affected differently by these federal and state regulations—some of which can be traced back to the ancient Romans, when adoption laws were codified (Admanec & Pierce, 2000).

Legal Issues

Adoption practices are tied to various social, economic and political conditions. One important facet of adoption is the need to acquire parental consent. “Parental consent,” or addressing the parental rights of birth parents, is almost a uniform requirement for all adoption statutes (Adamec & Pierce, 2000). Consent is the most common method to achieve a voluntary termination of parental rights (Moe, 1998). Consent can be obtained by having a birth parent sign a permanent entrustment agreement that terminates all of the birth parents’ rights. The individual or individuals deemed necessary to consent to an adoption or sign over their parental rights varies from state to state. In Virginia, if a child to be adopted is 14 years of age or older, his consent is required (Section 63.2-1202, Code of Virginia). Until the early 1970s, when a child was born to an unmarried women, only the mother—who was considered to be the child’s sole legal parent—was required to legally consent to an adoption. Most state statutes excluded unmarried fathers from the category of individuals who needed to consent to the adoption of a

child (Javier et al., 2007). In other words, biological, unwed fathers (putative fathers) had no recognized role in the adoption process at that time.

The rights of a birth father to consent to his child's adoption either have been not clearly articulated in state statutes or have been expressed negatively (Javier et. al, 2007). Mason (1995) stated that "birth fathers are the least represented, least considered and least heard of in adoption literature, conferences and advocacy efforts" (p. 330). As evidence of this assertion, in many states putative fathers still do not have a presumptive right to consent to or to veto an adoption. To address some of the injustices that putative fathers face, many states have established putative father registries. In some states, by establishing paternity following the child's birth, the putative father now has a constitutional right to consent to or to veto an adoption (Beck, 2007). The court may also find that the consent of a birth parent or agency is required but is being withheld or is unobtainable (Section 63.2-1203, Code of Virginia). In such cases in Virginia, the court may grant a petition for adoption without the required consent under the following circumstances: (1) 15 days after personal service of a notice of petition on the party or parties whose consent is sought; (2) if personal service is unobtainable 10 days after the completion of the execution of an order of publication against the party or parties whose consent is required; (3) if a birth parent is deceased, upon the filing of a death certificate for a deceased birth parent with the court; or (4) if the judge certifies on record that the identity of any person whose consent is required is not reasonably ascertainable (Section 63.2-1203 Code of Virginia). The birth mother may also provide an affidavit that the birth father is unknown, but the petitioner is still required to check the Virginia Putative Father Registry to show evidence that no putative father registered as the possible father of the child (Volume VII, Section III Chapter C).

Termination of Parental Rights

The rights of birth parents can be terminated by signing an entrustment agreement (Section 63.2-1222 Code of Virginia) or by petitioning the court for relief of custody (Section 16.1-278.3 Code of Virginia). However, up until July 2007, in Virginia, if a putative father was unknown or not reasonably identifiable, a petitioner for adoption or termination of parental rights proceedings used a method of posting notices in newspapers, known as “Orders of Publication,” to locate and identify a birth father (Volume VII, Section III Chapter C). A legal father (a man married to the mother) is presumed to be the parent, his consent to adoption is required; thus, he has to be given notice of the adoption proceedings or termination of parental rights (Section 63.2-1202, Code of Virginia). As of July 2007 with the implementation of the Virginia Putative Father Registry (subsequently referred to as the VPF Registry, or the Registry), a putative father who takes no action to preserve his rights can forfeit his right to notice in an adoption or termination of parental rights proceedings (Section 63.2-1249 et seq, Code of Virginia). Under the law, a petitioner of an adoption or termination proceedings would be required to search the Virginia Putative Father Registry (Section 63.2-1252, Code of Virginia). If a match of the search request were found for a registrant, the requestor would have to notify the putative father of his right to notice regarding the proceeding (Volume VII, Section III Chapter C).

Involuntary Termination of Parental Rights

In *Santoski v. Kramer*, 455 U.S. 745 (1982), the U.S. Supreme Court held that birth parents have a fundamental interest in the care, custody, management, and control of their children. However, this right is not an absolute in all cases, as indicated by the following caveat:

Before a State may sever completely and irrevocably the rights of parents in their natural child, due process requires that, the State supports its allegations by at least clear and

convincing evidence. A 'clear and convincing evidence' standard adequately conveys to the fact finder the level of subjective certainty about the factual conclusions necessary to satisfy due process (*Santoski v. Kramer*, 455 U.S. 745 (1982)). Determination of the precise burden equal to or greater than that standard is a matter of state law properly left to state legislatures and state courts (*Santoski v. Kramer*, 455 U.S. 745, 1982).

The due process clause of the United States Constitution requires that severance of a parent's rights be supported by clear and convincing evidence. Therefore, the state must prove the parents are not fit to raise their children.

The U.S. Supreme Court further clarified the issue of due process in 1989 with *DeShaney v. Winnebago County Department of Social Services* (*DeShaney v. Winnebago County Department of Social Services*, 1989). In this case, a father was awarded custody of Joshua DeShaney, his son. Subsequently, the father was reported several times for abusing Joshua. The Winnebago County Department of Social Services did not remove the child from the custody of the father and Joshua's mother filed suit against Winnebago County Department of Social Services for failing to protect the due process rights of Joshua. The U.S. Supreme Court held that the Due Process Clause does not confer affirmative right to government aid even when the aid may be needed to secure life, liberty, or property interests. The court further concluded that a State's failure to protect an individual against private violence does not constitute a violation of due process (Crosby-Currie, & Reppucci, 1999).

Generally, state statutes view involuntary termination of parental rights as an act of last resort (Javier et al., 2007). Statutes normally require that efforts be made to preserve the family relationship unless parental rights have been terminated. In Virginia, any foster care plans must address transfer of custody for the child to his prior family before other options can be

considered (Section 63.2-906, Code of Virginia). Although such efforts vary from state to state, they must be reasonable and diligent, but not unreasonable. In Virginia, the grounds for termination of parental rights when a child is in the custody of an agency are as follows:

(i) the residual parental rights of the parent regarding a sibling of the child have previously been involuntarily terminated; (ii) the parent has been convicted of an offense under the laws of this Commonwealth or a substantially similar law of any other state, the United States or any foreign jurisdiction that constitutes murder or voluntary manslaughter, or a felony attempt, conspiracy or solicitation to commit any such offense, if the victim of the offense was a child of the parent, a child with whom the parent resided at the time such offense occurred or the other parent of the child; (iii) the parent has been convicted of an offense under the laws of this Commonwealth or a substantially similar law of any other state, the United States or any foreign jurisdiction that constitutes felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury or felony sexual assault, if the victim of the offense was a child of the parent or a child with whom the parent resided at the time of such offense; or (iv) the parent has subjected any child to aggravated circumstances. (Section 16.1-283, Code of Virginia)

In essence, the state is required to provide clear and convincing evidence that a parent is unfit to parent before the state can terminate parental rights. However, if a putative father does not register with the Virginia Putative Father Registry, his rights may be stripped away (Section 16.1-277.01, Code of Virginia). Section 16.1-277.01 specifically provides that “Failure to register with the Putative Father registry pursuant to Article 7 (§ 63.2-1249 et seq.) of Chapter 12 of Title 63.2 shall be evidence that the identity of the father is not reasonably ascertainable.” The

section further states that the remaining parent's parental rights may be terminated if the court finds clear and convincing evidence, that it is in the best interest of the child, and the identity of the parent cannot be reasonably ascertainable (Section 16.1-277.01, Code of Virginia).

Requirement for Investigations

In 1891, Michigan enacted the first statute requiring judicial investigation into a prospective adoptive home prior to the final approval of an adoption. By the 1930s, most statutes and courts required investigation of the adoptive home, which ranged from somewhat cursory to quite involved. Today, virtually every state requires some form of investigation into the suitability or fitness of the individuals seeking to adopt (Adamec & Pierce, 2000). The investigation usually involves a report referred to as a "home study." Generally, home studies are conducted prior to the placement of the child with a family; however, it can follow the placement but must be approved before the adoption is finalized. In Virginia, a home study is usually required prior to a child being placed in a prospective adoptive home. A Report of Investigation is required for many adoptions after the child is placed in the prospective adoptive home and before the circuit court will enter a final order of adoption.

The Report of Investigation makes inquiries into some basic, but essential, information:

- (i) whether the petitioner is financially able, morally suitable, in satisfactory physical and mental health and a proper person to care for and to train the child;
- (ii) what the physical and mental condition of the child is;
- (iii) why the parents, if living, desire to be relieved of the responsibility for the custody, care, and maintenance of their child, and what their attitude is toward the proposed adoption;
- (iv) whether the parents have abandoned the child or are morally unfit to have custody over him or her;
- (v) the circumstances under which the child came to live, and is living, in the physical custody of the petitioner;
- (vi) whether the child is a suitable child for

adoption by the petitioner; (vii) what fees have been paid by the petitioners or on their behalf to persons or agencies that have assisted them in obtaining the child; and (viii) what relevant physical and mental history information about the birth parents is available, resulting in a statement by the child-placing agency or local department of social services director that all reasonably ascertainable background, medical, and psychological records of the child have been provided to the prospective adoptive parent(s) (Section 63.2-1208, Code of Virginia).

After consideration of the Report of Investigation or other information before the court, the court may enter a final order of adoption. The effect of a final order of adoption is that the adopted person is the legal child of an adopting parent; as such, the adopting parent shall be entitled to testify in all cases civil and criminal, as if the adopted child was born of the adopting parent in lawful wedlock (Section 63.2-1215, Code of Virginia). The final order of adoption completely severs any parental rights that were not already terminated. The termination of rights also applies to relatives of the individual whose rights are terminated. The final order of adoption cannot come under attack for any reason six months after it is entered, barring that no appeal of the adoption is being pursued. Reasons such as fraud, duress, failure to give any required notice, failure of any procedural requirement, or lack of jurisdiction over any person, and such order would not invalidate the adoption.

Statement of Problem

A state is required to protect the constitutional rights of its citizens from birth to death. In the case of a child born to unmarried parents who may be eligible for adoption, a state must establish whether the putative father has been afforded his legal rights, while at the same time addressing the interests of the birth mother, the prospective adoptive parents, adoption social service workers, adoption attorneys, and public administrators. Unfortunately, data are not

available as to whether putative father registries meet their intended purposes or, equally important, if they are perceived as fair and just to its constituency groups. Putative father registries are controversial for the following reasons: (1) it is unclear which constituency group or groups the registry serves well; (2) does the registry protect each constituency group equally or does it favor the interests of one over the others? (Dougherty, 2007; Fisher, 2008; Reed, 2007; Sacks, 2007); and (3) can justice (procedural or distributive justice) really be achieved through a putative father registry? The current literature does not provide data as to whether putative father registries are efficient, effective, or sufficient to meet the legislative intent of their creation. Therefore, it was important to analyze the policy implications of the Virginia Putative Father Registry and to determine variations in its ability to deliver justice equally to each of its constituency groups, as well as how those groups perceived it. This study, therefore, filled a gap in the literature by providing a deeper understanding of the impact of the Registry on constituent groups.

Research Question

The following question helped to frame and guides this study:

Do individual constituency groups have differing perceptions of social justice regarding the Virginia Putative Father Registry?

Studying the effectiveness (or lack thereof) of the Virginia Putative Father Registry can provide greater clarity for policymakers responsible for balancing the interests of the various groups they are charged to serve. Putative father registries can be vital for men who have yet to establish paternity or a legal status as a father. Currently, more than half of U.S. states have a form of putative father registry. Increasing our understanding of putative father registries, their connections to child welfare workers, and to adoption processes and stakeholders is warranted.

Therefore, this study is expected to be useful in enhancing our understanding of the role of putative father registries and their contributions to child welfare services and adoption processes.

Federal Acts Relating to Adoption in the United States

Federal legislation concerning adoption has centered on children in foster care (see Appendix A). The federal government requires that states establish an Adoption Opportunities Program to facilitate placement of children with special needs in permanent adoptive homes, to promote quality standards for adoptive placement and the rights of adopted children, and to provide for a national adoption information exchange system (Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, P.L. 95-266, 1978). In addition, the federal government has an adoption assistance program that provides monetary assistance to the adoptive parents of Medicaid-eligible children. One requirement for eligibility is that the child cannot return to the parents' home. In order to meet this eligibility requirement the State has to terminate the rights of the birth parents, which creates an incentive for children to be adopted. The adoptive parents are not the only ones who receive a financial incentive. Historically, states have been able to receive Adoption Incentive funds for a specified increased number of adoptions over a federal fiscal base year of adoptions for that particular state. With the incentive of federal funding, states have received \$222,132,845 from the federal government during the period 1998 to 2007 (US Department of Health and Human Services, 2008).

The establishment of the Multiethnic Act of 1994 and the Interethnic Provisions of 1996 represents the government's attempt to place the large number of children in foster care and awaiting adoption. One purpose of these acts is to prohibit state agencies and other entities that receive federal funding and are involved in foster care or adoption placements from delaying, denying, or otherwise discriminating when making a foster care or adoption placement decision

because of the parent's or child's race, color, or national origin. Another purpose as it relates to adoption is to be able to place children in adoptive placements in an expedited manner. This effort on placing children in families, particularly in prospective adoptive homes, continues the reasoning to terminate parent rights.

The Adoption and Safe Families Act of 1997 was instituted to promote the adoption of children in foster care. This act requires states to initiate court proceedings to free a child for adoption once the child has been waiting in foster care for at least 15 of the most recent 22 months unless there is an exception. An exception could include the child being placed with a relative, making it not in the best interest of the child to terminate the parents' parental rights. This allows children to be free for adoption more quickly. This act rewards states with increased adoptions with incentive funds and prohibits states from delaying/denying placements of children based on the geographic location of the prospective adoptive families. In particular, this act expedites the timeframe for terminating parental rights, thereby enabling the child to be adopted more quickly.

The Adoption Promotion Act of 2003 reauthorizes and amends the adoption incentive payments program for Title IV-E of the Social Security Act. It provides states additional incentive payments for adopting older children from foster care (P.L 108-145). The federal government reauthorized incentives for states with children available for adoption. This act further supported the need to have parental rights of birth parents terminated in a quicker manner by providing a fiscal incentive.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 amended Parts B and E of Title IV of the Social Security Act. This act was developed to improve incentives for adopting children in tribal foster care. The act allowed the states under certain

conditions to extend the age to 19, 20, or 21 for adoption assistance agreements, instead of terminating the agreement at age 18. It also provided for the extension of the Adoption Incentive Program through federal fiscal year 2013. It doubled incentive payment amounts for children with special needs to \$4,000 and for an older child adoption to \$8,000. The act also revised adoption assistance eligibility criterion to de-link the Adoption Assistance Program from the Aid to Families with Dependent Children requirements over time, until 2018. States will benefit the most from these incentives because if by 2018 nearly every child in foster care were to be adopted, the state would receive federal funds to assist with the adoption assistance agreement. This incentive creates another reason for states to terminate parental rights quicker.

Brief History of Child Welfare Legislation Involving Men

Historical studies in child welfare have traditionally focused on women and the responsibilities of women (Callahan, Rutman, Stega, & Dominelli, 2005; Geva, 2011; O'Hagan & Dillenberger, 1995). The first system of federal welfare targeting men—and by association their dependent children—was the Civil War veterans' pension program (Skocpol, 1992). Beginning in the 1890s, fathers became criminalized for deserting families or failing to support their families (Hansen, 1999; Willrich, 2000). Fathers continued to be criminalized through the 1970s with the 1974 Child Support Act that created the first federal Office of Child Support Enforcement (Geva).

The Aid to Dependent Children (ADC) act was a federal relief program established in 1935 that provided federal grants to help states maintain the mothers' aid laws that had been passed in 40 states between 1910 and 1920 (Geva, 2011). The Aid to Families with Dependent Children (AFDC) act also sought to assist families; however, the ADC precedent appeared to create an incentive for single mothers (Geva). With an early focus on women, it was not until

1974 that the United State Congress enacted the 1974 Child Support Act. In 1980, Public Law 86-265 provided state and local child support agencies access to wage information held by the Social Security Administration and state employment agencies for establishing and enforcing child support obligations. Child support laws were revised several times during the 1980s. Public Law 97-35 allowed the IRS to withhold tax refunds for delinquent child support and Title IV-D agencies were required to collect spousal support for AFDC families. The 1984 Public Law 98-378 required every state's child support enforcement agency to establish procedures for automatically withholding income from the pay and tax refunds of absentee parents whenever their child support payments fell into arrears for over one month. The Family Support Act of 1988 enhanced enforcement of child support and required mothers to identify children's biological fathers as a condition of receiving aid and requiring employers to withhold wages from employees failing to pay child support (P.L. 100-485).

Birth Fathers: Case Law Review

Although information is readily available on the rights of married birth fathers, the literature regarding putative father registries is limited. However, a review of legal articles provided a foundation for understanding birth fathers' rights and putative father registries and their functions in various states (Arcaro, 2008; Barton, 2003; McKenna, 2004; Standlee, 2006). Putative fathers' rights are also associated with establishing paternity. In 1975, the Social Security Act was amended by Title IV-D to encourage states to pursue paternity identification and child support collections (P.L. 93-11-105, 1975). If federal assistance for AFDC, Medicaid, or Supplemental Nutrition Assistance Program (SNAP) (formerly known as food stamps) was available for the child or mother, states had a financial incentive to identify the non-custodial parent (i.e., typically fathers). The standard to establish a child support order is usually

accomplished via a positive blood test that identifies the father of the child. At that point, the father is required to pay child support. For a man who fathers a child out-of-wedlock, in many states he must have more than a blood connection to be able to veto an adoption or to receive notice of an adoption plan.

Prior to 1988, the Supreme Court invalidated state statutes that limited the time to file suit for paternity and support (*Mills v. Habluetzel* 1982; *Pickett v. Brown* 1983; *Clark v. Jeter* 1988). Congress passed the federal Child Support Enforcement Act of 1988, which required any state wishing to receive federal funds to give all children the same rights to establish paternity and seek child support from fathers (Oren, 2006). A man who is not married to the mother of his child can be required to pay child support, but still may be unable to protect his rights to notice in cases of adoption or termination of parental rights. This dichotomy calls into question the social, procedural, and distributive justice for a putative father. To address this contradiction, a putative father must take additional proactive steps to preserve his rights, like registering with a putative father registry.

Putative father registries developed as a response to legal challenges associated with providing a putative father due process. The main purpose of a putative father registry is to address the due process rights of a birth father by allowing an unwed man the right to receive notice of legal action for a child he may have fathered. Another intent of the registry is to protect the mother's right to privacy by not publishing in any public way (e.g., in a newspaper) the details of men who could have fathered her child.

As early as 1965, the United States Supreme Court in *Armstrong v. Manzo* (1965) heard its first case addressing the rights of a birth father in a stepparent adoption. In this case, the birth father was married to the mother when the child was born. The mother later remarried, and the

birth father did not receive notice of the adoption proceedings. The Court held that the birth father was denied his due process when he did not receive notice of the adoption, and that the burden was on the stepfather to prove grounds for terminating the birth father's rights and for being permitted to adopt the child. The court found for the plaintiff stating the fundamental right of due process is the opportunity to be heard (*Armstrong v. Manzo* 1965).

Until the 1970s, many states did not require the birth father's consent prior to an adoption decision. In fact, most actually prevented birth fathers who were not married to the mother of the child from having a say in the adoption (Javier et al., 2007). This was evident in *Stanley v. Illinois* (1972). Peter Stanley was the father of three children with Joan Stanley, who died suddenly. Because Peter Stanley was never married to Joan Stanley, the state of Illinois declared him unfit to parent without a hearing, and the children became wards of the state. Historically, Illinois held hearings for unmarried mothers, divorced parents and married parents to determine fitness to parent before removing a child from the home. The U.S. Supreme Court held that the state's statutory presumptions that an unmarried father was unfit to parent violated the U.S. Constitution on both due process and equal protection clause.

Another U.S. Supreme Court case that dealt with due process was *Caban v. Mohammed* (1979). In this instance, the Supreme Court ruled that a New York statute that gave unmarried mothers the right to consent to or to withhold consent for an adoption—but withheld this same right from unmarried fathers—was unconstitutional. Specifically, Adbiel Caban was the legal father of his children, since his name appeared on his children's birth certificates. He shared custody of the children until he separated from Ms. Mohammed, the children's mother. She subsequently married and her new husband adopted her children without Caban's knowledge or

consent. The Supreme Court ruled that the New York statute violated the 14th Amendment because the statute made a gender-based distinction that had no relevant state interest.

After the *Caban v. Mohammed* decision, New York State created a new statutory scheme—namely a putative father registry whereby an unmarried father would receive a mailed postcard notifying him of the pending adoption of his child/children. This scheme was put to the test in *Lehr v. Robinson* (1983). Jonathan Lehr failed to register with the New York putative father registry; nor did he financially support his child with Lorraine Robinson. Lorraine Robinson later married and her husband adopted her child—an action that was contested by Lehr. In this case, the U.S. Supreme Court found for Ms. Robinson.

A significant outcome of this case is that the Supreme Court created a “biology plus” standard for men who were not married to the mother to establish certain rights. That is, a man would have to have more than a biological connection to establish constitutional protections. A man would have to demonstrate certain conditions in order to have some say in a later adoption decision: (1) that he financially supported the mother prior to and after the birth of the child, (2) in lieu of financial support that he was emotionally supportive of the mother, or (3) that he tried to establish paternity or otherwise demonstrated that he tried to establish a relationship with his child. The biology-plus standard is relatively easy to validate with older children because the putative father has years to show his commitment to and support for his child. In contrast, the biology-plus standard is much more challenging for fathers who wish to contest an infant adoption. In these cases, a father who had not registered with his state’s putative father registry has very little time to demonstrate his commitment to his child before the mother places the child up for adoption; in reality, this could occur prior to the birth of the child and, perhaps, even

before he knows the child is biologically his offspring. Because of the Lehr decision, other states began to implement putative father registries.

It should be noted that the U.S. Supreme Court has not addressed cases involving newborns or adoptions other than a stepparent adoption. Due to this lack of comprehensive precedence, many legal questions regarding birth father rights and putative father registries remain unanswered (McKenna, 2004). Moreover, the role of adoption social service workers, adoption attorneys, and public administrators who use putative father registries needs to be explored further to determine how these stakeholders and constituents' roles affect the adoption process and the legal rights of putative fathers.

In short, a state must balance the interests of a child in having a stable, permanent family with the mother's wishes, and the putative father's due process rights. A timeframe that allows the putative father time to register without causing a delay for the child to have a permanent home is appropriate. This feature would enable the birth mother to place her child for adoption within a reasonable period, enable the adoptive parents to form a bond with the child, and have security in that a putative father will not come to disrupt the adoptive placement.

Theoretical Underpinnings for the Study

Multiple Constituency Model

A "constituency" refers to a group of individuals holding similar preferences or interests (Connolly, Conlon, & Deutsch, 1980; Tsui, 1990). Therefore, a multiple constituency approach recognizes that organizations have multiple constituents or stakeholders who evaluate effectiveness in potentially different ways (Balduck & Buelens, 2008). Lindblom (1959) argued that any theory able to synthesize the multiple views of differing constituencies would be advantageous in later applications. When applied to this study, a theoretical approach that takes

into account the perspectives and preferences of multiple constituents with respect to the value of a putative father registry is warranted. In determining how to satisfy the wants and needs of multiple constituents, it is important to investigate this model in light of a social justice context.

Social Justice Model

Justice stresses the fair disbursement of common advantages and the sharing of common burdens (Gostin & Powers, 2006). Flynn (1995) defined justice “as the embodiment of fairness, equity, and equality” (p. 2175). Justice includes both social and organizational justice. John Rawls (1971) explored theories of social justice and fairness. He asserted that a social institution must uphold justice—and that any theory, law, or institution that is unjust must be reformed or abolished. Moreover, the benefits and burdens of our basic societal institutions must be distributed in such a manner as to advance the good of its members (Rawls). Rawls also defined fairness as the obligation of a person to do his or her part as specified by the rules of an institution. House (1980) summarized Rawls’ justice-as-fairness principles in concluding that imposing disadvantages on the few for the advantages of the many is inappropriate and contradicts Rawls’ tenets.

The social justice perspective of organizational effectiveness relies on two tenets: 1) each individual in an organization is equal, and 2) the least advantaged member of a society or organization should be of utmost concern to all in order to provide equality to all (Zammuto, 1984). In essence, Zammuto argued that the least advantaged person should be singled out to provide the standard against which to judge the effectiveness of an organization’s performance. The researcher also discussed the power perspective, which maintains that effectiveness is determined by satisfying the most powerful constituency. Another perspective is the evolutionary perspective, which focuses on the change over time for constituents, their

preferences for performance outcomes, and any constraints limiting performance (Zammuto). In summary, Zammuto stated that effectiveness is an ongoing process that is determined by how divergent preference can be satisfied over the long run.

This research focused on two components of social justice: distributive justice and procedural justice. Distributive justice focuses on outcomes (Lambert, Cluse-Tolar, Pasupuleti, Hall, & Jenkins, 2005), or as described by Colquitt and Greenberg (2003), the perceived fairness of decision outcomes. Distributive justice in many cases refers to how things operate in relation to other things. In the workplace, it could relate to the perceived fairness of employees receiving pay or promotions in relation to the amount of effort or work they put into their jobs (Fearne, Duffy, & Hornibrook, 2004). In this research, distributive justice was determined from the perceptions of the primary constituent groups.

Procedural justice seeks to understand how the rules affecting individuals influence the decision process. The foundation of procedural justice is in the preservation of due process of law (Bleuenstein, 2010). It suggests that in order to have fair decisions, individuals affected by any decision must have an opportunity through input to influence the decision process (Fearne, Duffy, & Hornibrook, 2004). Bleuenstien noted that procedural justice theory examines the process of decision-making in exchange relationships where one party has the authority to make the decision regarding issues that affect the other party. For this study, the perceptions of constituent groups that would be affected by procedures associated with the Virginia Putative Father Registry were obtained. Specifically, the research limited participating constituency groups to adoption attorneys, adoption social service workers, birth mothers, putative fathers and adoptive parents, with the goal of determining their perceptions of the social justice of the VPF Registry, as well as their views of its effectiveness and efficiency. A multiple constituency

approach would suggest that diverse constituencies would rate the effectiveness and efficiency differently (Connolly et al., 1980). This research provides information on how these constituencies perceive the VPF Registry by determining their perceptions of its social justice

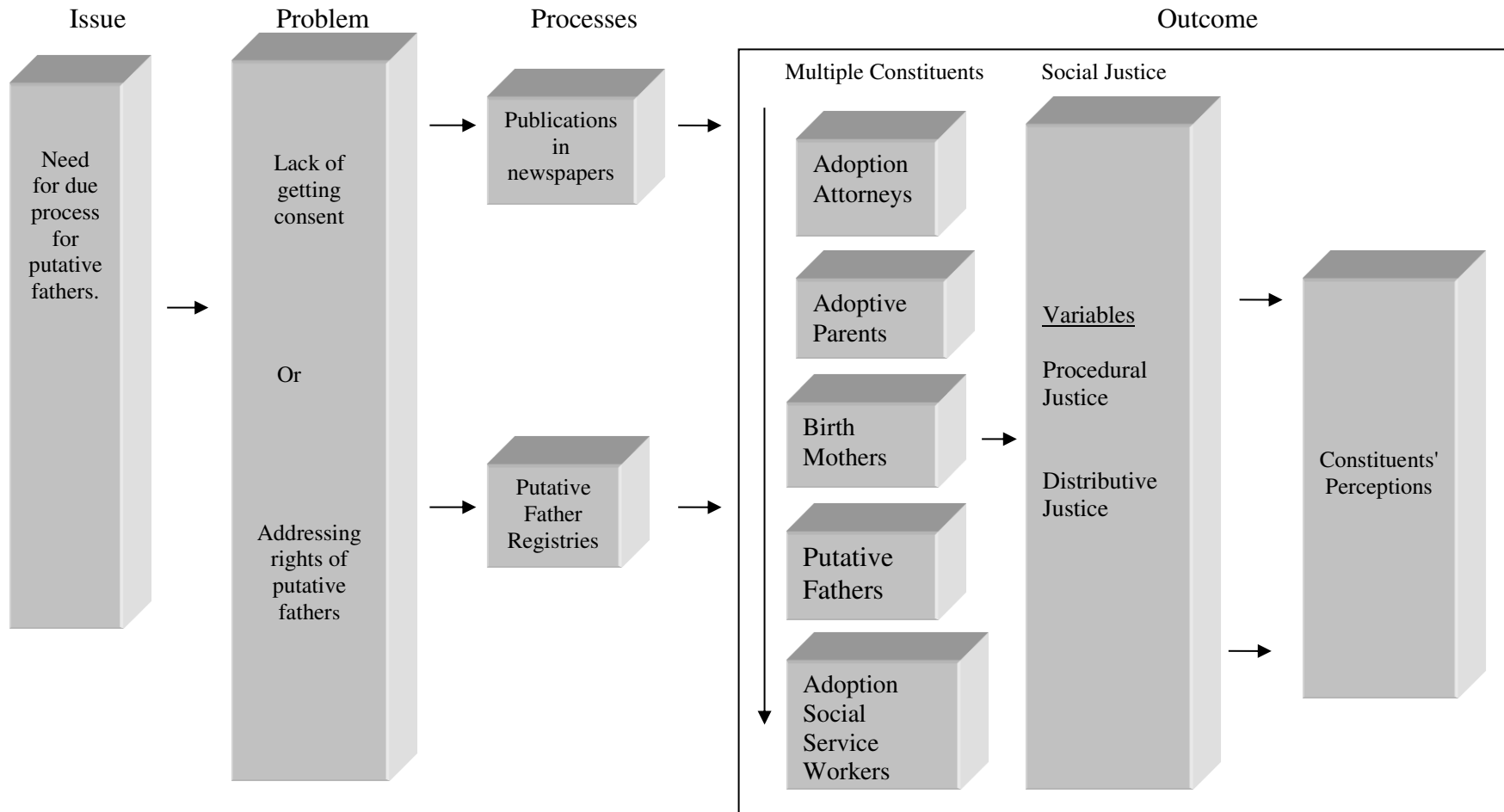
Purpose of the Study

Although they do essential work, putative father registries are not without controversy because it is unclear who they really serve (Dougherty, 2007; Fisher, 2008; Reed, 2007; Sacks, 2007). In essence, most states with registries find themselves balancing competing issues. Specifically, they must (a) expedite and finalize the adoption process (Nolan, 2005); (b) assure the rights of the mother to privacy and her decision to place her child for adoption; (c) maintain a child's right to a permanent family; and (d) provide a putative father's right to due process and equal protection. Inevitably, each constituent group may have differing views as to which of those responsibilities is most important.

The study of putative father registries has largely been confined to legal scholars, and has been only minimally addressed in the wider academic literature. Even among legal experts, public policy concerns of the goals of the registries have not really defined their effectiveness or efficiency; nor has it been determined whether putative father registries are better than Orders of Publications in identifying putative fathers. In the open literature, previous research regarding putative father registries has tended to focus on case law or the need for a national putative father registry (Beck, 2007). Utilizing a framework adapted from the Multiple Constituency Model, this study used social justice—as indicated by distributive justice and procedural justice—to attempt to determine the perceptions for each group. The study also documented selected birth fathers' awareness of putative father registries and, specifically, the Virginia Putative Father Registry. Figure 1 provides a graphic representation of the problems and processes involved in

giving notice to putative fathers and how various constituent groups' perceptions might form. This research focused on primary constituents (adoption attorneys, adoption social service workers, adoptive parents, and birth mothers and putative fathers) and their perceptions of the VPF Registry with respect to its utility and social justice outcomes.

Figure 1. *Conceptual Model of Problem and Process for Notice for Putative Fathers and Outcomes*



*Adapted from Tsui (1990)

Scope and Significance of Study

For individuals aged 15 to 44 in 2001, there were 36,390 non-marital births that occurred in Virginia (Virginia Department of Health, Health Statistical Reports, 2011). Therefore, the potential impact on putative fathers in Virginia is significant. A putative father in Virginia who would like to preserve his rights for notice is required to either register with the Registry or start paternity proceedings prior to the initiation of a petition for adoption. If he does not do this, he may lose his parental rights or his ability to consent to (or prevent) an adoption. In effect, not registering not only affects him, but also could negatively affect his child via the loss of family connections and potentially vital genetic information. Added to that are the interests of the mother, social services providers, the court system, and so on.

Since competing values are likely to influence the perceptions of multiple constituents, it is important to identify how the different groups perceive the Virginia Putative Father Registry. When new legislation is passed, it is essential to review the effect of the legislation and whether new laws are meeting their intended purposes. Therefore, understanding the VPF Registry, its implementation, as well, as how it is perceived by the various constituencies it is intended to serve, can assist in the dialogue regarding its utility, usefulness to the intended audiences, feasibility, and how it can promote ethical practices. A study of this nature would also be applicable to the implementation of other putative father registries. In addition, the findings discussed here could help establish a set of best practices for other putative father registries.

Research Methodology

Studying the Virginia Putative Father Registry is a case study that can provide fundamental information for future study regarding putative father registries. This study used a

mixed method approach to gathering information. Focus groups provided data targeting putative fathers. A survey was used to collect information from the primary constituency groups that use or would be affected by a putative father registry.

Outline of the Study

This study is divided into five chapters. Chapter 1, the Introduction, states the problem, provides some historical and contemporary context for child welfare and adoption in the U.S., and details the genesis of putative father registries. This chapter also discusses the significance and purpose of the study, describes the research question, and includes a review of the theoretical underpinnings for the study. Chapter 2 contains a brief review of the literature involving birth fathers, putative fathers, and putative father registries. Chapter 3 contains the methodology and the procedures used for data collection, analysis and measurement. Chapter 4 discusses the results from the study survey and focus groups, and the findings from the study. The final chapter, Chapter 5, contains the conclusion, summarizes the study, discusses the study's findings, and proposes implications and recommendations.

CHAPTER 2:

THEORETICAL FRAMEWORK

In addition to balancing the competing demands of providing due process for a putative father, preserving a birth mother's privacy, and ensuring that adoptive parents are secure in their new family, states are also challenged to evaluate the public policies they are charged to administer. Stated simply, policies exist within organizations or agencies to facilitate their operation and to ensure that their mission occurs. While traditional forms of policy analysis can provide usable knowledge, they can also be problematic when competing interests and constituencies are involved (Fischer, 1995).

Those who study policy science recognize that its role is to stimulate the political processes of policy deliberation rather than to provide answers or solutions to public problems (Fischer, Miller, & Sidney, 2007). More than 50 years ago, Lindblom (1959) asserted that any theory available that could generalize the various classes of policies into some cohesive whole would be advantageous. Theories that address how an organization or agency operates and is influenced by its stakeholders or constituencies are important to understand. One method to accomplish this is to analyze a policy's effectiveness as it relates to the organization or agency.

Organizational Effectiveness

One simple definition for effectiveness is producing a desired result. This definition, however, is general and does not provide who or what is evaluating whether the desired result actually occurs. The literature on organizational effectiveness has resulted in a myriad of definitions of organizational effectiveness. Table 1 provides a sampling of these definitions.

Table 1. *Various Theorists and Their Definitions of Organizational Effectiveness*

Theorist(s)/Year	Definition of Organizational Effectiveness
Etzioni (1960)	"...the ability of an organization to achieve its goals." pg 261
Yuctman & Seashore (1967)	"...the ability of the organization, in either absolute or relative terms, to exploit its environment in the acquisition of scarce and valued resources." pg 898
Goodman & Pennings (1977)	"Organizations are effective if relevant constraints can be satisfied and if organizational results approximate or exceed a set of references for multiple goals." pg 160
Pfeffer (1977)	"... Effective organizations are those that accurately perceive patterns of resources interdependence, correctly perceive demands, and then respond to demands made by those groups that control the most critical interdependencies." (Staw & Salancik, 1977) pg 103

As varied as these interpretations of organizational effectiveness are, the various criteria used to evaluate effectiveness are equally wide-ranging. Miles (1980) provided two criteria particularly useful for this study. The first criterion is an evaluation conducted by external constituencies, which Miles defined as the "evaluation of the organization, or unit, by the individuals and organizations in the environment with which it interacts" (p.355). The other criterion is participation and shared influence, or as Miles described, "the degree to which individuals in the organization participate in making the decisions that directly affect them" (p. 154). Goodman and Pennings (1977) further reported that constituencies pursue their own interests, and that an organizational environment must recognize the concepts of constraints, goals and referents to be criteria for determining effectiveness.

The study of organizational effectiveness involves looking at various models to determine if one method is better than another method in achieving a desired result, effect or outcome. Some of the models addressing organizational effectiveness include the goal model (Bluedorn, 1980; Price, 1972), the system resource model (Seashore & Yuchtman, 1967), the internal processes or maintenance model (Bennis, 1966; Nadler & Tushman, 1980), the strategic constituencies' model (Connolly et.al., 1980, Keeley, 1978; Pfeffer & Salancik, 1978) and the legitimacy model (Miles & Cameron, 1982; Zammuto, 1982). Each of these models captures an aspect of effectiveness and contributes to our understanding of how organizations achieve desired outcomes, and subsequently how effective the organization seems to be. Three models pertaining to organizational effectiveness that are germane to this research are the goal attainment model, the system resource model, and the multiple constituency model.

Goal Attainment Model

The goal attainment approach to effectiveness is the oldest approach of the three models discussed in this research. This model views effectiveness as the ability of the organization to reach certain goals—and the extent to which goals are attained is used as a measure to assess the degree of success (Mohr, 1973). The goal attainment approach also views effectiveness as the ability of the organization to reach its objectives, which is typically measured by high organizational productivity, organizational flexibility and the absence of intra-organizational tension (Lemak, 1986). Specifically, this model defines productivity as the number of units produced (e.g., in the case of manufacturing productivity), the quality of services delivered to its customers, or in terms of efficiency—namely, the output or input units produced or delivered within a given period of time (Miles, 1980). This third aspect has relevance for the public sector, which often seeks to improve services for its citizens.

Public organizations that achieve the mission as envisioned by the organization and stakeholders are deemed to be successful and perceived as effective (Rainey & Steinbauer, 1999). However, Etzioni (1960) described how certain public goals fail to be realized because they are not meant to be obtained. Therefore, if a system is developed upon goals that cannot be achieved, it seriously impairs the goal model approach. With Etzioni's perspective in mind, the goal model approach is problematic because it assumes that a specific goal for the organization can be identified and progress can be measured—but that goal is ultimately unachievable.

Another critique of the goal attainment model is that public service organizations may not have formal goals expressed in agency mandates or legislation (Boyne, 2003). As Lindblom (1959) stated, "It is not irrational for a policy maker to defend a policy as good without being able to specify what it is good for" (p. 84). Another critique of the goal attainment model is that explicit goals tend to be very broad and difficult to evaluate—and public organizations by their very nature tend to have numerous goals. Other potentially problematic issues regarding this model are that goals change over time, and some organizational goals may simply be faulty (Miles, 1980). In short, efforts to align an agency's goals and effectiveness can be challenging if only based on its goals.

Important to this study is that the goal attainment model assumes that an organization's subunits or coalitions share the same goal—that everyone will consider the effectiveness of the organization in the same way, which is often not the case (Lemak, 1986). This model does not consider that the different constituencies within the organization may have goals in mind that serve their own needs and not the broader goals of the organization. Different groups may perceive effectiveness differently as well.

System Resource Model

The system resource model (Yuchtman & Seashore, 1967) was developed after the goal attainment model. In the system resource model, an organization obtains inputs from the environment like goods, services, and money. Naturalist Charles Darwin (1809-1882) and philosopher/biologist Herbert Spencer (1820-1903) suggested concepts that apply to the system resource model (Corning, 2003). Darwin's view of natural selection—that animals able to adapt tend to survive—was later applied by Spencer through Social Darwinism and the notion that only the strongest individuals or groups survive

The system resource approach views effectiveness as a multidimensional construct, namely as a set of interdependent and interactive subsystems of roles, functions and individual behaviors that interact with the surrounding environment (Strasser, Eveland, Cummins, Deniston, & Romani, 1981). Katz and Kahn (1966) noted that in the system resource approach the focus is on problems of relationships or structures as they relate to the interdependency within systems. The system resource approach views effectiveness in terms of acquiring resources from the environment that will enable the strongest to survive. It also focuses on a process-centered view of the purpose of an organization. As with the concepts of Darwin and Spencer, the system resource model deals with aspects of living matter (Corning, 2003). Theorists supporting the system resource approach view organizations not as machines operating in isolation, but as systems through which their interdependent and interactive subsystems cope with internal problems and the demands of external environments (Strasser et al., 1981). Yuchtman and Seashore (1967) asserted that an organization using this approach is effective if it has the ability to exploit its environment to get valuable resources.

Etzioni (1960) provided that in the system resource model, the use of output or goal criteria is either completely avoided or included as one criterion among other complex components. For example, this model may use elements of organizational flexibility, adaptability, capability of dealing with conflict, coordination of subunits and allocation of resources as ways to evaluate an organization's efficacy. Although some of these criteria may be used in system resource model evaluation, the main criteria for evaluating effectiveness would be the organization's ability to sustain itself.

Some of the concepts incorporated in the system resource approach are ill suited for use in public organizations—principally because the mission of many public organizations is not only survival. One question that emerges from the system resource model perspective is this: does having additional resources create more effectiveness? Boyce (2003), discussed claims that a public organization that adheres to the system resource approach and receives extra resources to deliver better services is unproven. The system resource model focuses on the means rather than the ends (Lemak, 1986).

In general, the goal attainment and system resource models do not adequately address how effectiveness is viewed differently depending on the perspective of the evaluator. Therefore, another approach that seeks input from different evaluators or groups that have different organizational interests is required, which is captured by using a multiple constituent model.

Multiple Constituency Models

As discussed above, the goal attainment model asserts that an organization is effective if an organization is able to obtain its goals (Boyne, 2003), while the system resource model asserts

that, an organization is effective if it is able to gain resources (Yuchtman & Seashore, 1967). These approaches, however, do not adequately address various individuals or groups that may have different perspectives about what the goal is and whether it has been achieved, or what resources are needed for success and how to go about getting them. Hence, the need for a model that applies to an organization with several, sometimes competing, constituencies.

Seashore (1983) defined a constituency (or a group of constituents) as persons acting in their own interests, or as representatives of others, and having some form of interdependency with the focal organization. Using a framework that utilizes the constituent perspective was developed to address some of the shortcomings of the goal attainment or system resource approaches. Multiple constituency models incorporate the differing values of constituencies to determine effectiveness, although some do incorporate aspects of the goal attainment and system approach models. When using a multiple constituency approach, it is important for the evaluator or researcher to understand an organization's processes in order to determine the relevant constituent goals to incorporate (Zammuto, 1982). Tsui (1984) described how a multiple constituency approach treats organizational effectiveness as a sociopolitical process. Therefore, in using a multiple constituency model it is important to determine the relevant constituent goals to incorporate into the evaluation, as well as addressing suggestions to decision makers (Zammuto).

The main goal of using a multiple constituency model is to assess effectiveness as it relates to affected groups that are likely to be diverse. As Connolly et al. (1980) noted, "The multiple constituency view treats organizations as systems generating differential assessments of effectiveness by different constituencies" (p. 214). In other words, such a model suggests that constituency group membership is associated with the importance of certain effectiveness

opinions of individuals regarding the organization (Cantrell-Bruce, 1996). Multiple constituency models also suggest that the motives of members may influence effectiveness criteria, and that groups may differ on the importance of effectiveness criteria.

Robert Miles (1980) provided a model that incorporated a multiple constituency perspective using an ecology approach. Miles defined ecology as the totality or pattern of relations between organisms and their environment. His model of organizational effectiveness incorporated an organization's ability to cope with shifting internal and external contingencies, as well as the organization's ability to handle internal and external interest groups. Miles described strategic constituencies as the individuals, interest groups, coalitions, or associations on which the focal organization is critically dependent. Miles' model also spoke to organizational effectiveness as the ability of an organization to satisfy the expectations of its strategic constituencies in some minimally acceptable way. In assessing the Miles model, Lemak (1980) described it as a broad extension of the multiple constituency approach that recognizes effectiveness as a multivariate construct involving external and internal constituencies, while at the same time incorporating aspects of the goal attainment and system resource models.

Since organizational effectiveness is not only measured in the quantification of inputs or outputs to determine performance, it can be assessed across all types of organizations, systems, disciplines, and fields. The heterogeneous and dynamic nature of the effectiveness construct can be included in a multiple constituency approach. Zammuto (1984) provided a comparison of multiple constituency models of organizational effectiveness. Specifically, he identified four perspectives for organizing multiple constituency models according to their central focus: relativism, power, social justice and evolutionary. Earlier, Zammuto (1982) argued that a meta-

criterion analysis is the ultimate method for determining how models of organizational performance can be judged and separated from other models in terms of their efficacy. In other words, the decision rule for judging organization effectiveness is whether the preferences of each constituency group have been met.

The relativism model, which is credited to Connolly et al. (1980), views the multiple constituency approach from a minimalist perspective where information is collected as an empirical framework to determine performance. The relativism model suggests that each constituency group's perspective is a valid perspective, and one group should not be deemed *a priori* as the correct one. In turn, effectiveness is treated as more than just one single view about organizational performance, but rather a set of several views, each reflecting the evaluative criteria applied by the various constituency groups (Connolly et al., 1980). The multiple constituent approaches offered by Connolly and his colleagues are concerned with distributive issues regarding organizational outcomes such as satisfaction. From their perspective, this approach will provide for a range of empirical questions about organizations, constituents and their interactions (Zammuto, 1982).

The power perspective views the multiple constituency approach to organizational effectiveness in terms of satisfying the most powerful constituency(ies) as its indicator of efficacy. This approach is particularly expressed in the research of Pennings and Goodman (1977), who discussed that by satisfying the constituency groups with the most influence and power, the organization can ensure that it retains access to the critical resources controlled by those constituencies. The organization determines the powerful groups by identifying the group best able to cope with uncertainty, the degree to which the other groups are substitutable for it, and the degree to which the group is central or critical to the functioning of the organization

(Zammuto, 1982). Another view of the power perspective is based on the resource dependence model. The power approach incorporates Miles' (1980) points of strategic constituencies focusing on power relationships and interdependencies. The power perspective also suggests that in order for a constituency group to have influence, it must be a priority of the organization and be minimally satisfied.

The evolutionary perspective suggests that organizations change over time—and thus a constituency group's internal and external view of effectiveness will also change over time. The evolutionary perspective, therefore, suggests that effectiveness is the ability of the organization to appropriately respond to changing constituency demands over time. As Zammuto (1984) stated, "The question of whose preferences should be satisfied at a given time is transformed into how divergent preferences can be satisfied over the long run" (p. 608).

The social justice perspective approach to the multiple constituency models suggests that although social and economic inequities existing within society, organizations should treat all members as equals. In order to be effective from the social justice perspective, an organization must benefit the least advantaged member of the society and provide fair equality of opportunity. Therefore, organizational effectiveness is achieved when the least advantaged constituency group feels it has contributed equally to the mission of an organization (Zammuto, 1984).

Zammuto (1984) suggested that organizational effectiveness for the most part is a value-based concept whereby each constituency group is able to provide evaluative feedback. Each perspective of the multiple constituency models has a frame to approach the question of whose needs should be met. The relativistic perspective asserts that no single approach is better than another; therefore, the organization must consider all perspectives if effectiveness is to be achieved or enhanced. The power perspective supported by Miles (1980), Goodman and

Pennings (1977), and Pfeffer and Salancik (1978) suggests that the most powerful constituents ultimately control an organization's effectiveness. Alternatively, Keeley (1978), who developed his social justice perspective by expanding upon John Rawls' *A Theory of Justice*, maintained that an organization should evaluate their effectiveness by applying the "minimal regret" principle. This principle seeks to reduce the least advantaged constituency group's negative effects. In other words, implementing the "minimal regret" principle in creating a policy would seek to measure success by focusing on the least advantaged constituency group to ensure the effects of any given policy would not harm that group. If the least advantaged constituency group received support or benefit, it may create more opportunities for success or at the very least create a more level playing field.

The various multiple constituency models have typically been applied to the business sector or in specific departments, such as an organization's human resources division. Patricia Yancey Martin (1980) applied the concept of a multiple constituency model to human service organizations. Her research suggests that these models represent an improvement over earlier models designed for human services organization because they highlight the extensive openness of service organizations and the vulnerability to competing interests and influences (Martin, 1980). Martin's model for multiple constituencies in human service organizations has 12 distinctive groups, as shown in Figure 2, and they are grouped according to their power within the organization. For example, clients served by an agency have an inherently lower status compared to the advantaged position of administrators and employees within the organization. Her model implies that power, domination and conflict are dimensions of social service organizations.

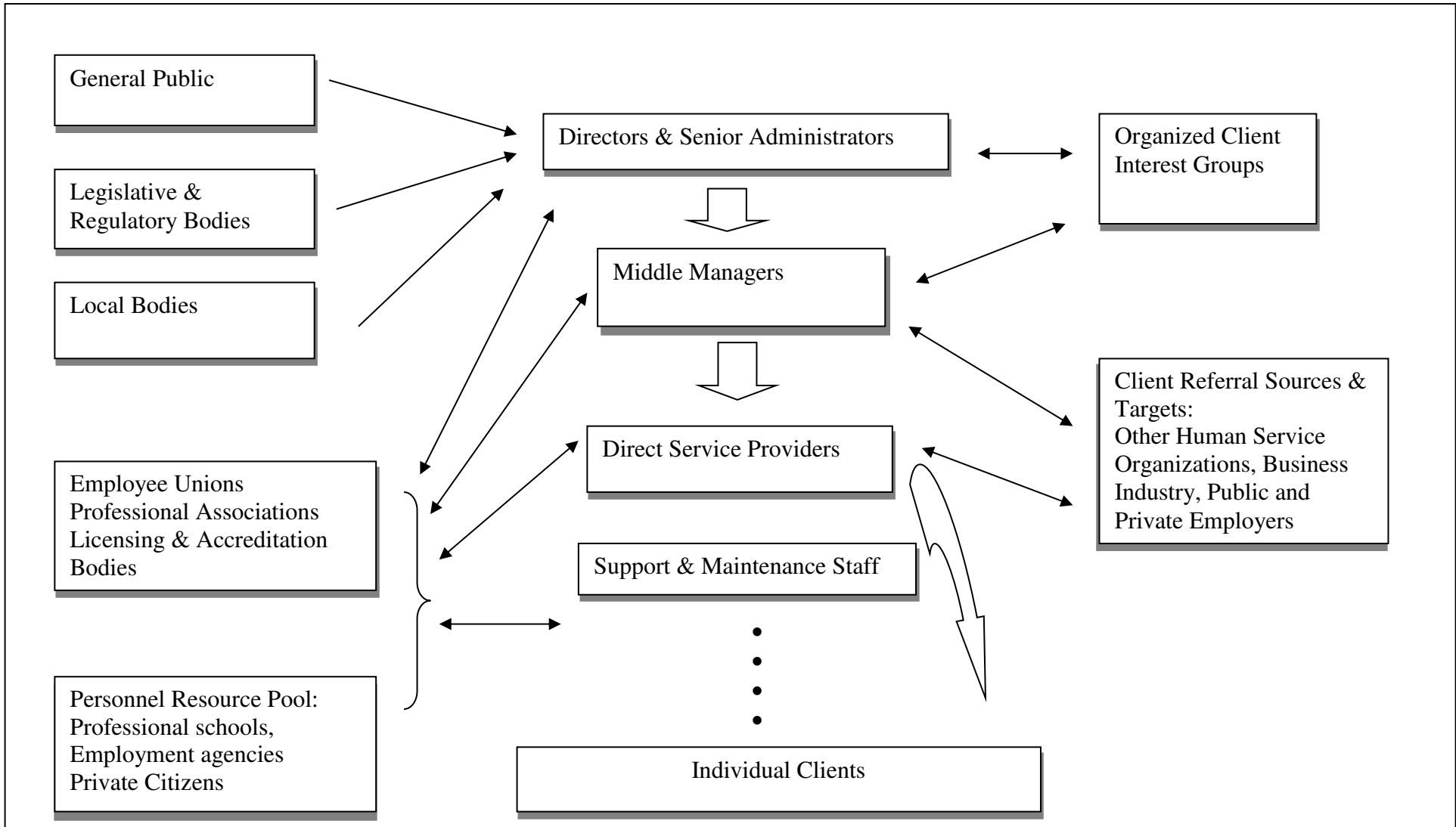
The hierarchy of interest begins with the external power elite who value quantity of clients served or services provided; therefore, quantitative goals would always be preferred. Organizational interest groups follow, who seek timeliness of response, appropriateness and effectiveness of service. For this group, the expectation emphasizes high-quality services that would obligate senior administrators to promote internally. The Martin (1980) model also addresses that senior administrators are likely to receive more attention and emphasize a higher degree of influence from external sources rather than internal sources such as middle management or staff. In general, Martin asserted that for social service organizations, effectiveness is likely to be seen as quantity over quality.

Figure 3 is a visual adaption of the Martin's (1980) Multiple Constituencies Model of Human Service Organizations applied to the Virginia Putative Father Registry. As with other human service organizations, the Registry is affected by various factors. For instance, elected officials directly affect the legal framework of the registry and provide authority for its existence. Other influential groups include the media and general public, both of which could sway elected officials. The primary constituency groups who directly use the registry (or could be impacted by the registry) can also share their issues with the elected officials, management, and employees of the registry, thereby potentially influencing the operation of the registry.

Table 2 provides an overview of the major perspectives of the multiple constituent models discussed in this research. Each model has various points of interest. Given the different approaches of these models, it is important to obtain a strategic perspective from constituent groups who are affected. While the relativistic model is intended to be more descriptive in nature, the social justice model is more normative. In her empirical investigation of multiple constituency models, Tsui (1990) suggested three important descriptive goals: (1) determining

what constituencies exists for the organization that is studied, (2) determining what effectiveness assessment each constituency reaches, and (3) determining what factors influence the assessments made by the constituency groups.

Figure 2. Martin's (1980) Model for Multiple Constituencies in Human Service Organizations



*Slightly Modified from Martin 1980 Multiple Constituencies Model of Human Service Organizations

Figure 3. Martin's (1980) Multiple Constituencies Model of Human Service Organizations to the Virginia Putative Father Registry

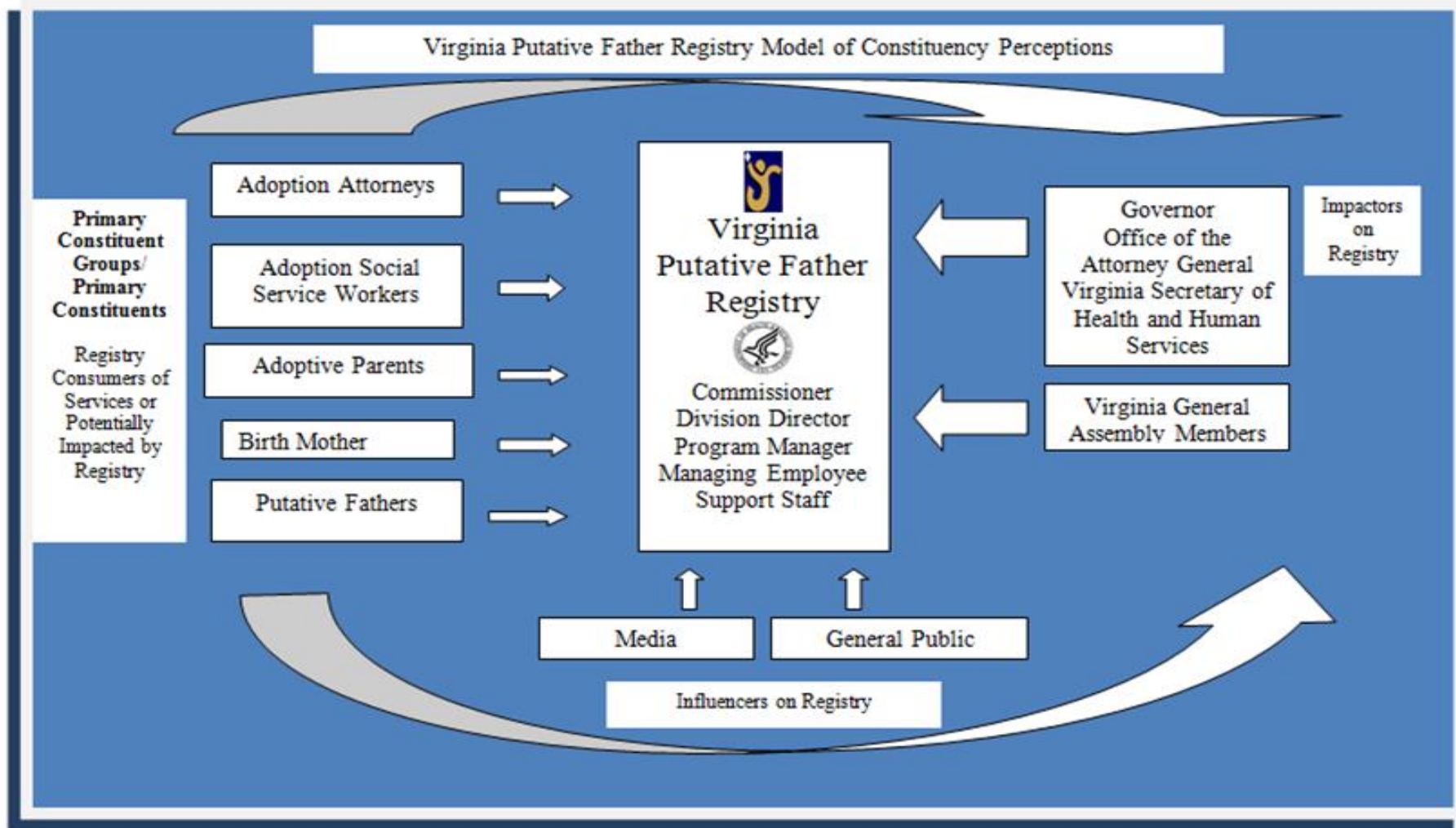


Table 2. *Perspectives of the Multiple Constituent Models*

Meta-Criterion Framework	Theorist	Points of Interest	Group to Satisfy
Relativism- Empirical technique for the collection of data about constituent preferences for and judgments about organizational performance	Connolly et al., 1980	Concerned with distributive issues for organizational outcomes Conceptual minimalist – cannot label one approach better than another it would be arbitrary	Organization requesting evaluation required to draw their own conclusion
Power- Constituents negotiate process reflects the greater the power, the more likely to impose their preferences on organization. Identifying powerful constituencies and rank in order of importance	Pennings & Goodman, 1977; Pfeffer & Salancik, 1978; Hrebiniak, 1980; Miles, 1980; Martin, 1980	Focused on varied judgments of effectiveness forthcoming from the difference organization constituencies	Most powerful
Social Justice- Benefit the least advantaged Minimization of regret principle	Keeley 1978; House 1980	Social Justice – benefit the least advantage and open to all members of society under conditions of fair equality of opportunity	The least advantaged
Evolutionary – Selection process, preferences treated as being insufficient for assessing effectiveness of an organization because they do not reflect the potential limits of performance. Incorporates elements of time and change over time; seeks to satisfy the changing demands imposed over time, the continual process of becoming effective rather than on being effective	Zammuto, 1982	Role of constituent preferences in defining the preferred direction of social evolution How constraints create niches within which organization exists The effect of time on the organizational performance	Organization’s constituents view and evaluate those aspects of performance that affect them. Shift made from whose preferences should be satisfied at a given time to how divergent preferences can be satisfied over the long run.

Social Justice

In reviewing the effectiveness of human service organizations or agencies, it is important to understand the political influence the agency may have and whether certain constituencies are favored over others. When addressing questions of effectiveness, one must ask (1) Which group or groups is the agency intending to serve?; (2) Whose interests will determine what is effective?; and (3) How do any interagency power dynamics or conflicts of interests play out in the organization? Knowing the various constituency groups that influence an organization or agency is critical, but by itself is not sufficient. The tenets of United States Constitution require that agencies serving the public adhere to due process and equitable treatment for all constituencies.

Not surprisingly, the literature on organizational justice tends to focus on employment issues (Colquitt, 2001). In general, four dimensions of organizational justice exist: distributive, procedural, interpersonal and informational (Colquitt). Early research on organizational justice featured Homans' (1961) concept of distributive justice, which became the basis for both equity theory (Adams, 1963) and discrepancy theory (Lawler, 1971). Procedure justice was the next dimension that was developed in organizational justice, followed by interactional justice (Gilliland, Steiner, & Skarlicki, 2001). Early conceptualizations by Cropanzano and Greenberg (1997) regarding interactional justice viewed it as the social component of procedural justice (Beugre`, 2007). Greenberg (1993) further proposed two components of interactional justice: interpersonal and informational. Beugre` (2007) argued that justice judgments are made at three levels (distributive, procedural, and interactional); other studies have also used these three dimensions in organizational justice literature (Beugre, 1998; Cropanzano & Greenberg;

Folger & Cropanzano, 1998). A brief discussion of the dimensions of organizational justice follows.

As reported by Greenberg and Cropanzano (2001), distributive justice is concerned with the perceived fairness of outcomes—specifically, of resources received—and can be viewed in terms of equality, need or equity. When looking at distributive justice from the equality standpoint, distributive fairness occurs when every member of a group receives the same outcome. Since distributive fairness relates to need, it is achieved when the neediest receive the most compensation. Lastly, distributive fairness when viewed through the lens of equity occurs when fair compensation is based on individuals' contributions or inputs.

Procedural justice can be defined as the fairness of the processes and procedures by which an allocation decision is made (Greenberg & Cropanzano, 2001). This concept also relates to concerns about the fairness of the decision-making procedures used to determine outcomes (Gilliland, Steiner, & Skarlicki, 2001). According to researchers, procedures are likely to be viewed as fair if they conform to six rules. First, procedures must demonstrate consistency in their application to ensure fairness. Second, procedures must be free from bias—i.e., they must be developed and implemented without considering the self-interests of any single constituency group. Third, procedures must allow room for correction when necessary. Fourth, procedures must be based on, and subsequently relay, accurate information. Fifth, they must be representative of the concerns of all constituency groups. Sixth, procedures must be based on prevailing moral and ethical standards that seek to go beyond issues of right and wrong to the application

of best practices that seek the highest good of constituents (Leventhal, 1976; Leventhal, Karuza, & Fry, 1980).

Bies and Moag (1986) defined interactional justice as the quality of interpersonal treatment people receive during the enactment of organizational procedures. Similarly, Colquitt and Greenberg (2003) described interactional justice as the perceived fairness of how decisions are enacted by authority figures, and is focused on interpersonal factors. Greenberg and Cropanzano (2001) stressed that interactional justice is important because it explicitly states that authority figures often risk being blamed when outcomes don't match expectations. Bies noted that people care about the interpersonal treatment they receive (Greenberg & Cropanzano).

Greenberg (1993) viewed informational justice as a separate component of interactional justice, and defined in terms of the truthfulness, adequacy, and accuracy of the explanations or justifications for their treatment. Greenberg added that informational justice is achieved when service or knowledge providers demonstrate regard for people's concerns. Later, Cropanzano and Rupp (2008) also defined informational justice as appropriate openness and honesty in communication.

Distributive and procedural justice dimensions were the early focus of organizational justice (DeConink, 2010). Because distributive justice seeks to understand how people perceive being treated fairly, it is critical to this study. It is also important to understand procedural justice as it relates to how procedures are used to achieve outcomes that affect people (Lambert, Cluse-Talor, Pasupuleti, Hall, & Jenkins, 2005).

Loi, Yang and Diefendorff (2009) discussed distributive justice and procedural justice as structural forms of justice. Distributive justice and procedural justice

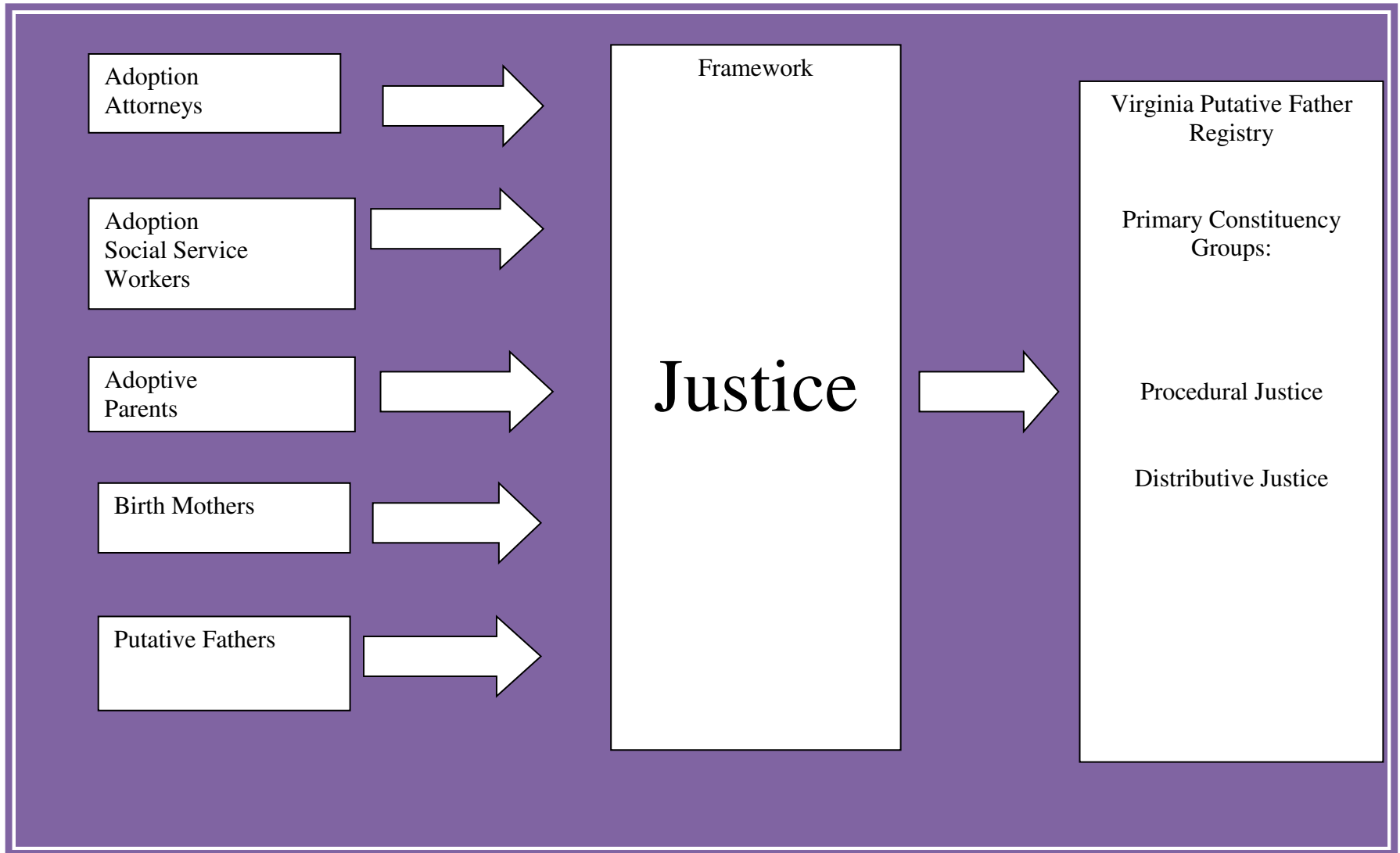
perceptions tend to be stable over time and between-person level. In contrast, interpersonal justice and informational justice perceptions are derived from social factors that are likely to vary on the basis of events and experience that may vary over time within people. In addition, Greenberg (1990) noted that there might be redundancy between the concepts of interactional justice, which includes interpersonal, informational justice, and procedural justice. Cropanzano and Ambrose (2001) argued that separating procedural justice from interactional justice involves a fine distinction between the procedure and how the procedure is manifested. The resulting ambiguity has many researchers conceptualizing interactional justice as the social aspect of procedural justice (Greenberg & Cropanzano, 2001).

Because this study sought to understand how the primary constituency groups of the Virginia Putative Father Registry perceived being treated fairly, as well as how the constituency groups perceived the procedures of the Registry, procedural justice provided an important foundation for the investigation. It was also important because this study looked at the legal aspects of the procedures associated with a putative father registry. Another important aspect of this study was how safeguards as a form of procedural justice i.e. legal procedures to provide protects, requirements to provide notice, requirements to search the registry or publicize the registry were perceived. The researcher also used distributive justice because the study sought to understand how constituency groups perceived fairness as an outcome. Safeguard could also be perceived as distributive justice but was not focused upon in this study. Although aspects of interpersonal and informational justice are important, they tend to vary on the basis of time and types of personal experiences, and thus were not the focus of this study (Loi,

Yang, & Diefendorff, 2009). The literature also supports that components of interactional justice are captured in procedural justice (Greenberg & Cropanzano, 2001). In short, the nature of the current study sought to understand more structured dimensions of justice—hence, the use of distributive and procedural justice over interpersonal and informational justice.

In an effort to determine, social justice for various individuals who seek services and assistance from public organizations such as the Virginia Department of Social Services, procedural justice and distributive justice need further consideration. To effectively analyze public policy specific to Virginia's Putative Father Registry, a multiple constituency model using a social justice framework for analyses was needed. Figure 4 provides a visualization of the process regarding social justice and putative father registries.

Figure 4. Virginia Putative Father Registry Model of Constituency Perceptions



Both procedural and distributive justice indirectly predicts justice outcomes (Wingrove, 2009). The *Magna Carta* states, “*Nulli vendemus, nulli negabimus aut differemus, rectum aut justitiam,*” which can be translated to say: “To no man will we sell, or deny, or delay, right or justice” (Sen, 2009). Understanding the concepts of justice leads directly to how justice will be delivered. As noted above, distributive justice describes the perceived fairness of decision outcomes (Colquitt & Greenberg, 2003), and can be viewed in terms of exchange relationships where rewards are proportional to investments (Homans, 1961). Because it is associated with how things operate in relation to other things, distributive justice can provide insights on how to predict satisfaction with outcomes received (Tang & Sarsfield Baldwin, 1996). An example from the literature suggests that in terms of employee perceptions, it could pertain to the perceived fairness of employees receiving pay or promotions in relation to the amount of effort or work they put into their jobs (Fearne, Duffy, & Hornibrook, 2004).

Procedural justice is based on the views of affected individuals or groups and attempts to understand how the rules affecting them influence decision-making processes. It suggests that in order to have fair decisions, individuals who are affected by those decisions must have opportunities to offer input or influence the decision process (Fearne, Duffy, & Hornibrook, 2004). Thus, procedural justice is concerned with the means of a process (Greenberg, 1990). On the one hand, process control relates to the amount of control an individual or group is offered over the process of reaching agreement in a disputed process; on the other hand, decision control relates to the amount of direct control an individual or group has in determining the outcome or decision (Greenberg). Research has shown when employees are offered some level of process

control; they perceive the resulting decision to be fairer and more readily accepted, in comparison to when the identical decision is handed down from “on high” without their input (Walker, Lind, & Thibaut, 1970). Although procedural justice is typically linked to employment and employee relations, it has also been more broadly applied.

In an effort to determine satisfaction for various individuals who seek services and assistance from public organizations such as the Virginia Department of Social Services, procedural justice and distributive justice models, require thorough consideration. Because the current study was designed to effectively analyze public policy specific to Virginia’s Putative Father Registry, a multiple constituency model using a social justice framework for analyses was needed. Two procedures are routinely used to provide due process for putative fathers: filing an Order of Publication, or filing with a Registry (putative or paternity). In other words, the practice of either publicizing in newspapers or requiring a male to register with a putative father registry represents two distinct choices for setting the due process wheels in motion. The overall outcome of whether the process is just or fair—and who may perceive the process as just or fair—is the purpose of this study. Therefore, by evaluating the perceptions of the multiple constituent groups involved in the adoption process, the researcher was able to provide some insight as to perceptions of the effectiveness, efficiency, and fairness of the Virginia Putative Father Registry. Elucidating the perspectives of multiple constituents as to how they perceive the value of the registry, as well as determining their perceptions of procedural and distributive fairness, are important to know. Each constituency group may perceive the registry differently but could agree that the issue is about the agreement of the policy versus the value of the policy (Lindblom, 1959).

Figure 3 (shown earlier) lists the various groups that impact, influence, or are impacted by the Virginia Putative Father Registry. Even though each groups' perspectives have value, this research limited participatory groups to adoption attorneys, adoption social service workers, birth mothers, birth fathers/putative fathers and adoptive parents to determine their perceptions of the Registry's application of social justice. A multiple constituency approach would suggest that diverse constituencies would rate the effectiveness and efficiency differently (Connolly et al., 1980). This study provides information on how these constituencies perceived the Registry by determining how fairness, safeguards, voice and awareness are viewed.

To determine these variables, the various constituents of the Registry were canvassed as to their perceptions of its effectiveness and efficiency. *Effectiveness* is whether a given alternative results in the achievement of a valued outcome of action, while *efficiency* refers to the amount of effort required to produce a given level of effectiveness (Dunn, 2004). The strength of the relationship between the level of effectiveness and the degree to which it satisfies a problem is referred to as *adequacy* (Dunn, 2004). For example, effectiveness may be determined by reviewing 1) ease of use, 2) perception of usefulness, and 3) attitude (Abdalla, 2005). Efficiency refers to the cost and administrative time required to use and maintain the registry. Variables to determine distributive and procedural justice are 1) fairness, 2) two-way communication, 3) trust, 4) clarity of expectations and 5) understanding the process (Tang & Sarsfield Baldwin, 1996).

Reviewing the effectiveness, efficiency, and variables for distributive and procedural justice for the Virginia Putative Father Registry through the constituents'

perspectives was expected to indicate how the policy actually balanced the interests of constituents, and whether it was meeting its intended purpose from their perspective.

Registry Comparisons

Registries providing notices for putative fathers have not been researched in any significant way; as a result, no literature currently exists that provides a registry comparison. This researcher reviewed the laws governing registries and developed a system to evaluate and compare registries. In evaluating states that maintain either a putative father or a paternity registry, several factors were considered. To compare and evaluate registries, the putative father or paternity registry laws from every applicable state were obtained electronically from their websites and reviewed.

In order to evaluate how well registries execute their main mission (i.e., preserving due process for a putative father and balancing the interests of birth mothers and adoptive parents), several important variables were targeted for further investigation. For example, a registry that provides sufficient time to allow the putative father to register will meet his needs by preserving his rights to notice (Suebert, 2011). At the same time, however, registries also need to set a specific filing deadline to ensure the security of the adoption for the adoptive parents. If a registry is able to satisfy the needs of both these constituencies, it can be seen as having better practices. Another indicator of a high performing registry is one that widely publicizes its services and makes itself known to those who may need it. Seubert (2011) asserted that if states want more fathers using putative father registries, then they need to publicize their registry more actively. In this case, this “public awareness provision” was evaluated by whether a state was legally

obligated to publicize its putative father registry. Another indication of a high performing registry is one that lowers filing barriers or other hindrances, such as charging fees or requiring the putative father to assume parental responsibilities in order to preserve his rights to notice.

Ratings were determined by assessing how successful the registry was in meeting the needs of the putative father—while at the same time balancing the needs of the adoptive parents and birth mother as determined by this researcher. The rating system for this study was modeled after a bond-style system, as indicated by letters. An “A” rating represents the highest rating and indicates high performing practices that balance the interests of the putative father, birth mother, and adoptive parents. A “B” rating indicates that the registry practice appears to be fair, but that other elements could be implemented for balance and improved practice. A “C” rating points to a registry with practices that hinder or limit opportunities. For this study, a “C” rating was the lowest rating, indicating that it should implement several improvements to increase its responsiveness to its primary constituency groups. The aspects reviewed included the time period parameters, registry awareness requirements, and if the registry had practices such as requiring the putative father to do more than merely register to receive notice regarding an adoption.

First, the time periods during which a putative father could register were assessed. An “A” rating designated a registry that allows the putative father at least 30 days to register, or until the date when an adoption petition is filed. This rating indicates that a putative father has had a reasonable opportunity to be aware of the child’s birth and gives him time to register. The birth mother’s decision to place the child for adoption is not impeded because she does not have to provide private information regarding the

conception of the child or identity of the father. Her decision to place the child for adoption can occur within a specified time, while at the same time providing for the due process rights of the putative father. It also ensures that the adoptive parents have an opportunity to form a bond with the child at an early age, as well as provides security that the putative father was given an opportunity to protect his rights so that the adoption can proceed without the threat of being overturned.

A “B” rating designates a timeframe that restricts the period to register to less than 30 days, but allows more than 10 days to register. The “B” rating still provides the putative father time to be aware of the birth of a child and time to register. The “B” rating also indicates the opportunity for the adoptive parents to be able to bond with the child at an early age and still be sure that the adoption will be legalized.

A “C” rating designates a timeframe prior to the birth of the child and up to 10 days for the putative father to register. The “C” rating indicates the most limited timeframe for a putative father to register. In essence, a birth father would have to know that the mother was pregnant and when the child was born to file successfully with a C-rated registry. The “C” rating indicates that improvement needs to occur by allowing the putative father more time to register.

As indicated in the prior discussion of the “public awareness provision,” putative father registries are criticized because many men do not know about them or how they may protect their rights to notice (Beck, 2007; Thompson, 1998). Therefore, the second parameter by which registries were scored was on their methods of publicizing their services. If the registry was mandated by law to publicize its existence/services, and did so more via several methods (i.e., more than just through printed pamphlets), the registry

was given an “A” rating. If the registry was required to reach the public through multiple media, it is reasonable to conclude that a greater population was aware of the registry. If the registry was mandated to publicize its services, but limited how it actually went about doing so, it received a “B” rating. If a given registry was not required to publicize in any way, it is reasonable to conclude that putative fathers may not be aware of how to protect their rights to notice; that registry was assigned the lowest rating of a “C”.

A putative father must take proactive steps in order to preserve his rights to notice in many states that have putative father registries; this contrasts sharply with the birth mother, who has relatively few requirements to fulfill before she is able to place her child for adoption. Since the main purpose of a putative father registry is to provide an alleged father a mechanism to preserve his right to notice, the third grading category used in this study was a registry’s filing procedures. If a registry only required a putative father to register through a main form, it received an “A” rating. A registry that required an additional form to be returned or submitted received a “B” rating. If the registry required multiple forms (in addition to registering to receive notice), the registry received the lowest rating of a “C”. A putative father must take proactive steps in order to preserve his rights to notice in states that have putative father registries as compared to the birth mother who does not have a similar requirement before she is able to place the child for adoption. If the registry required more than just registering, the registry received the lowest rating.

Table 3 summarizes the ratings provided using the criteria discussed. Table 3 also provides a quick reference to determine if a registry was either a putative father registry, indicated by a “♂” symbol, or a paternity registry, indicated by a “♀” symbol. Currently

12 states maintain a paternity registry while 19 states have a putative father registry. Registries housed in Child Support Offices are indicated with “♣” symbol. Registries housed in Health Departments/Vital Records are indicated with “♠” symbol and registries housed in Human Services Offices/Social Services are indicated with a “♣” symbol. Table also identifies best practices for registries that provide constituents or stakeholders a balance and fair approach to providing notice to putative fathers and ensuring the integrity of the adoption process. Ohio received a rating of AAA, which indicates a high performing registry. Putative father registries that received the lowest rating of CCC were Kansas, Nebraska, New Mexico and Oregon. Michigan, New Hampshire and Utah received the lowest rating of CCC for paternity registries. Virginia received a rating of CAA.

Where registries are housed and how they are named is important. Registries named paternity tend to focus on the child and the need to establish paternity while registries named putative tend to focus on the father. Child Support Enforcement registries seek to establish child support and establishing paternity. Health/Vital Statistics registries seek to establish paternity and have a father’s name on the birth certificate. Social Services registries seek family formation and most provide more latitude for putative father to register.

Table 3. *Registry Comparison Chart*










State	Type	Housed	Rating	Timeframe to Register	Required by law to publicize Registry	Additional Actions/Requirements to Receive Notice
Alabama	♂		ACB	Before birth or within 30 days after birth	No	Must provide a child support obligation income statement/affidavit form with registration of registry
Arizona	♂		AAC	Prior to filing of an adoption petition	No	Willingness and intent to support child
Arkansas	♂		ACC	Anytime but no later than 60 days after the date of notice from court	No	Required to establish a significant custodial, personal, or financial relationship
Connecticut	♀		ACC	Before birth or 30 days after birth	No	Requires being an adjudicated or acknowledged father
Delaware	♀		ACA	Before birth or 30 days after birth	No	No other action required.
Florida	♂		AAC	Before birth but not after date of petition filed for termination of parental rights	Information on the registry is available at the Department of Highway Safety and Motor Vehicles and other agencies such as health class curricula, public and private schools, libraries, adoption entities, medical clinics and universities; in addition, the registry forms are in several languages.	Consents to pay for DNA
Georgia	♂		CBC	Must file during a period beginning two years prior to the child's date of birth	Information is required to be disseminated in connection with certificates of live birth and through county boards of health.	The department may require additional information
Idaho	♀		ACC	Prior to birth but prior to placement for adoption	No	A \$10 is required for filing.
Illinois	♂		ACC	Prior to birth but no later than 30 days after birth	No	Other information as the Department may rule determined necessary for the orderly administration of the registry

Table 3, continued






State	Type	Housed	Rating	Timeframe to Register	Required by law to publicize Registry	Additional Actions/Requirements to Receive Notice
Indiana	♂		BBA	30 days after birth or earlier than the date of filing of an adoption petition or termination of parental rights	Information is available at the clerk of a circuit court; branch office of the bureau of motor vehicles; hospitals; and local health departments.	No other action is required.
Iowa	♀		ACA	Prior to birth and no later than the date of the filing of the petition for termination of parental rights	No	No other action is required.
Kansas	♂		CCC	No legal timeframe listed in Kansas law	No	Adoption law in Kansas requires the father, after having knowledge of the child's birth, to knowingly failed to provide a substantial portion of the child support as required by judicial decree, when financially able to do so, for a period of two years preceding the filing of the petition for adoption
Louisiana	♀		CCA	Has filed with the registry a judgment of filiations which recognizes a father has acknowledged a child born outside of marriage and in which the father is adjudged the parent	No	No other action required.
Massachusetts	♀		BCA	Prior to surrender or termination of parental rights	No	No other action required.

Table 3, continued







State	Type	Housed	Rating	Timeframe to Register	Required by law to publicize Registry	Additional Actions/Requirements to Receive Notice
Michigan	♀		CCC	Has filed with the registry a judgment of filiations which recognizes a father has acknowledged a child born outside of marriage and in which the father is adjudged the parent	No	Show fitness and being properly able to care for the child
Minnesota	♂		ACB	Prior to birth but no later than 30 days after birth	No	Must return Notice of Intent mail from court
Missouri	♀		BAC	Prior to or within 15 days after birth of child	Required to produce and distribute a pamphlet. Requires pamphlets are given to departments of social services, hospitals, libraries, and medical clinics, schools and universities and other providers of child-related services upon request. Provide information to the public at large by way of general public service announcements, or other ways to deliver information to the public about the putative father registry and its services.	Has filed an action to establish his paternity in a court of competent jurisdiction no later than fifteen days after the birth of the child.
Montana	♂		CBC	Within 72 hours after birth	Required notice to public regarding registry posted at courts, department of motor vehicles and health departments.	Appear in court and demonstrate reasonable efforts to establish a substantial relationship with the child
Nebraska	♂		CCC	Within five (5) business days after birth or notice	No	Files Notice of Objection to Adoption and Intent to Obtain Custody
New Hampshire	♀		CCC	Anytime a claim is filed prior to the mother's parental rights being surrendered	No	Must express intent to support child and prove he is the legal father

Table 3, continued














State	Type	Housed	Rating	Timeframe to Register	Required by law to publicize Registry	Additional Actions/Requirements to Receive Notice
New Mexico	♂		CCC	Within 10 days of birth	No	A person must file a notice of intent to claim paternity of a child or an acknowledgement of paternity
New York	♀		ACA	Any filed notice of intent to claim paternity that is not revoked (Must be filed before other actions)	No	No other action is required.
Ohio	♂		AAA	Prior to birth or within 30 days after birth	Requires a mandated campaign to promote awareness of the registry.	No other action is required.
Oklahoma	♂		ABA	Within 30 days from the date that the Notice of Plan for Adoption is served	Requires publication and statewide distribution of information regarding the registry when funds are available.	No other action is required.
Oregon	♂		CCC	Notice file prior to proceeding or child's being placed in the physical custody of a person or persons for the purpose of adoption by them.	No	Established paternity or lived with child for 60 days immediately prior to proceedings or any time if the child is less than 60 days old or he made repeated contributions or attempts to support the child
Tennessee	♀		ACC	Prior to birth or within 30 days after birth	No	Must file complaint for parentage or to intervene in the adoption proceedings
Texas	♂		ACA	Prior to birth but no later than the 31 st day after birth	No	No other action is required.
Utah	♀		CCC	Prior to mother's execution of consent to adopt or relinquishment of child	No	Putative Father must motion to intervene
Virginia	♂		CAA	Prior to birth or within 10 days of birth or 10 days of discovery of fraud or 10 days from a notice to register	Requires the Department to provide information to the public at large by the way, of general public service announcements or other ways to deliver information to the public about the putative father registry.	No other action is required.

Table 3, continued

State	Type	Housed	Rating	Timeframe to Register	Required by law to publicize Registry	Additional Actions/Requirements to Receive Notice
Wisconsin	♂		BAA	Prior to birth or any time before a termination of the father's rights or within 14 days after the birth except when a notice is received a man may file a declaration within 21 days after the date the notice was mailed	Requires the registry to be publicized by the calculated maximum notice to all persons who might claim to be a father. The department may publicize the information posting the information on the internet, pamphlet and by requiring agencies that provide services under contract with the department to provide information to clients.	No other action is required.
Wyoming	♂		ACC	Before or after the birth (Registered before any proceedings)	No	Must file and serve objections to adoption and appear at hearing
♀ = Paternity Registry	♂ = Registry housed in Child Support Enforcement			A= registry allows the putative father at least 30 days or the date a petition is filed to register	A= registry is mandated by law to publicize and it does more than use pamphlets	A= registry only required a putative father to register to receive notice
♂ = Putative Father Registry	 = Registry housed in Health/Vital Statistic			B= registry designates a timeframe that restricts the period to register to less than 30 days but allows more than 10 days to register	B= registry is mandated to publicize but limits how it publicizes	B= registry that only required an additional form to be returned or submitted to receive notice
	 = Registry Housed in Social Services			C= designates a timeframe prior to the birth of the child and up to 10 days for the putative father to register	C= registry is not required to publicize	C= registry required more than returning a form in addition to registering with the registry to receive noticed

*Source: States laws regarding putative father registries

As shown in Table 3, the filing timeframe for most states is up to 60 days. Montana has one of the shortest timeframes to register of 72 hours after birth. It may be difficult for a putative father to even know he has fathered a child within three days of a birth, let alone file the necessary paperwork to have some voice in that child's future. In addition to registering in Montana, the putative father must also appear in court to demonstrate reasonable efforts to establish a relationship with the child. Working against him, however, is the fact that it could take three days for the newborn to be discharged from the hospital—not much time for either parent to form a bond! Moreover, hospitals cannot release protected health information regarding birth records to unauthorized individuals; if the birth mother does not authorize the putative father to have information regarding the child's birth, his opportunity to meet Montana's requirements are all but dead in the water. In short, the registry practices for Montana present barriers for a putative father to preserve his right to notice.

When a state is mandated to publicize its registry, more individuals become aware about the process, including (importantly) putative fathers who want the opportunity to preserve their rights to notice. Additionally, birth mothers may not be required to disclose sensitive personal information because the putative father would be aware of the need to take proactive steps to preserve his rights. Finally, adoptive parents would experience fewer contested adoptions on the premise of the putative father not receiving notice.

If the purpose of the registry is to have men register, charging a fee may hinder this process; thus creating a barrier for a putative father to receive notice regarding a plan of adoption for a child he may have fathered. Currently, Florida and Idaho are the only states to impose a registration fee, as seen in Table 4. Although nominal, even a small fee may discourage a man

from registering to preserve his rights. In contrast, a birth mother is not assessed a fee to preserve her right to place a child for adoption or contest an adoption.

Table 4. *States Requiring Fees**

State	Search Fee Amount	Registration Fee Amount
Alabama	\$5	None
Arizona	\$5	None
Arkansas	\$5	None
Delaware	\$10	None
Florida	\$9	\$9.00
Georgia	\$10	None
Idaho	\$13	\$10.00
Illinois	\$40	None
Indiana	\$50	None
Iowa	\$15	None
Louisiana	\$10.50	None
Michigan	\$10	None
Minnesota	\$25	None
Montana	\$10	None
New Mexico	\$12	None
Texas	\$10	None
Utah	\$9	None

*Virginia charges a \$50 fee for all adoption petitions filed except for petitions for international adoptions.

*Source: States laws regarding putative father registries

Assessed fees to individuals or entities that search registries vary from \$5 to \$50, and most do charge a fee (Table 4)—typically to support the registry administration. It is feasible to assume that more individuals and entities search a registry than putative fathers register. Thus,

costs shift from a putative father to someone trying to identify a putative father. By shifting the cost, a putative father has one less barrier to face to preserve his rights to notice.

Tier Groups and Putative Father Registries of Selected States

Although there is a movement to have a national putative father registry, no legislation has yet been authorized to establish a federally-administered registry (Beck, 2007). The introduction of a national putative father registry bill by Senator Mary Landrieu from Louisiana was overshadowed in the wake of Hurricane Katrina, and since that time no other window of opportunity has opened. Thus, each state that maintains a putative father registry may administer it differently, making comparisons both interesting and necessary. One way to compare registries is to group the registries into tier groups. Tiers are grouped together according to where the registry is housed. The tier grouping is further analyzed by providing a numerical value to each corresponding letter grade assigned in Table 3. Grades were assigned on a 10-point scale using the middle of the scale for median score. An “A” received a score of 95, a “B” received a score of 85, and a “C” received a score of 75. The first letter grouping corresponds to periods; the second to how the registry is required to publicize; and the third grouping refers to whether the registry has additional requirements besides registering in order for a putative father to receive notice regarding a pending adoption or termination of parental rights. Table 5 provides information regarding the Child Support Tier.

Table 5. *Child Support Registry Tier*

State	Registry Type	Child Support	Rating	Grade Average
Georgia	♂	♂	CBC	78.3 C+
Kansas	♂	♂	CCC	75 C+
New Hampshire	♀	♂	CCC	75 C+
Tier Average Grade				76.1 C+
Grading Scale: A+ = 95-100		B+ = 85-89	C+ = 75-79	
A = 94-90		B = 84-80	C = 74-70	

*Source: States laws regarding putative father registries

The Child Support Registry Tier has an average of a “C” rating with a numerical score of 76.1. The lowest ratings categories were timeframe for registering and mandate to publicize. Kansas and New Hampshire received the lowest grades of a “C” and a corresponding numerical value of 75, in contrast to Georgia, which received the highest grade in this tier of 78.3, Georgia’s registry is the only registry in this tier that has some requirement to publicize. Georgia would also have received a higher overall score, but was assigned a “C” grade because (1) it required additional information for notice, and (2) the time period allowed to register was restrictive—essentially requiring the putative father to demonstrate some kind of support or involvement with the mother while she was pregnant. Georgia was selected for additional review because it is the only registry in this tier that was mandated to publicize even though it shares similar legal language to other registries in other tiers.

Georgia Putative Father Registry

Georgia established its putative father registry in 1992 to enable putative fathers to identify themselves and their whereabouts in order to acknowledge paternity or to indicate the possibility of paternity (Thompson, 1998). In 1997, amendments to the Georgia putative father

registry provided greater recognition for putative fathers whose identity and location were known and for those who registered. A putative father who indicated possible paternity on his registration must have registered no more than two years immediately after the birth of the child (Thompson). The 1997 amendments did not require a mother to disclose the identity of the child's father and the unidentified putative father who did not register lost his right to assert a legal claim to the child (Thompson). If a putative father failed to register with Georgia's putative father registry, the registry became a mechanism to terminate the father's right to object to an adoption without providing him notice or an opportunity to be heard.

In Georgia, the biological parent is granted custody of the child unless clear and convincing evidence is presented for the parent being unfit. However, in the past, society has equated unwed fathers with being unfit. In Georgia law, an unmarried man is deemed to be on legal notice that if he engages in a sexual relationship, a pregnancy may occur (Thompson, 1998). To protect his rights, a putative father must act to preserve his rights, which occurs in Georgia by registering with the putative father registry.

The registry in Georgia is required to publicize itself by dissemination of information in connection with certificates of live births and through boards of health. The Georgia Department of Human Services (formerly the Georgia Department of Human Resources) is authorized to prescribe notices, forms, and educational materials for entities that may offer voluntary paternity establishment services (Georgia Code 19-11-9). However, the dissemination of information primarily occurs after the birth of the child. A putative father who engaged in sexual activity with any woman who is not his wife would need to register after each sexual encounter to preserve his rights.

An Emory University School of Law survey of 52 law students revealed that only 11 of the respondents were aware of the existence of the Georgia putative father registry (Thompson, 1998). Of those 11, only 3 were men. The article further indicated that all of the respondents who were aware of the registry had learned of it while in law school. Although not scientific, this survey indicates that only a handful well educated men and woman at a prestigious school of law were aware of legal opportunities for putative fathers to protect their rights. The study further indicates a perplexing problem for public policy regarding the effectiveness and efficiency of a putative father registry (Thompson).

The second tier grouping are paternity registries housed in Health/Vital Statistics Departments (Table 6). As shown, the average tier grade for registries in this category was 83.3 or a “B” grade. This grouping also received its lowest mark of a “C” grade with a corresponding numerical value of 77.5 for mandates to publicize. Four registries in this tier grouping (Delaware, Idaho, Iowa and New York) received the highest rating in this category of 88.3, a “B” grade. The lowest ratings were received by Utah and Michigan because both appeared to hinder a putative father from receiving his notice by having limited time for him to register, having no requirement to publicize, and adding additional requirements to register.

Table 6. *Health/Vital Statistic Paternity Registry Tier*












State	Registry Type	Health/Vital Statistic	Rating	Grade Average
Connecticut	♀	★	ACC	81.7 B
Delaware	♀	★	ACA	88.3 B+
Idaho	♀	★	ACA	88.3 B+
Iowa	♀	★	ACA	88.3 B+
Louisiana	♀	★	CCA	81.7 B
Michigan	♀	★	CCC	75 C+
New York	♀	★	ACA	88.3 B+
Utah	♀	★	CCC	75 C+
Tier Average Grade				83.3 B

Grading Scale: A+ = 95-100 B+ = 85-89 C+ = 75-79
 A = 94-90 B = 84-80 C = 74-70

Source: States laws regarding putative father registries

Table 7 provides information for the 11 putative father registries housed in Health/Vital Statistics Departments. This is the most of any kind of registry in the tier rating systems. The overall rating for this tier is a “B,” with a corresponding numerical value of 83.47. The top-scoring registries with a score of 88.3 (i.e., a “B+” rating) are received by Arizona, Florida, Indiana, Missouri and Texas. In this category Nebraska received the lowest rating of a “C,” with a corresponding numerical value of a 75. Missouri was among the best performers of this tier group and was selected for additional review because is also shares legal language with other state registries.

Table 7. *Health/Vital Statistic Putative Father Registry*

State	Putative	Health/Vital Statistic	Rating	Grade	Average
Arizona	♂		AAC	88.3	B+
Arkansas	♂		ACC	81.7	B
Florida	♂		AAC	88.3	B+
Indiana	♂		ACA	88.3	B+
Minnesota	♂		ACB	85	B+
Montana	♂		CBC	78.3	C+
Missouri	♂		BBA	88.3	B+
Nebraska	♂		CCC	75	C+
New Mexico	♂		CCA	81.7	B
Oregon	♂		CCC	75	C+
Texas	♂		ACA	88.3	B+
Tier Average Grade				83.47	B
Grading Scale: A+ = 95-100		B+ = 85-89	C+ = 75-79		
A = 94-90		B = 84-80	C = 74-70		




Missouri Putative Father Registry

Missouri enacted its putative father registry in 1988 (Standlee, 2006). In that state, a putative father must file a notice of intent to claim paternity with the Missouri registry during the pregnancy or within 15 days of the birth of the child in order to retain his rights of consent to an adoption. In 2004, the Missouri legislature further revised their registry to indicate that a putative father who had not filed with the registry or taken affirmative steps to establish his paternity would legally waive his right to consent to adoption (Standlee, 2006). In Missouri,

only a man who had filed paternity action, affirmatively asserted paternity, filed with the putative father registry, or was presumed, acknowledged or adjudicated the father would be able to consent to an adoption. In other words, Missouri law does not recognize a putative father who has not acted proactively to preserve his parental rights. Moreover, a putative father in Missouri is on notice of the possibility of becoming a father by virtue of having sexual relations with a woman. This provision places all of the responsibility on the man to preserve his rights after he has engaged in has sexual intercourse.

Registries housed in Departments of Social Services received among the highest ratings and corresponding numerical scores regardless of whether they were putative father registries or paternity registries, as shown in Tables 8 and 9. Table 8 reviews paternity registries housed in Departments of Social Services.

Table 8. *Social Services Paternity Registry Tier*







State	Paternity	Social Services	Rating	Grade	Average
Alabama	♀		ACA	85	B+
Massachusetts	♀		BCA	85	B+
Tennessee	♀		ACC	81.7	B
Tier Average Grade				83.9	B
Grading Scale: A+ = 95-100		B+ = 85-89	C+ = 75-79		
A = 94-90		B = 84-80	C = 74-70		

*Source: States laws regarding putative father registries

Table 9 provides information for putative father registries housed in Departments of Social Services, which received the highest overall ratings in the tier group—a letter score of “B+” and a corresponding numerical value of 88.35. Three out of the six registries received an “A” rating. Ohio’s putative father registry scored the highest with an A+ grade and a

corresponding numerical value of 95. These high performing state registries can serve as models for other states who wish to improve their practices and provide equitable service to all constituencies. This tier group also has one of the newest registries, which is Virginia’s putative father registry. Virginia has a B+ rating with a corresponding numerical value of 86.125. Virginia was selected because it is one of the newest registries, having been implemented in 2007, and shares legal language of other registries in other tiers.

Table 9. *Social Services Putative Father Registry Tier*

State	Paternity	Social Services	Rating	Grade	Average
Illinois	♂		ACC	81.7	B
Ohio	♂		AAA	95	A+
Oklahoma	♂		ABA	91.7	A
Virginia	♂		CAA	88.3	B+
Wisconsin	♂		BAA	91.7	A
Wyoming	♂		ACC	81.7	B
Tier Average Grade				88.35	B+
Grading Scale: A+ = 95-100		B+ = 85-89	C+ = 75-79		
A = 94-90		B = 84-80	C = 74-70		

*Source: States laws regarding putative father registries

Virginia Putative Father Registry

The Virginia Putative Father Registry share features with the Georgia, Missouri, and Ohio registries by requiring the putative father to take proactive steps to preserve his rights. Virginia created a putative father registry through its General Assembly that became effective July 2007, which was spurred by 2005 Senate Joint Resolution 331—a study of adoption indicating that the establishment of a registry would expedite adoptions ("Study of Virginia's,"

2006). The legislation as written in Virginia appears as if it may improve adoption outcomes, but at what cost and to whose benefit.

The intent of the VPF Registry is (1) to provide a mechanism that allows a putative father to receive notice of proceedings to terminate his parental rights, or (2) notify him of an adoption plan if he registers in a timely fashion with the Registry. The putative father does not have to establish paternity through DNA testing before registering. To preserve his rights to notice, a putative father can also start paternity proceedings before a petition for adoption is filed (Code of Virginia §63.2-1250). This process could be problematic because of the need to start paternity proceedings before a petition for adoption is even filed. As in other states, Virginia provides that a sexual encounter serves as legal notice that a man could have fathered a child and would be required to register if he desires to have notice of a proceeding to terminate his parental rights or consent to an adoption (Code of Virginia §63.2-1250). Virginia, like Georgia and Missouri, requires the putative father to take proactive steps to preserve his rights to notice. In addition, Virginia provides that searches of the Registry must be completed in all termination of parental rights proceedings and before adoptions can be concluded (Code of Virginia §63.2-1252).

Prior to the establishment of the Virginia Putative Father Registry, an Order of Publication constituted notice to putative fathers whose identities could not be reasonably ascertained or whose whereabouts were unknown. The Order of Publication stated the purpose of the petition and where the hearing was to be held (Volume VII, Section III Chapter C). The order was to be publicized once a week for four successive weeks. To protect his interests, the putative father needed to appear on or before the date stated in the order. The mother was encouraged to provide such details as the possible dates of conception, possible location of conception, and her name. In Virginia, however, if the mother knew the father's identity but

refused to reveal it, the court would consider the father's identity not to be reasonably ascertainable. A consequence of this is that the father's rights to notice would be left to chance—secured only if he happened to see a notice of publication in the newspaper and acted upon it in a timely manner. As of 30 June 2008, one year after the Registry had been in effect, it had approximately 64 registrations, over 467 requests to search applications, and 12 matches (i.e., where a request to search matched a registration). As of 21 January 2013, the Registry had 627 registrations and 106 matches.

It should be noted that currently there are no data available as to how many fathers were found using Orders of Publication. Orders of Publications could appear in newspapers, which tend to have a smaller distribution in smaller or rural communities. Moreover, because there was no mandate to use a specific (i.e., widely circulated) newspaper, it brings into question how much effort was actually made to locate the putative father. In short, placing an Order of Publication in a newspaper may have limited the potential for the putative father to receive information regarding his rights to notice. Although this researcher would conjecture that putative father registries are more effective in providing right to notice to suspected fathers, the lack of information about the comparative efficacy of Order of Publications makes this discussion moot.

Conclusion

Determining constituents' perception of distributive and procedural justice will begin to address whether putative father registries are perceived as fair or effective. Assessing putative father registries can be evaluated by determining effectiveness through a social justice

framework. Understanding how constituency groups perceive their outcomes and procedures affecting them is likely to indicate their level of social justice.

Where a paternity or putative father registry is located may affect the types of policies that operate the registry, which are also likely to be a reflection of an agency's mission and values. Overall, paternity registries appear to require more than just registering to ensure a putative father's right to notice regarding an adoption. Registries located in Child Support Enforcement departments appear to be the most restricted and require the most effort from the putative father, as evidenced by their overall rating of 76.65. In contrast, putative father registries housed in Departments of Social Services appear to be the most beneficial for a putative father, demonstrated by their rating of 88.35.

CHAPTER 3:

REARCH DESIGN AND METHODOLOGY

Utilizing a justice perspective (distributive and procedural justice) and a framework based on the Multiple Constituency Model, the purpose of this mixed-methods study was to explore the perceptions of primary constituency groups of the Virginia Putative Father Registry. As discussed in Chapter 2, the primary constituency groups are consumers of services provided by the registry or potentially affected by the registry. This study utilized cross tabulations, correlations, and ANOVA analyses. Additional analyses consisted of information gathered from the themes and qualitative data obtained by responses from focus groups consisting of putative fathers and birth fathers.

Research Question

The following question informed and guided this study:

Do individual constituency groups have differing perceptions of social justice regarding the Virginia Putative Father Registry?

Hypothesis Generating Verses Hypothesis Testing

This study was designed to provide preliminary information regarding putative father registries, and in particular, the Virginia Putative Father Registry. Due to limited academic research regarding putative father registries, identifying specific causality did not occur. Moreover, the type of data collected is not suitable for indicating causality. Previous research regarding the research topic was also limited with little to no theory available to form

hypotheses. As a result, this study sought to generate knowledge regarding putative father registries.

Empirical research may involve hypothesis testing or hypothesis generation. Hypothesis testing is designed to allow the investigator to draw inferences about the population of a study sample (Creswell, 2003). In contrast, hypothesis testing is most appropriate for research that has been previously studied or has significant theoretical links. Weathington, Cunningham and Pittenger (2010) reported that, in general, hypotheses emerge from two general sources: existing theories and previous research.

Hypothesis generating is most appropriate when the subject or topic has limited previous research associated with it, as was the case with research regarding putative father registries and the Virginia Putative Father Registry. Typically, exploratory research is guided by the desire or motivation to explore an interesting phenomenon, rather than guided by available theory on the subject of interest (Weathington, Cunningham, & Pittenger, 2010). Bacon (1994) indicated that empirical data can be derived from many sources, and data collection should be free of any preconceived notions in order to be able to evaluate a phenomenon clearly and free from personal bias. Such an approach, Bacon asserted, would help the researcher avoid what he termed “Idols of the Cave,” where perceptions are influenced and may not reflect what is actually occurring (Weathington, Cunningham & Pittenger, 2010).

Qualitative studies tend to rely on research questions rather than on traditional hypotheses (Creswell, 2003). A method involving developing hypotheses after data is collected is called hypothesis-generating research (as opposed to hypothesis-*testing* research) (Auerbach & Silverstein, 2003). Hypothesis generating in qualitative studies is quite often accomplished by collecting interview data from research participants concerning a phenomenon of interest, and

then using what they say in order to develop hypotheses (Auerbach & Silverstein). Auerbach and Silverstein also noted that hypotheses generating methods can be used in cases when insufficient information makes it difficult to create clear hypotheses. In such circumstances, the researcher is still able to add to the literature by improving understanding of a given phenomenon, by creating unbiased research, and by revealing previously unknown commonalities (Baxter, Krokoshy, & Terry, 2011).

Many studies that are hypotheses generating are qualitative in nature, but the technique is not unknown to quantitative researchers (Osei-Bryson & Ngwenyarna 2011; Gould, 2010; Stelf-Mabry, 2001). One such example of a quantitative study that utilized hypotheses generating methods is a study by Osei-Bryson and Ngwenyarna that used data mining and factor analysis, as well as satisfaction surveys. Additionally, Gould utilized data mining and cross validation as statistical approaches in their study to generate hypotheses, and Stelf-Mabry (2001) employed empirical methods, including regression analysis, correlations, frequency distributions, t-test and ANOVA.

Research and Methodology

This study used a mixed method design incorporating both qualitative and quantitative approaches (Creswell 2003). With the complexity of applying social justice factors to the perceptions of the Virginia Putative Father Registry, a mixed method approach provided a foundation for understanding a unique phenomenon for which further analysis was warranted. A survey was used to capture quantitative data and qualitative data was captured with focus groups.

Focus Groups

An important research strategy is the use of focus groups, which utilizes small group interviews to obtain qualitative data, as well as items for questionnaires or surveys (O'Sullivan, Rassel, & Berner, 2003). This research utilized focus groups to analyze the range of perspectives about putative father registries in general and the Virginia Putative Father Registry in particular. A secondary goal of the focus groups was to solicit ideas for increasing public awareness of registries among males.

As discussed, the purpose of a putative father registry is to preserve the rights of men who wish to preserve their rights to notice. Given the rise in the number of children who are born beyond the confines of a legal marriage, the perspectives of putative fathers warrant particular attention. Hence, the use of focus groups to solicit their views and opinions. Employing a qualitative approach for analyzing the Virginia Putative Father Registry provided a way to integrate tangible “*real-world*” complexities into the research design. Furthermore, a social justice perspective guided the interpretation through a distributive justice and procedural justice framework. This form of inquiry describes and explains specific manifestations (Patton 2002).

The focus groups were designed and conducted as follows. Focus group participants were first given an information form that discussed the purpose of the study, the associated risks and benefits, an assurance of confidentiality, and the voluntary nature of their participation. Voluntary demographic data were obtained from each of the men, whose ages typically ranged from 18-39 (see Appendix B). Males of African-American, Caribbean, and Caucasian ancestry were the predominant racial groups. Most of the participants had completed high school or some form of higher education. After obtaining the demographic information, two brief commercials

for the Virginia Putative Father Registry were played for the focus groups. The 30-second commercials aired on the CW and Fox television networks across Virginia in 2010 and 2011. After playing the commercials to the focus groups, a group of structured questions was asked to determine the participants' knowledge of the registry, ideas for public awareness of the registry and social justice indicators.

Leventhal (1980) was the first researcher to identify procedures for determining whether a particular method was “fair” and could be viewed as an indicator of social justice. Indicators of procedural justice in the focus group included questions relating to procedures such as the need to take proactive steps to preserve rights to notice, and how putative fathers would like to learn (i.e., be given legal notice) that a child they may have fathered has an adoption plan. Other indicators of procedural justice include process control or voice (Thibaut & Walker, 1975) and gathering participants' suggestions on how to improve awareness of the registry.

Survey

Surveys are often used to measure attitudes, opinions, behaviors, life circumstances or other issues (Fitzpatrick, Worthen, & Sanders, 2004). Survey research methodologies have been used in many areas of public policy (Kalton, 1983; Frankfort-Nachmias, & Nachmias, 2000; O'Sullivan, Rassel, & Berner, 2003). As reported by Tsui (1990), survey procedures are considered practical and appropriate when applied to the multiple constituency approach (Tsui, 1990). Because this research was not designed to determine the cause of perceptions—but rather to describe perceptions—the use of survey-based data is appropriate.

Undertaking a study of putative father registries was challenging because of the sensitivity and complexity of this topic—often involving issues of fairness to the various constituency groups whose interests are at stake. Greenberg and Lind (2000) stated what is

perceived as fair is often more important than what is *actually* fair. Thus, the survey instrument was developed to capture perceptions of social justice and awareness from the primary constituency groups of the Virginia Putative Father Registry. The survey instrument (Appendix K) was divided into an awareness of the Registry and adoption process, indicators of social justice, and demographic information.

Distributive justice exists to the extent that allocation outcomes are consistent with the pre-established goals of a particular strategy. Survey questions designed to indicate distributive justice included (1) the level of agreement as to whether putative fathers should have to register with a putative father registry to receive notice, (2) what the average person knows about a putative father registry, and (3) the preferred timeframe for receiving results from a putative father registry. Procedural justice indicators included the level of agreement among participants as to whether putative father registries were free of bias, whether such registries provided sufficient safeguards for putative fathers, as well as which constituency groups were believed to have the most and least influence.

Sampling Plan

The sample population for this study was difficult to identify due to the sensitive nature of issues surrounding the adoption process. Other than publically identified adoption professionals, finding prospective participants affiliated with an adoption process was hindered by the confidential nature of the process. However, the researcher was able to identify primary constituency group members of the Virginia Putative Father Registry, advocacy groups, and professional affiliations because they self-identify. Individuals that self-identify may not represent the typical member of the constituency group and is a limitation of this study as a selection bias. Specifically, this study obtained survey information from putative fathers, birth

mothers, adoptive parents, adoption attorneys, and adoption social service workers, as detailed below (and summarized in Table 10).

Studies in child welfare have primarily focused on women and the responsibilities of women (Callahan et al., 2005; Geva, 2011; O'Hagan & Dillenberger, 1995). Additionally, Suebert (2011) recently reported that fathers are at significantly greater risk of losing the opportunity to parent their children when they are not married to the mothers. Putative father registries require men to take proactive steps to protect their rights as fathers; thus, as a constituency group they have the most to lose through inaction. Rawls (1971) suggested that the "minimal regret" principle would seek to reduce the negative effect to the most disadvantage group. Nonetheless, assessing the perspectives of putative fathers or men who could potentially be impacted by the VPF Registry was essential. To achieve this goal, the researcher contacted fatherhood support groups serving men in Virginia to recruit potential participants.

In most states, adoption records are sealed, making it challenging to identify people who have been associated with the adoption process. Many individuals who have placed their child for adoption may not readily identify themselves because of the negative social stigma. In contrast, people who have joined a support/advocacy group concerned with the rights and responsibilities of birthparents have already self-identified; thus, in essence, they were considered approachable for participation in this study. An organization that was important for this study was Concerned United Birthparents, Inc. (CUB), a national group that primarily helps birthparents, but also serves as a resource for others touch by or concerned about adoption issues. The mission of CUB is to provide support for all family members separated by adoption, to provide resources to help prevent unnecessary family separations, to educate the public about the

life-long impact on all who are touched by adoption, and to advocate for fair and ethical adoption laws, policies, and practice.

The researcher sent an email with a link to the survey to a regional director of CUB, requesting that it be sent to their membership to obtain the perspective of birthparents. The targeted region included Virginia, the District of Columbia (DC), and Maryland. The Regional Director replied that many birthparents who may have placed their child for adoption in Virginia may have moved outside of the state—but that the perspectives from birthparents would not particularly change because due to geographic location. Important for this study is that although CUB represents all birthparents, the majority of those who join this organization are mothers. Thus, the responses from birth mothers yielded 11 completed surveys.

The researcher also contacted The American Academy of Adoption Attorneys (AAAA), which was formed to study, encourage, promote and improve the laws and practice of law pertaining to the adoption of children and the creation of families throughout the United States and abroad. Members of this organization are listed as “Fellows,” male and female attorneys who practice law and seek adoption referrals. Fellows must meet the highest ethical and competency standards in order to be admitted into the organization. This organization currently has 15 attorneys listed as Fellows in Virginia. In order to increase the targeted population for adoption attorneys, both in-state and out-of-state attorneys who had requested a search of the Virginia Putative Father Registry more than 3 times within the past 12 months were invited to participate in this study. The researcher viewed this frequency as an indication that the attorney had more than an idle interest in the Registry, making this factor important as selection criteria.

Within the Virginia Department of Social Services, there are 120 distinct departments and 40 licensed child-placing agencies that provide adoption services and could potentially need

to access the VPF Registry. The researcher invited adoption social service workers who had requested access to the Registry more once within the prior 12 months to participate in the study. This population included both public and private agency personnel within and outside the Commonwealth of Virginia who had demonstrated a need to access the registry and were familiar with the services provided by the Registry. Table 10 provides an overview of the constituency group selection and study analysis methods employed used for this study.

Table 10. *Constituency Group Selection and Study Analysis Methods*

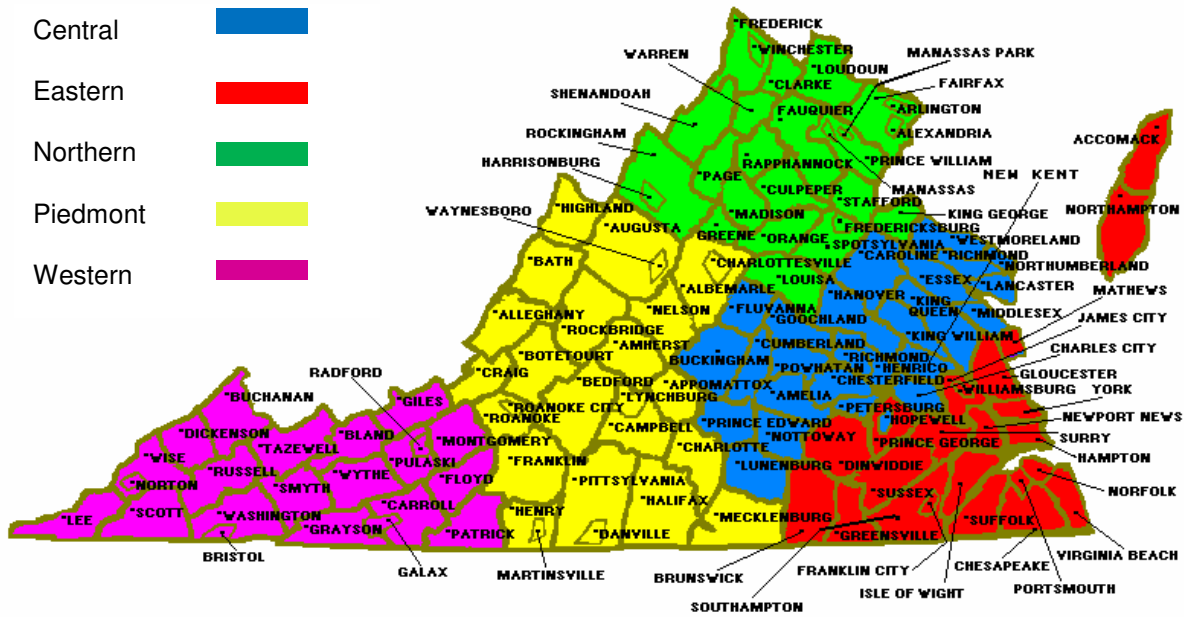
Constituency Group	Study Definition	Selection Criteria	Data Collection Method	Time Period	Sample Size	Analytical Techniques
Putative Fathers	Men who could have fathered a child out of wedlock	Participation in advocacy group and participation in the focus group and/or acceptance of email invitation for survey	Focus Group and/or Survey	Focus groups conducted in March 2012 Survey May 2012 to October 2012	Focus Group 42 Survey 34	Coding Survey ANOVA Correlation
Birth Mothers	Women who placed a child for adoption	Participation in advocacy group and acceptance of email invitation for survey	Survey	May 2012 to October 2012	11	Survey ANOVA Correlation
Adoptive Parents	Parents who adopted a child	Participation in advocacy group and acceptance of email invitation for survey	Survey	May 2012 to October 2012	16	Survey ANOVA Correlation
Adoption Attorneys	Attorneys who practice adoption law	Requested to search the Virginia Putative Father Registry at least three times since 2011	Survey	May 2012 to October 2012	29	Survey ANOVA Correlation
Adoption Social Service Workers	Social Service Workers who work in the area of adoption practice	Requested to search the Virginia Putative Father Registry at least three times since 2011	Survey	May 2012 to October 2012	58	Survey ANOVA Correlation

Recruitment of Participants

The participants in this study were primary from Virginia, a state with a 2011 population of 8,096,604 people (U.S. Census Bureau; <http://quickfacts.census.gov/qfd/states/51000.html>). According to the Weldon Cooper Center for Public Service at the University of Virginia, the racial demographics of the state (as of July 1, 2011) were as follows: 5,772,842 or 71.3 percent Caucasian, 1,599,850 or 19.8 percent African-American, and 466,286 or 5.8 percent Asian. A majority of the participants in this study had at some point interacted with the Virginia Department of Social Services, which breaks the Commonwealth of Virginia into five regions as seen in Figure 5.

The Northern Region includes the locality of Fairfax County. The U.S. Census Bureau reported that Fairfax County had approximately 1,100,692 people with a median income of \$108,439; it is considered a part of the Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area (<http://quickfacts.census.gov/qfd/states/51/5182000.html>). The Central Region's major locality is the City of Richmond, with Henrico County a suburb of Richmond (<http://quickfacts.census.gov/qfd/states/51/5182000.html>). Henrico County has approximately 310,445 people with a median household income of \$61,206 (<http://quickfacts.census.gov/qfd/states/51/5182000.html>). The Eastern Region is one of the larger regions and includes Virginia Beach, which is located in the populous Tidewater area. Virginia Beach has approximately 442,707 residents with a median income of \$65,910. The Piedmont Region includes Roanoke City, and the Western Region—the least populated area of the state, has the major locality of Abingdon. The concentration of Virginia's population is in the Northern Region, Eastern Region and Central Region of the Commonwealth.

Figure 5. *Regions of Virginia*



Source: Virginia Department of Social Services
http://www.dss.virginia.gov/files/division/regional_offices/map_boundaries.pdf

Although this study included the views birth mothers, adoptive parents, adoption attorneys, and adoption social service workers, the main survey focus was on putative fathers. Organizations listed under the Fatherhood Support section or groups who listed their description as providing services to support and assist men in the *Family Strengthening & Fatherhood Initiative Resource Guide* developed by the Virginia Department of Social Services served as recruitment targets. Invitations to participate in the focus groups were sent to male support organizations listed in Table 11. As referenced in Table 11, no fatherhood organizations were established and information provided to the Virginia Department of Social Services for the Western Region. Due to the large population concentration in the Northern Region, two groups were selected from that region, one from the Eastern Region and one from the Central Region. No fatherhood groups responded from the Piedmont Region.

Table 11. *Established Fatherhood Groups in Virginia*

Central Region	Eastern Region	Northern Region	Piedmont Region
<p>First Things First of Greater Richmond Boot Camp for New Dads Non-Profit/Founded 2004</p> <p>Program Description Father to father workshop to equip men to become engaged with family</p>	<p>Fathers in New Direction (FIND) Chesapeake DSS Public Agency</p> <p>Program Description A program to lead fathers to self-sufficiency & involvement with their children</p>	<p>Alexandria Resource Fathers Program Alexandria DHS Public Agency</p> <p>Program Description Support system for young fathers</p>	<p>Head Start, Charlottesville Area Monticello Area Community Action Agency</p> <p>Program Description Provides services for families and offers a 10-month Father Involvement program for all fathers with children in Head Start</p>
<p>Henrico County Fatherhood Support Group Henrico DSS Public Agency/Started in 2003</p> <p>Program Description The primary purpose is to help men be responsible fathers and role models. All fathers including expecting fathers and male teens are welcomed to participate</p>	<p>Fathers in Training (FIT) Virginia Beach DHS Public Agency/Started in 1996</p> <p>Program Description FIT provides a support for young fathers and primary purpose is to strengthen families by focusing services on the father</p>	<p>Capital Youth Empowerment Program, Alexandria Non-Profit</p> <p>Program Description Offers a 12-week parenting class and supervised visitation</p>	<p>REAL Dads Children, Youth and Families Services, Inc. Non-Profit</p> <p>Program Description Provides support to dads and provides resources and information to support parenting goals</p>

Table 11, continued
Central Region

Eastern Region

Northern Region

Piedmont Region

Head Start, Eastern Shore
 Non-Profit

Program Description
 Teaches parenting skills and offers male involvement support groups, re-entry programs

Investing in Fatherhood
 Child Development Resource
 Non-Profit

Program Description
 Provides coaching for young fathers

Fairfax County DFS Children, Youth and Families Division
 Public Agency

Program Description
 Provides fatherhood classes for fathers in Fairfax County and workshops for adolescent males in foster care

Head Start, Gum Spring Male Involvement Program
 Non-Profit

Program Description
 Encourages & supports fathering skills by providing environment to share mutual concerns

Head Start, Prince William County
 Non-Profit

Program Description
 Provides fatherhood activities

Total Action Against Poverty (TAP) Fathers at Work Public Agency

Program Description
 Provides services to fathers under 30 to be good fathers

*Source: 2009 Family Strengthening & Fatherhood Initiative Resource Guide Virginia Department of Social Services

As described in the previous section, adoption attorneys and adoption social services workers who met the study selection criteria were also invited via email to complete the survey. These professionals were located both within the Commonwealth of Virginia and in other states. A similar email invitation was sent to support group leaders for adoption support groups and fatherhood groups to participate in the survey. All email invitations contained a hyperlink to the survey.

Data Collection

An information session was held prior to each focus group session, and a total of four sessions were conducted. The focus groups participants included males between the ages of 18 to 60—an age range most likely to include males who could be putative fathers and therefore affected by the Virginia Putative Father Registry. Each session was held prior to a regularly scheduled meeting of fatherhood groups and participation was voluntary. Non-identifying demographic information was collected, and participants were asked to provide fictitious names and to use them during the session. Each focus group was tape-recorded. The tapes were transcribed as unabridged transcriptions (Krueger & Casey, 2000). In addition, Atlas.ti, a software tool designed to aid researchers in handling non-numerical, unstructured data by supporting processes of indexing, searching and theorizing, was used to analyze the qualitative data gathered from the focus groups. Themes of the focus groups were generated by question responses. The themes and qualitative data were coded.

A waiver of documentation of consent was obtained from the Institutional Review Board (IRB) at Virginia Commonwealth University (VCU) to conduct the survey aspect of this study (Appendix M). However, this research involved only minimal risk to the participants and

involved no procedures for which written consent would normally be required. Consequently, the participants in this study understood that their consent was implied if they completed the survey. Similarly, the focus group also presented minimal risk to participants. Verbal consent was obtained from each participant after reviewing the consent information, which was provided to all participants. Information was maintained on a password-protected computer.

The internet may have some potential risk for breach of confidentiality; however, the overall risk was mitigated by following VCU's IRB protocol for internet use. Research Electronic Data Capture (REDCap), which is a web-based tool created at Vanderbilt University, was used as a database and to conduct surveys (Harris, Taylor, Thielke, Payne, Gonzalez, & Conde, 2009). REDCap is also supported by the National Institutes of Health and is approved by VCU ISO to capture sensitive information. Study data for this survey were collected and managed using REDCap electronic data capture tools hosted at VCU. REDCap uses secure network connections, GreenSQL (protection from SQL injection attacks), and encryption technologies between application and database. The IP address was masked from the surveyor and author. The consent information was included with the survey, which was emailed to 225 people.

Data Analysis

This research involved a mixed-methods approach, which was designed to provide an understanding of the perceptions of the various constituent groups about the Virginia Putative Father Registry. Qualitative information was collected and analyzed using the ATLAS.ti a data-mining program. Each focus group was recorded and sessions were transcribed into a text

document. The text documents entered into ATLAS.ti were coded thematically to identify common themes. The survey (Appendix K) was utilized to obtain quantitative data using a five-point Likert scale where 1 indicates “strongly disagree,” and 5 indicates, “strongly agree.” In addition, a set of demographic questions were included in the survey. Data was analyzed using IBM Statistical Package for Social Sciences (SPSS) 20. Descriptive statistics and ANOVA analyses were used to analyze the data for the study. The purpose for using ANOVA is to compare difference within and between groups. Fields (2005) noted that ANOVA is a way of comparing the ratio of systematic variances to unsystematic variance in an experimental study. ANOVA is a set of analytic procedures based on a comparison of two estimates of variance (Tabachnick & Fidell, 2001).

Limitations of Study

The scope and design of this research was limited for a number of unavoidable reasons. First, the research question had not been studied previously, making available information about state putative father registries somewhat limited. Second, given the confidential and sensitive nature of the topic, it was difficult to reach the relatively small population of constituents affected by putative father registries. To do so, advocacy and support groups were accessed. The limitation of this approach is that individuals who choose to affiliate with advocacy or support groups may not represent the average member of the constituency group. In the case of putative fathers, Crowley (2006) reported that fathers’ rights groups are predominantly comprised of men who have been personally affected by child support and custody laws, and these groups have been grossly understudied. In effect, it is not known if members of fatherhood groups reflect the

larger population. This criticism could also be applied to the other constituency groups in this study.

The third limitation that must be noted is that the researcher managed the Virginia Putative Father Registry and, in fact, was a member of its implementation team. Thus, the researcher had/has specific knowledge of the operation of the Registry, as well as the various constituent groups who interact with the Registry. The participants of the focus groups were aware of this association. Thus, a limitation regarding the focus groups is the participants may have felt the need to provide only positive comments about the Registry because of the researcher's affiliation with it. Survey participants were also informed that the Virginia Department of Social Services employed the principal investigator of this study.

Despite these three main limitations, this study is expected to provide valuable insights about the Virginia Putative Father Registry and other states' registries—especially given the fact that this research question has not been investigated in any systematic way. Nevertheless, general research assumptions will be mitigated because of the invoked limitations of the data and the lack of the ability to generalize the study.

Conclusion

Minimum research exists on state putative father registries. This study of the Virginia Putative Father Registry provides an initial foundation for scholarly research that is not based solely upon court cases. This research also provided a basis for studying putative father registries from multiple constituents/user perspectives. Because the Virginia Putative Father Registry is only in its sixth year of operation (it became effective July 1, 2007), the current study

represents a timely examination of the perceptions of its various constituency groups, and may provide recommendations for future development.

CHAPTER 4:

RESULTS

This study used concepts of social justice, as indicated by distributive justice and procedural justice, to determine the perceptions of constituent groups who directly use or are in some way impacted by the Virginia Putative Father Registry. The purpose of this chapter is to explain the data analysis for this study. A mixed method approach involving a quantitative survey and qualitative focus group sessions was utilized to conduct this study. Review of the qualitative approach begins with a discussion of focus groups.

Qualitative Analysis

The focus group information provided below represents a case study for the Virginia Putative Father Registry. Four focus groups were held for this study; two groups were held in Northern Virginia (Arlington and Fairfax), one in Central Virginia (Henrico County) and one in the Tidewater area of Virginia (Virginia Beach). The focus group sample consisted of 45 percent African-American, 35 percent Caucasian, 12 percent Hispanics, and 5 percent Asian and 2 percent American Indian. Additional demographic information is available in Appendix B.

McCracken (1988) stated that the object of analyzing qualitative data is to determine the categories, relationships and assumptions that inform respondents' views of a particular topic or topics. Typically, data analysis consists of examining, categorizing, tabulating, or otherwise recombining the evidence to address the initial propositions of a study (Yin, 1984). The researcher used focus groups to accomplish three main goals: 1) to assess the current awareness of the Virginia Putative Father Registry, 2) to assess perceptions of social justice among the

males who took part in the focus groups, and 3) to solicit suggestions on how to increase awareness of the VPF Registry—and by extension other state registries—among other putative fathers.

Coding or categorizing the data has an important role in analysis, which typically involves subdividing the data into appropriate categories (Dey, 1993). Data from the focus groups were analyzed using ATLAS.ti. This program uses Hermeneutic Analysis (HU), which is a platform to conduct qualitative analysis assigned to primary documents. Each focus group was assigned as a primary document in this study.

Data analysis required the researcher to develop common definitions for this study. Specifically, when the term “several” is used, it refers to more than two responders. When the term “many” is used in a discussion of frequency, it refers to agreement among more than one-third of responders, but less than one-half. Similarly, the term “most” corresponds to more than half, and when “nearly all” is used in a discussion of frequency, it refers to agreement in the 90 percent range. Miles and Huberman (1994) recommended creating codes from the conceptual framework, list of research questions, hypotheses, problem areas and/or key variables that the researcher brings to the study. The codebook for this study consisted primarily of the structured focus group questions that were developed and utilized. Additional codes were created from themes emerging from the analysis of the data. The codebook with brief descriptions of each code is provided in Table 12.

Table 12. *Codes for Virginia Putative Father Registry Focus Groups*

Code	Descriptions	Example
Audio and or Visual Media	Registry awareness techniques using an audio or visual methods	Radio Television
Classes or Training	Registry awareness techniques that involve training or structural educational component	Sex education classes Training to focus groups School
Email Preference to Learn About Adoption	Method to learn about adoption that include email	Email Texts
Heard of Registry	Awareness of Registry	Heard of registry Never heard of registry
High Importance Regarding the Registry	Rating of Importance of 7 or higher	Rating of 7,8, 9 or 10 Can't sleep at night
Importance of Registry	Responses to question of importance of registry	Rating and reason provided
Initial Negative Opinion of Registry	Reponses to question of initial impression of registry that is negative	Rating and reasons provided
Initial Opinion of the Registry	Responses to question of initial impression of registry	Level of interest responses Positive or negative responses
Knowledge of Registry	Prior knowledge of registry	Heard of registry before viewing commercials
Little or No Knowledge of Registry	Minimal or no knowledge of the registry	No knowledge of registry Little knowledge of registry
Low or Little Importance Regarding the Registry	Rating of Importance of 1 to 3	Ratings of 1,2, or 3
Mail or Letter Preference to Learn About Adoption	Learning about a plan of adoption by written communication	Mail Letter
Male Oriented Events	Registry awareness techniques targeting male oriented events	Sporting events Barbershops
Medium Importance Regarding the Registry	Rating of Importance of 4,5, or 6	Ratings of 4, 5, or 6
Methods to Create Awareness of Registry	Awareness techniques	DMV Brochures

Table 12, continued

Code	Descriptions	Example
Need to Know about Adoption Plan for Child	How important to know about an adoption plan for a child they may have fathered	High Importance and related comments
Negative Opinion of Use of Newspapers	Notice provisions using newspapers with negative comments	Negative comments regarding use of newspapers
Negative Themes for Registry	Codes generated from negative themes related to registry	Never heard Changes need to occur Unfair theme
Opinion on Requirement to Take Proactive Steps for Notice Requirement	Responses to question of taking proactive steps for notice requirement	Not aware of requirement
Opinions Regarding Newspaper Notice	Responses to question of use of newspaper for notice of an adoption plan	Negative opinions of use of newspapers Newspapers can be used
Phone Call for Preference to Learn About Adoption	Learning about adoption plan by phone call	Phone call
Positive Themes for Registry	Codes generated from positive themes related to registry	Codes themes supportive or positive for registry
Positive Impression of Registry	Positive comments related to impression of registry	Positive comments relating to registry
Positive Opinion of Use of Newspaper	Positive use or comments regarding newspapers	Positive use of newspapers
Positive Strong Opinion Regarding Knowing About Adoption	Positive comments regarding knowing about adopting a child they may have fathered	Positive comments regarding adoption
Preference for learning about adoption or legal notice	Method of learning about adoption	Phone Mail, Personally
Print Media	Registry awareness techniques using an type of print media	Subways Newspapers DMV
Promotion of Registry	Awareness techniques to promote registry generated from codes	Codes related to promoting the registry
Sex as Notice	Comments relating to sex as notice to the adoption plan	Comments related to sex as notice
Social Justice Indicators	Indicators of social Justice	Procedural comments Comments regarding fairness
Social Media	Registry awareness techniques using social media	Facebook
Sporting Events	Registry awareness techniques involving sports events	ESPN NASCAR, Super Bowl

Focus Group Findings

The social justice perspective, based on Rawls' (1971) theory, asserts that every person within a society has an equal right to all basic liberties—in other words, it is a system of “liberty for all” (Zammuto, 1994). One aspect of a liberty-for-all-system is that all members will be equally aware of the laws or rules that affect them. This is an important social justice point for this study since several themes that emerged from the focus groups involved awareness.

Finding 1:

An overwhelming majority of putative fathers were not aware of the Virginia Putative Father Registry.

Ninety-nine percent of the focus group participants had never heard of a putative father registry or the Virginia Putative Father Registry. Only one participant from Henrico County had heard of it, stating, “Yes, I have heard about the registry to protect my rights as a father.” This factor is critical to note because if a putative father has no knowledge of a putative father registry, he would be unable to register in order to preserve his rights to notice or meet the concepts of procedural justice view of being fair (Greenberg & Cropanzano, 2001). Putative fathers as a constituent group have the potential to lose their parental rights for not taking proactive steps; this makes it vital for them to be aware of procedures to register with a putative father registry.

Finding 2

Putative fathers were unaware that sex is legal notice in Virginia.

Ignorance of the law about a putative father registry will not protect a putative father from losing his parental rights. Section 63.2-1250 of the *Code of Virginia* states, “Any man who

has engaged in sexual intercourse with a woman is deemed to be on legal notice that a child may be conceived and the man is entitled to all legal rights and obligations resulting therefrom. Lack of knowledge of the pregnancy does not excuse failure to timely register.” A key factor is that sex is legal notice; therefore, not being aware of this statute could have far-reaching legal effects for a putative father. Nearly all of the putative fathers were unaware that in Virginia sex is legal notice. Representative quotations regarding this lack of knowledge are illustrated below.

“We know that when you have sex with a young lady there is a chance. But I was unaware knowing that from that moment on, from intercourse, the state says that is legal notice. Basically that is it.” *Respondent AVI*

“I had no idea that was the law in the state of Virginia. I don’t think that’s of.... That’s rough, that’s rough because any young lady. I mean. I don’t know that is tricky, just tricky.” *Respondent ARI*

“I think that it makes perfect sense. If you know that there is a possibility and you are not in constant contact with the mom then you need to be proactive to protect your rights.”
Respondent HA2

Finding 3

Once aware of the concept, putative fathers had positive opinions regarding putative father registries and the Virginia Putative Father Registry.

Knowing about a putative father registry meets the ethical component of Leventhal’s (1980) criteria of fair procedures. A query run in ATLAS.ti provided 15 positive impression quotations. Many of the participants felt the concept of a putative father registry provided an opportunity to protect their rights as men and fathers. Most of the participants appeared to be

encouraged to engage in focus groups discussions. Sixteen quotations were associated with the initial thoughts or opinions regarding a putative father registry and the Virginia Putative Father Registry. Some of the responses are indicated below.

“Seems like the organization is looking out for the father.” *Respondent AV1*

“I agree with him, seems like the organization is looking out for the father.” *Respondent AJ1*

“Meaning that is gives an opportunity for a father to protect his parental rights and that is positive. No one can take that away.” *Respondent FB3*

“You have some place you have to look if you are going to adopt. That is positive.”
Respondent FH3

“This one, the female is not the only one being protected in this case. For a change.”
Respondent FR3

“I think it is helpful to protect the rights of a father. If you know the mother is trying to put the child up for adoption there is a safety net there. So you know what is going on with your child.” *Respondent HJ2*

“I think it is a good idea and kind of fortunate and not only in Virginia but should be in other states.” *Respondent VT4*

Finding 4

Putative fathers would like to receive notice through the mail.

Eleven quotations were retrieved indicating that participants would like to receive legal notice through either certified mail or written letter. Participants specifically stated:

“Registered letter” *Respondent HT2*

“Registered letter” *Respondent HJ2*

“Certified mail” *Respondent FM3*

A common theme that emerged in most of the focus groups was that notice needs to be delivered in a personal manner. The participants of the focus groups discussed that privacy was important and having personal information published in a newspaper infringed upon their privacy. Having notice delivered in the mail would ensure that the information would remain confidential.

Finding 5

Putative fathers have a negative opinion of providing notice by using newspapers.

Historically, in Virginia and in some other states without registries, notices are placed in legal sections of newspapers, requiring a putative father to appear in court in order to protect his rights regarding a child he may have fathered. Thus, understanding how men felt about having notices in newspapers was important. Twenty-four quotations were retrieved regarding this issue. Many of the quotations regarding the use of newspapers (below) were negative because the focus group participants thought the use of newspapers was antiquated and were not likely to be read by putative fathers.

“I don’t like it. I feel if I have to come to court, serve me either at work or at home, phone call or through the mail. So I know that I need to show up at court because that way in the paper I may not read that paper. I don’t even read newspapers really. I am just too busy.

It is not effective.” *Respondent AV1*

“I don’t feel positive about that because the paper is not something we pick up now. We are more into Facebook and all those other electronic things. So I am not sure the paper is

a good place and from my experience some of the papers are off brand newspapers that we would never touch anyway unless we were at a Korean store.” *Respondent FC3*

Finding 6

Promoting awareness of putative father registries needs to target male audiences and preferably have an interactive component.

Thirty-two quotations were retrieved regarding methods for promoting awareness of the Virginia Putative Father Registry. The 32 quotations were broken down into six codes, listed in Table 13. Focus group participants discussed print media that included posters, billboards, brochures or any other printed materials; placement of printed media in locations such as subways, buses, locker rooms, gyms, libraries; and targeted product placement such as notices on condom packaging and printed materials in Departments of Motor Vehicles. The men did discuss using particular types of newspapers that might be appropriate—especially those that identified individuals charged with crimes (including photographs). Participants in several focus groups mentioned that men read this type of paper and having information regarding the Virginia Putative Father Registry in such newspapers would increase awareness.

Table 13. *Concepts to Promote the Virginia Putative Father Registry*

Type	Description
Print Media	Newspapers, Brochures, Posters, Fliers, Product placements
Social Media	Facebook, Yahoo Sports, App, Banners, Craigslist
Classes or Training	Presentations in schools and Fatherhood Groups
Sporting Events	NASCAR, Super Bowl, Admiral Games, ESPN

Participants discussed having Virginia Putative Father Registry personnel conduct training/awareness sessions in schools and groups that focus on men. A related suggestion was to target teenagers and young adults for such training, as noted in the following quote.

“I think like they had years ago, sex ed classes. Teach them young so they will remember when you get older and when you get out there with them clubs.” *Respondent VS4*

Social media was a prominent component of the discussion to create awareness of putative father registries. Most of the participants of the focus groups discussed how social media was increasingly important to them, and how they often used the internet daily. Some of the men suggested using social media advertising on the internet and using Facebook, Yahoo front page, Craigslist and pregame app banners. However, some participants did point out that not all people use the internet; they suggested other means of creating awareness like having Registry material available at sporting events and male-oriented activities. In fact, advertising at sporting events such as ESPN-sponsored games, the Super Bowl, or even sponsorship at NASCAR races were discussed during several focus groups. Two representative quotations from the discussion included:

“How about advertising at like local sporting events like the Tide Circular that they pass out or Admiral games. It would be a lot cheaper than advertising at the Super Bowl or NASCAR.” *Respondent VN4*

“At sports’ facilities, men always like to be around sports. Any type of sports activities, there should be signs up and places to register.” *Respondent FB3*

Associated with sporting events were male -oriented events/locations. Some suggestions included having information regarding the Registry at barbershops, in men’s locker rooms, and on condom packaging. Most focus group participants agreed that advertising male-oriented activities would provide opportunities for men to know about the Virginia Putative Father Registry.

Finding 7

Putative Fathers expressed strong positive feelings about knowing about a child they may have fathered being placed for adoption.

The issue of adoption was a sensitive one for these men. The participants in the focus groups expressed strong opinions about needing to know whether a child they may have fathered could be placed for adoption by using words like “very important” or “extremely important.”

Some of the representative quotations are as follows:

“Very important because I don’t want my child in foster care or in the system.”

Respondent AVI

“It is extremely important because if I fathered that child, I want to be in that child’s life.

So I would take care of the child, step up.” *Respondent AEI*

“It is critically important, vitally important.” *Respondent VN4*

“Very important to me.” *Respondent HJY2*

Finding 8

Single participants of the focus groups typically felt a putative father registry was more important than married participants of the focus groups.

Many participants expressed strong positive opinions about needing to know if their son or daughter would be placed for adoption. As detailed earlier, the function of a putative father registry is to provide a mechanism whereby a suspected father can receive notice regarding an adoption plan or termination of parental rights for a child he may have fathered. Among the non-married participants in the focus groups, many of them felt strongly about the importance of a putative father registry. Out of 22 quotations associated with this finding, 15 were voiced by participants expressing a high or very high (seven to 10 on a scale of one to 10) importance to them. Four quotations expressed medium importance (four to six), and three quotations expressed little or low importance (one to three) regarding the registry. The individuals who provided lower ratings were nearly all married.

Qualitative Summary

The focus groups provided an entree for discovering insights about the putative fathers that could be affected by a putative father registry. The male participants were engaged, and although nearly all of the participants had not heard of a putative father registry, most of them expressed their approval of a law that focused on protecting their rights as fathers. The focus groups provided information to justify increasing awareness of the Virginia Putative Father Registry, as well as supported the belief that putative fathers are concerned about their legal rights to notice. The qualitative aspect of this study resulted in insights about the concerns of the putative father constituency group, the importance of putative father registries for them, and provided a foundation for a continuation for this type of research. When laws or policies affect particular constituent groups, having an understanding of how these groups would be affected by

these laws—or in this case if the groups are even aware of the laws—is critical. Eight findings were generated that provided additional knowledge regarding putative father registries.

Contrary to negative images of deadbeat dads, participants in the focus groups spoke genuinely about their parental rights and taking responsibility for children they may or have fathered. Eight quotations expressed the participants desire to know if their child was being placed for adoption. Reflective quotations include “It is extremely important because, if I fathered that child I want to be in that child’s life. So I would take care of child, step up.” “Damn important to know you have kids running around.” *Respondent HJY3*

Participants also stated their belief that a putative father registry was positive and provided a mechanism to help protect the rights of a father. Another important theme that emerged was that putative father registries need to increase their level of awareness so that more putative fathers know about them and are able to preserve their rights.

One of the goals of the focus groups was to ascertain the putative fathers’ level of awareness of the Virginia Putative Father Registry, which as revealed was extremely poor. Many of their suggestions for increasing awareness of the Virginia Putative Father Registry can be implemented with little difficulty, such as including advertising on sports app banners, Facebook, at local sports games, and via newspapers read by men in the Virginia Putative Father Registry target population.

Quantitative Analysis

The quantitative data used in study was generated with REDCap. The survey collection period was initially scheduled to run from May 1-31, 2012. However, the return rate was

deemed to be too low to be of statistical value. Given the relatively small survey population, it was important to capture as many responses to the survey as possible. Thus, the survey collection period was extended to October 31, 2012. In total, survey invitations were sent out to 225 individuals who met the survey recruitment criteria, and 132 surveys were returned for a response rate of 58.6 percent response rate. Out of the 225 invitations, 111 were sent to adoption social service workers, 58 surveys were completed for a 52.25 percent response rate, 90 invitations were sent to adoption attorneys, and 29 were completed for a 32.2 percent response rate.

Demographics of Survey Respondents

Table 14 provides the demographic information for survey respondents and Appendix C provides additional survey demographics regarding the constituent groups. As shown, 59.7 percent were Caucasian, 33.3 percent were of African American/African/Caribbean descent, and the remaining 7 percent of participants who self-identified as Hispanic/Latino, American Indian, Asian/Pacific Islander or other. Survey responders were 54 percent female and 46 percent male. The study surveyed adults 18 years of age or older; the highest response rate was for individuals between the ages of 30 to 39 (27 percent) followed by those in the 40 to 49 (20 percent) age group.

A few participants (5.3 percent) only attended elementary school or did not complete high school. The study appeared to have a disproportionate level of individuals who attended college or earned a higher-level degree compared to the general population. The majority (85 percent) of respondents had completed some level of college or higher education.

Survey respondents were also asked to self-identify in terms of their occupation or response category. The results are as follows: 44 percent were adoption social services workers, 22 percent were putative fathers, 20 percent were attorneys, 11 percent were adoptive parents, and 7 percent were birth mothers.

Table 14. *Survey Demographics*

Variable	Percent
Gender	
Male	46.0
Female	54.0
Education Level	
Elementary	2.3
High School (9 th to 12 th Grade)	3.0
High School Graduate/GED	6.1
Some College	7.6
Associate Degree	3.1
College Graduate	27.5
Master's Degree	27.5
Professional/Ph.D. Degree	22.9
Race	
African-American, African, Caribbean	33.3
American Indian	0.8
Asian/Pacific Islander	3.0
Caucasian	59.7
Hispanic	1.6
Other	1.6
Geographic Region	
Central	28.0
Eastern	28.0
Northern	22.0
Piedmont	8.5
Western	5.5
Outside of Virginia	8.0
Occupation	
Adoption Attorney	22.1
Adoption Social Service Worker	44.3
Other	33.6
Relation Status	
Single	16.0
In a relationship but not married	23.0
Married	61.0
Age	
18 to 29	19.0
30 to 39	26.0
40 to 49	20.0
50 to 59	17.5
60 or older	17.5
Parental Group	
Putative Father	52.0
Adoptive Parent	13.0
Birth Parent	9.0
Other	26.0

Knowledge of Putative Father Registries

The concept of a putative father registry is foreign to many individuals who may not be a member of a professional constituent group that deals with adoptions or child welfare services in some way—for example, adoption attorneys or adoption social service workers. And in fact, the survey results indicated that a total of 87 percent of respondents (two-thirds of them professionals) took issue with the statement that the average person knows about a putative father registry. Specifically, 50 percent disagreed with that statement and an additional 37 percent *strongly* disagreed with it. These figures are extremely important because they represent the valid perception that the “average putative father” is likely to be unaware of his need to register with a registry in order to preserve his rights to notice. This factor is also consistent with focus groups results indicating that 99 percent of the participants had not heard of a putative father registry.

The professional constituent groups (adoption attorneys and adoption social service workers) were included in the survey invitation because they had access to the Virginia Putative Father Registry, which of course explains their higher level of awareness of the existence of a putative father registry in general, and the Virginia Putative Father Registry specifically. The survey results indicated that 84 percent of the professional constituent groups had heard of a putative father registry and 82 percent of the professional constituent groups had heard of the Virginia Putative Father Registry. Conversely, 12 percent of the respondents had not heard of a putative father registry, and 17 percent had not heard of the Virginia Putative Father Registry. Three percent of the respondents indicated they were unsure of whether they have heard of a

putative father registry, and less than one percent of the respondents indicated they were unsure if they have heard of the Virginia Putative Father Registry.

Correlation Analysis

Variables believed to represent social justice perceptions (i.e., free of bias, fair practices, safeguards, most influence, least influence, benefit most and benefit least) were analyzed with the independent variables of occupation, adoptive parent, birth mother and putative father. A correlation analysis indicates the strength of the association between any two variables. The sign (+ or -) indicates the direction of the relationship. Most of the social justice variables showed a weak association of .3 or below and were not statically significant (see Table 15). The putative father variable showed a moderate association of .3 and higher as it relates to most influence, free of bias, safeguards and occupation variables. However, only the preceding variables were significant: most influence and occupation at $p = .05$, safeguards and birth parents $p = .05$, safeguard and occupation at $p = .005$, safeguard and putative fathers at $p = .05$, occupation and putative father at $p = .005$. The safeguard variable was significant for each constituency group except adoptive parents. The adoptive parent variable had moderate association with benefit most, benefit least, free of bias, birth parents, occupation and putative father variables; however, no significant statistical relationships existed. Preliminary findings warrant additional study regarding analysis of social justice variables and putative father registries.

Table 15. *Social Justice Variables and Independent Variables*

		Birth Mother	Occupation	Putative Father	Adoptive Parent
Most Influence	Pearson Correlation	.089	.190*	-.360**	.045
	Sig. (2-tailed)	.317	.030	.003	.616
	N	129	130	66	128
Least Influence	Pearson Correlation	-.009	-.041	.239	-.107
	Sig. (2-tailed)	.921	.647	.055	.232
	N	128	129	65	127
Benefit Most	Pearson Correlation	.125	.060	-.094	-.065
	Sig. (2-tailed)	.159	.501	.453	.469
	N	128	129	66	127
Benefit Least	Pearson Correlation	-.105	-.095	.289*	-.005
	Sig. (2-tailed)	.239	.288	.019	.958
	N	127	128	66	126
Fair Practices	Pearson Correlation	.169	-.122	.200	-.125
	Sig. (2-tailed)	.056	.168	.107	.164
	N	128	129	66	126
Safeguards	Pearson Correlation	.242**	-.267**	.342**	-.150
	Sig. (2-tailed)	.006	.002	.005	.093
	N	129	130	66	127
	N	127	128	64	128

Correlation is significant at the 0.01 level (2-tailed).**

Correlation is significant at the 0.05 level (2-tailed).*

ANOVA Analysis

This study's guiding research question (*Do individual constituency groups have differing perceptions of social justice regarding the Virginia Putative Father Registry?*) was addressed by analyzing the procedural variables of free of bias, fair practices, safeguards, and the distributive variables of most influence, least influence, benefit most and benefit least. An ANOVA statistic was used to determine two independent estimates of the variance for the dependent variables compared. The first reflected the general variability of respondents within groups, while the second represented the differences between groups attributable to the independent variables (Hair, Anderson, Tatham, & Black, 1998). An F statistic generated from an ANOVA measures how much variance is attributable to the different independent variables versus the variance expected from a random sampling. Variance indicates a difference.

The safeguard variable indicates procedural justice and was significant when analyzed using the independent variable of occupation (adoption attorneys, social service workers and others) in an ANOVA analysis. As shown in Table 16, the F score increased as the difference between the groups increased. Safeguard was shown to be significant with $F(2, 127) = 4.881$; $p = .009$ indicates some differences between the constituency groups as related to the safeguard variable and occupation.

Fifty-five percent of adoption social service workers surveyed agreed that putative father registries provide safeguards. It is reasonable to conclude that adoption social service workers would support a mechanism that helps people maintain their rights. However, the fact that no other social justice variable with adoption social service workers was significant in this study

could be due to a small sample size. Further investigation with a larger sample may provide additional linkages with other social justice variables.

Fifty-five percent of adoption attorneys surveyed also agreed that putative father registries provide safeguards. Adoption attorneys consist of individuals with advantaged degrees in law who are keenly interested in the judicial system. An adoption attorney is required to adhere to due process of the law, which would include safeguards. Searching the registry is a procedure that provides safeguards. These safeguards can have life altering affects with significant affects. Procedural justice is emphasized in the judicial system (Bleuenstein, 2010). The fact that more than half of adoption attorneys believed that a putative father registry provides safeguards is reasonable because of their close affiliation with the legal system.

Birth mothers and the safeguard variable also showed a significant relation where $F(1, 127) = 7.874$ $p = .006$. Forty percent of birth mothers agreed that putative father registries provide safeguards. Twenty percent of birth mothers were neutral that putative father registries provide safeguards. Research shows that a birth mother tends to have significant control over the adoption process, and justice perceptions suggest that people support and participate more when they perceive a law as fair to themselves or people like them (Thrasher, Besley, & Gonzalez, 2009). In addition to the safeguard variable, the free of bias variable was also significant with $F(1,127) = 4.664$, $p = .033$. Twenty-seven percent of the birth mothers surveyed indicated that putative father registries were free of bias.

Putative fathers in this study perceived that safeguards are present in putative father registries. This factor is supported by quotations from the focus group where participants expressed that putative father registries seemed to be fair and were looking out for them. Putative

fathers and the safeguard variable are significant with $F(1, 64) = 8.489, p = .0005$. As indicated by thirty-six percent of the putative fathers surveyed agreed that putative father registries provide safeguards.

The variable most influence and putative fathers was also significant with $F(1,64) = 9.518, p = .003$, which reflects a difference between groups. Among the putative fathers surveyed, 35 percent indicated that birth mothers had the most influence on a putative father registry. After birth mothers, putative fathers indicated by 23 percent that they had the most influence on a putative father registry. Further analysis is needed to specify why putative fathers indicated that birth mothers have more influence. One could conjecture, however, that it has to do with the reality that birth mothers are the primary contact in adoptions.

The variable benefit least and putative fathers was significant with $F(1,64) = 5.834, p = .019$. In total, 41 percent of putative fathers in the survey indicated that adoption attorneys benefited the least from a putative father registry. Further analysis would be needed to determine why putative fathers believed this to be true.

Adoptive parents and the safeguard variable was not significant with $F(1, 125) = 2.863, p = .093$. Of the adoptive parents surveyed in this study, 56 percent agreed that putative father registries provide safeguards. However, the fact that this ANOVA statistic was not significant may be a function of a smaller sample size. Findings for procedural and distributive justice variables are shown in Table 16.

Table 16. *Social Justice ANOVA Information*

Variable	<i>df</i>	<i>F</i>	η^2	<i>p</i>
Occupation				
Free of Bias	2	1.547	.023	.217
Fair Practices	2	2.014	.030	.138
Most Influence	2	3.049	.0458	.051
Least Influence	2	.117	.0018	.890
Benefit Most	2	.429	.0067	.652
Benefit Least	2	1.947	.030	.147
Safeguard	2	4.881	.071	.009**
Adoptive Parent				
Free of Bias	1	.177	.001	.675
Fair Practices	1	1.956	.015	.164
Most Influence	1	.253	.002	.616
Least Influence	1	1.44	.011	.232
Benefit Most	1	.527	.004	.469
Benefit Least	1	.003	.000	.958
Safeguard	1	2.863	.022	.093
Birth Mother				
Free of Bias	1	4.664	.035	.033*
Fair Practices	1	3.711	.028	.056
Most Influence	1	1.009	.007	.317
Least Influence	1	.010	.000	.921
Benefit Most	1	2.006	.0156	.159
Benefit Least	1	1.402	.011	.239
Safeguard	1	7.874	.058	.006**
Putative Father				
Free of Bias	1	.691	.0105	.409
Fair Practices	1	2.670	.0400	.107
Most Influence	1	9.518	.1294	.003**
Least Influence	1	3.807	.056	.055
Benefit Most	1	.570	.008	.453
Benefit Least	1	5.834	.083	.019*
Safeguard	1	8.489	.117	.005**

ANOVA is significant at the 0.01 level (2-tailed).**

ANOVA is significant at the 0.05 level (2-tailed).*

Table 17 summarizes findings from the survey regarding social justice variables. Interestingly, with the exception of the putative father constituency group, the remainder of the constituency groups perceived that putative fathers would benefit the most from a putative father registry. This unexpected outcome might be associated with the fact that the word “putative “ is included in the title of the registry; this may have created a bias for constituent groups that putative fathers would actually benefit the most. Related to this discussion is that birth mothers were split evenly on who benefitted most and least—half believed that birth fathers benefited the most, and half believed they benefited the least. This contradiction would need future study.

Adoption attorneys were indicated as the constituent group that had the most influence regarding the putative father registry by themselves, adoption social service workers, and birth mothers. Putative fathers perceived birth mothers as having the most influence, while adoptive parents perceived adoption social service workers as having the most influence. The perceptions of each constituency group may have been influenced by their view of other groups’ roles in their lives. For example, adoptive parents tend to perceive adoption social service workers as powerful and influential because they ultimately decide if those parents can adopt. Similarly, putative fathers must work with their child’s mother to gain access to their child. As it relates to adoption, adoption social service workers and birth mothers work closely with adoption attorneys to complete the adoption. All other constituency groups in this study—except for putative fathers—indicated the putative father group as having the least influence. This may be a function of the putative father constituency group being less organized for advocacy. One example is evident in Table 11 where fatherhood groups are primarily support groups to improve parenting skills rather than advocacy groups for the rights of fathers.

Table 17. *Constituency Groups Highest Perceptions of Social Justice Findings*

Constituent Groups	Fair Practices %	Free of Bias %	Safeguards %	Most Influence %	Least Influence %	Benefit Most %	Benefit Least %
Adoption Attorneys	37 Neutral	31 Strongly Agree and Neutral	55 Agree	53 Adoption Attorneys	36 Putative Fathers	50 Putative Fathers	31 Birth Mothers
Adoption Social Service Workers	46 Agree	37 Neutral	55 Agree	31 Adoption Attorneys	51 Putative Fathers	51 Putative Fathers	32 Adoption Attorneys
Birth Mothers	36 Agree	27 Agree and Disagree	40 Agree	36 Adoption Attorneys	45 Adoptive Parents and Putative Fathers	27 Adoptive Parents and Putative Fathers	27 Adoptive Parents and Putative Fathers
Putative Fathers	51 Neutral	46 Neutral	39 Neutral	35 Birth Mothers	26 Adoptive Parents	26 Adoptive Parents	41 Adoption Attorneys
Adoptive Parents	38 Agree	37 Neutral	56 Agree	50 Putative Fathers	50 Putative Fathers	50 Putative Fathers	31 Adoption Attorneys and Adoption Social Service Workers

Summary

The data from the focus groups and survey provides some insights into the awareness and perceptions of putative father registries in general—and specifically the Virginia Putative Father Registry. Qualitative findings from the focus groups and quantitative survey results reveal that the average person is unfamiliar with a putative father registry or the Virginia Putative Father Registry. The findings from this study appear to be consistent with the Emory University School of Law survey (Thompson, 1998) revealing that little has changed over the years regarding awareness of putative father registries.

The data also indicated that an increased level of awareness regarding a putative father registry and the Virginia Putative Father Registry is needed to ensure social justice. Three out of the four constituent groups displayed significant findings associated with the safeguard variable and the role of a putative father registry. However, the majority of the other social justice variables did not reveal any significant findings.

Quantitative survey findings also indicated that putative fathers were primarily perceived as the constituent group that benefited the most from a putative father registry. This finding would seem to contradict qualitative results showing that putative fathers were neutral with regard to the notion that registries provide fair practices. It is important to note, however, that data from the focus groups indicated that putative fathers would not be aware of how to protect their rights by registering with a putative father registry to receive notice. This factor, therefore, supports survey data indicating that putative fathers were neutral in perceiving putative father registries to be fair.

Three out of the five constituent groups indicated that adoption attorneys were perceived as having the most influence regarding a putative father registry. Four out of the five constituent groups indicated that putative fathers had the least influence regarding a putative father registry. This factor is critical because the theories associated with Keeley (1978) and House (1980) upholding the belief that social justice should benefit the least advantaged have not been actualized in society.

CHAPTER 5:

FINDINGS

This study was designed to explore the perceptions of five constituency groups (putative fathers, birth mothers, adoptive parents, adoption social service workers and adoption attorneys) toward putative father registries in general, and particularly toward the Virginia Putative Father Registry. This final chapter will apply the findings of the qualitative and quantitative components of this research study to public policy implications. This study has attempted to broaden the foundation for further academic research regarding putative father registries—a topic that heretofore has only been investigated minimally by legal scholars.

Social Justice Theory, coupled with a multiple constituency model framework, was applied in this dissertation in order to provide an initial understanding of putative father registries and the Virginia Putative Father Registry. Blader and Tyler (2003) asserted that any findings that emerge from procedural justice research should extend beyond a summary of procedures to how such decisions are made. This study's findings confirm that while procedures are important for all constituencies that deal with putative father registries, the mechanisms by which decisions are made—and the extent to which they demonstrate a “justice-for-all” mindset—are becoming increasingly important.

Theoretical Applications

Greenberg (1990) asserted that procedural justice is based on the views of the affected group and the means of a process. Distributive justice is concerned with the different criteria and principles of how resources are divided among competing persons or groups (Marshall, Adams,

& Ryan, 2001). Since research shows that levels of distributive justice tend to be characterized by self-interest (Marshall, Adams, & Ryan, 2001), every constituency group is likely to have their own self-interests. Thus, this study investigated the perspectives of five specific constituency groups from a social justice perspective about their views of putative father registries. The research question (*Do individual constituency groups have differing perceptions of social justice regarding the Virginia Putative Father Registry?*) was answered with the ANOVA statistic. Significant statistical differences noted for variables: occupation and safeguard; birth mother, free of bias and safeguard; and putative father, most influence, benefit least and safeguard in this study.

Adoption Attorneys

By their very profession, adoption attorneys would be expected to have a positive perception of a structured legal entity, such as a registry, this is expected to provide procedural justice to its clientele. This outcome was confirmed by this study's finding that adoption attorneys agreed that a putative father registry provides safeguards. It should be noted, however, that an adoption attorney's principal clients are adoptive parents who pay them to complete the process as soon as possible. Thus, it would be in the best interest of adoption attorneys to work in states with putative father registries that assist alleged fathers with rights of due process.

Generated Hypothesis for Adoption Attorneys

- 1) Adoption attorneys perceive a putative father registry provides procedural justice to their clientele.
- 2) Adoption attorneys will perceive a putative father registry provides distributive justice.

Adoption Social Service Workers

Social justice is the organizing principle and major focus of social work (Lambert et al., 2005). The Council on Social Work Education (CSWE) has mandated that theories and principles of social justice become prominent aspects of the social work curriculum (CSWE, 2003). Similarly, the National Association of Social Workers (NASW) advocates that social workers strive for and promote social justice in their dealings with clients (NASW, 1996). Adoption social service workers, which in many cases are professionally trained social workers, may perceive that the registry does not treat each primary constituency group in the same manner. This study's findings revealed that adoption social service workers generally agreed that putative father registries provide safeguards and have fair practices. However, adoption social service workers were neutral that putative father registries are free from bias. This may indicate that adoption social service workers perceive at least one constituency group being treated differently.

Generated Hypothesis for Adoption Social Service Workers

- 1) Adoption social service workers perceive that a putative father registry does provide procedural justice as it relates to safeguards.
- 2) Adoption social service workers will have a negative perception of a putative father registry providing distributive justice.

Adoptive Parents

Although the demographic characteristics of adoptive parents vary widely, they must be able to offer a child a stable family environment and show evidence of sufficient financial resources to be approved to adopt a child. In most cases, adoptive parents have the resources to

hire attorneys who actively lobby for them; in contrast, putative fathers have not generated the same level of advocacy. As this study showed, adoptive parents perceive that putative father registries provide safeguards by enabling them to feel more secure that a putative father would not challenge their adoption. It should be noted, however, that only a limited number of adoptive parents responded to the survey. Hence, the relationship between adoptive parents and their perceptions of putative father registries as providing procedural justice needs additional study.

Generated Hypothesis for Adoptive Parents

- 1) Adoptive parents perceive putative father registries as providing limited procedural justice.
- 2) Adoptive parents indicated that putative father registries provide distributive justice.

Birth Mothers

Historically, birth mothers as a constituency group have represented the primary source for information regarding a child to be placed for adoption. More importantly, because they can be clearly identified as a birth parent—in contrast to a putative father who may have to be genetically identified and geographically located—they also historically have had “the last word” on legally relinquishing a child to another family. A birth mother chooses to place her child for adoption for various reasons—the primary one being the perception that she does not have sufficient financial or emotional resources to provide for the child.

The use of a putative father registry allows a birth mother to maintain a level of privacy, as well as requires a putative father to take proactive steps to preserve his rights. In Virginia, a birth mother is not required to have her personal information published in a newspaper when a putative father registry is used. This study showed that birth mothers perceived that putative

father registries did provide safeguards. However, findings also revealed that only about a third of birth mothers (36 percent) perceived putative father registries as providing fair practices, and a little over a quarter of them (27 percent) viewed them as being free from bias.

Generated Hypothesis for Birth Mothers

- 1) Birth mothers perceive putative father registries have limited procedural justice.
- 2) Birth mothers have a low perception of a putative father registry providing distributive justice.

Putative Fathers

As noted by Greenberg (1990), procedural justice is based on the views of the affected group and the means of a process. Although less than 40 percent of putative fathers perceived that putative father registries provide safeguards, the focus group participants expressed putative father registries seemed fair and to be looking out for them. In this study, putative fathers perceived that registries have safeguards in place to protect them (once they were explained to them, since very few even knew of their existence!). However, it should be noted that a putative father whose rights may be legally terminated if he does not take proactive steps to preserve them, could perceive a registry as treating him more harshly in comparison to other primary constituent groups.

Related to this fact is that an essential component of procedure justice is that those involved in carrying out procedures must exercise neutrality and impartiality at all times (Paternoster et al., 1997). However, putative fathers may feel adoption procedures favor the birth mother because registries require them to take additional actions not demanded of a birth

mother to preserve their parental rights. In other words, putative fathers may view adoption procedures as being unfair since they have to jump through more hoops to secure their right to notice. Therefore, putative fathers may conclude that a putative father registry does not provide a process that is free from bias by requiring them to registry to receive notice. This hypothesis was evidenced by the fact that less than 50 percent of putative fathers believed that a putative father registry was free of bias. This study also indicated that less than 40 percent of putative fathers indicated that a putative father registry provides safeguards. This study showed that putative fathers believe that birth mothers have the most influence in the adoption process, even with the legal safeguards offered by a putative father registry.

Generated Hypothesis for Putative Fathers

- 1) Putative fathers perceive a putative father registry as neutral in terms of providing fair practices and safeguards.
- 2) Putative fathers perceive putative father registries provide low procedural justice.

Policy Implications and Recommendations

Tom Tyler, a leading researcher in psychology, described four basic expectations associated with procedural fairness: 1) providing voice—the ability to participate and express one’s viewpoint; 2) ensuring neutrality—consistently applying legal principals based on unbiased and transparent decision-making processes; 3) ensuring respectful treatment—meaning that individuals are treated with dignity and their rights are protected; and 4) developing trustworthy authorities—that authorities are benevolent, caring and sincerely helpful (Burke & Leben, 2007). The belief that a set of procedures is non-biased is critical for perceptions of

justice to occur. When applied to this study, if constituency groups believe that a putative father registry is free of bias, they would be more likely to have a positive perception of it. However, as findings discussed herein indicated, a majority of the constituent groups expressed a neutral perception that a putative father registry is free of bias. The constituency groups differences warrants tailoring policies particularly as it relates to safeguard procedures for putative fathers, birth mothers, adoptive attorneys, and adoption social service workers.

All parties involved in any transaction must be considered in determining responsibility (Wehane & Freeman, 2003). Therefore, putative father registries need to gather input from their constituent groups in a manner that reduces or eliminates bias. This goal could be accomplished by applying House's (1980) theory of social justice and minimizing the negative "least-advantaged" effects. In other words, if a proposed policy will negatively affect a lower-hierarchy constituency group, policymakers must exert a greater effort to protect them.

One method to address minimizing the effects on putative fathers is to have putative father registries housed in social services agencies. From this research putative father registries housed in social service agencies first, afforded the putative father on average more time to register. Second, laws to advertise putative father registries were more often mandated in social service agencies. Finally, social service agencies usually did not require the putative father to provide additional information or to establish paternity in order to receive notice for a child he may have fathered.

In the case of putative father registries, public awareness of registries needs to be increased. This recommendation, however, falls into the "easier said than done" category. Information regarding putative father registries is often difficult to find—and this was strikingly

confirmed in this study by the fact that nearly all the putative fathers had no knowledge of a putative father registry or the Virginia Putative Father Registry. A safeguard policy would mandate by law that putative father registries publicize their purpose, advertise registration timeframes, and details how registries can be contacted is needed. Findings from this study's focus groups (all males) suggested several avenues for promoting awareness of a putative father registry. These include widely disseminated print-based and social media-based information, and advertising at appropriate venues (e.g., male-oriented activities, sporting events, etc.) in order to increase among the putative father constituency group the existence and services of putative father registries.

Thibaut and Walker (1975) reported that, in general, people are more willing to accept outcomes when they believe the outcomes are decided fairly. Therefore, ensuring that ethical and moral standards are a part of any decision-making process is likely to increase the perception that laws/procedures/decisions do provide justice (Bleuenstien, 2010). The research findings discussed herein indicate that adoption attorneys, adoption social service workers, and adoptive parents view putative father registries as upholding ethical and moral standards because of their legal status and their clear processes for providing notice. These constituency groups also indicated a positive perception of the registries having safeguards in place, as evidenced by the fact that safeguard variable was 50 percent or higher among respondents. Putative father registries provide a safeguard and increased use of putative father registries are a more effective way to provide notice.

Another recommendation generated from this study is the importance of coordinating requirements for registries. Currently each state establishes their own requirements as they do

adoption laws and a putative father would have to register with each individual registry to protect their rights in that state. Establishing a federal registry can provide a safeguard for a putative father to register once but be protected nationally.

Tyler (as discussed Burke & Leben, 2007) also stated that procedural fairness need to incorporate “transparency” in order to be bias-neutral. This caveat implies that individuals would have to be aware of legal rights and institutions for them to be considered fair. In the case of this study, distributive justice was not confirmed since all constituency groups perceived that putative father registry were unlikely to be known by the general public.

Hunt (2009) observed that a fair system will be efficient and that fairness is an indicator of justice. The Virginia Putative Father Registry has a method for tracking the number of search requests that match a registration. In contrast, Orders of Publications do not have an analogous method for tracking their efficiency or effectiveness. As a basis for comparison, an Order of Publication is required to be posted in a newspaper for four consecutive weeks, while a putative father registry search in Virginia should take no longer than four business days to complete.

Dunn (2004) described effectiveness as whether a given alternative results in the achievement of a valued outcome of action. Orders of publications have not been tracked in Virginia to determine the effectiveness of identifying a putative father and no mechanism is currently present to do so. In comparison, the Virginia Putative Father Registry has been able to track how many search requests have matched a registration. This difference gives the Registry an “effectiveness edge” over Orders of Publication for providing notice to putative fathers.

Perceived justice influences how a group or person views distributive justice (Colquitt & Greenburg, 2003). This notion applies to a birth mother who does not have to provide sensitive

information regarding her sexual history, which would subsequently be publicized for many people to know. In addition, the birth mother would be able to place her child for adoption with knowledge that a putative father would have to take proactive steps to block her decision. This study did not show a significant relationship regarding birth mothers and distributive justice. Nonetheless, it is reasonable to conjecture that birth mothers would perceive a putative father registry as providing distributive justice for them, and in theory support the use of putative father registries in more states.

Suggestions for Future Study

This study confirmed that knowledge of putative father registries is very limited. Informational justice discusses the extent to which the acquirer makes an effort to justify decisions and procedures (Bies and Shapiro, 1988; Greenberg, 1993). Hence, informational justice reflects the extent to which information is communicated across boundaries particularly in a decision making process. Understanding how states currently communicate the existence of their putative father registry provides a basic platform to improve how the public is informed about registries. A future study can analyze the most effective ways to increase public awareness of putative father registries that address justice issues.

As part of this study, states with putative father registries were ranked. A suggestion for future study is to explore in greater depth the similarities and motivations of practices for states that received an “A” ranking. Reviewing these components can establish a set of best practices that can also be studied.

Although this study was not generalizable, a future study could be. An academic study to establish a national putative father registry could be a generalizable study. Establishing a national putative father registry could focus on systematic requirements needed for a national registry.

Conclusion

Perceived fairness as viewed by individuals or constituency groups actually leads to determinations of fair treatment (Colquitt & Greenberg, 2003). This relationship makes it essential for lawmakers and public administrators to include the affected constituency group's perceptions in laws and policies that affect them. In addition, as indicated in this study, this goal can be accomplished by incorporating a multiple constituency model framework into decision-making processes. Supporting a multiple constituency model framework with a social justice perspective will strengthen the perceptions of those affected.

This study provided a foundation for future studies of putative father registries that would seek the perceptions of primary constituency groups and provided a framework for better practices for putative father registries. Increased awareness of putative father registries is critical to all constituency groups affected. Making informed decisions regarding those affected will lead to increased satisfaction.

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Appendix A: Federal Acts Relating to Adoption in the United States

Federal Law	Year	Law	Effect on Males
<p>The Child Abuse Prevention and Treatment and Adoption Reform Act</p> <p>P.L. 95-266</p>	1978	<p>The act requires the establishment of the Adoption Opportunities Program to facilitate placement of children with special needs in permanent adoptive homes; promote quality standards for adoptive placement and the rights of adopted children, and provided for a national adoption information exchange system</p>	
<p>Indian Child Welfare Act (ICWA)</p> <p>P.L. 95-608</p>	1978	<p>The purpose is to establish standards for the placement of Indian children in adoptive homes and to prevent the breakup of Indian families. The act required that Indian children be placed in adoptive homes that reflect Indian culture and set a standard of proof for terminating Indian parents' parental rights that required the proof to be "beyond a reasonable doubt"</p>	
<p>Adoption Assistance and Child Welfare Act of 1980.</p> <p>P.L. 96-272</p>	1980	<p>One of the act's purposes was to create adoption assistance. The act also required States to make adoption assistance payments that take into account the circumstances of the adopting parents and the child, to parents who adopt a child who is AFDC-eligible and is a child with special needs. A child with special needs is a child eligible for AFDC and who: cannot be returned to the parent's home, has a special condition such that the child cannot be placed without providing assistance; has not been able to be placed without assistance; and required a reasonable but unsuccessful effort to first place the child without offering adoption assistance</p>	<p>The act created an incentive for children to be adopted. However, in order for children to be adopted, the birth parents' parental rights must be terminated.</p>

<p>Child Abuse Prevention, Adoption, and Family Services Act</p> <p>P.L. 100-94</p>	<p>1988</p>	<p>The act as it relates to adoption expanded the Adoption Opportunities Program to increase the number of minority children placed in adoptive families, with an emphasis on recruitment of and placement with minority families. The act also provided for post-legal adoption services for families who have adopted special needs children and to increase the placements of foster care children legally free for adoption</p>	
<p>Child Abuse Prevention, the Child Abuse, Domestic Violence, Adoption, and Family Services Act</p> <p>P.L. 102-295</p>	<p>1992</p>	<p>Required the Department of Health and Human Services (HHS) to provide information and service function related to adoption and fosters care. Domestic Violence is considered a high risk factor for child abuse. The Act included: onsite technical assistance; national public awareness efforts to unite children in need of adoption with appropriate adoptive parents; and operation of a National Resource Center for Special Needs Adoption</p>	
<p>the Multiethnic Placement Act</p>	<p>1994</p>	<p>This Act prohibited State agencies and other entities that receive Federal funding and were involved in foster care or adoption placements from delaying, denying, or otherwise discriminating when making a foster care or adoption placement decision because of the parent's or child's race, color, or national origin. It required States to develop plans for the recruitment of foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom families were needed. The act did allow an agency or entity to consider the cultural, ethnic, or racial background of a child and the capacity of an adoptive or foster parent to meet the needs of a child with that background when making a placement. The Indian Child Welfare Act was not affected by this legislation. Focusing efforts on placing children in families, particularly in prospective adoptive homes requires the State to address the rights of termination of parent rights.</p>	

Interethnic Provisions	1996	Requires States and other entities that receive federal funds and are involved in foster care or adoption placements may not deny any individual the opportunity to become a foster or adoptive parent based upon the race, color or national origin of the parent or the child. The act prohibited the delay or denial of a child's foster care or adoptive placement based upon the race, color, or national origin of the parent or the child, and repealed the requirement that agencies consider the cultural, ethnic, or racial background of a child, as well as the capacity of the prospective parent to meet the needs of such child	
Adoption and Safe Families Act	1997	Creates to promote the adoption of children in foster care. This act was revolutionary in revising the practices for adoption. Some of the provisions of the act include: added safety requirements to every aspect of the case plan for children in foster care; required criminal records checks for foster and adoptive parents who receive federal funds on behalf of a child; accelerated permanent placement; required States to initiate court proceedings to free a child for adoption once that child had been waiting in foster care for at least 15 of the most recent 22 months unless there was an exception; allowed children to be freed for adoption more quickly in extreme cases; promoted adoptions; rewarded States that increased adoptions with incentive funds; required States to use reasonable efforts to move eligible foster care children toward permanent placements; promoted adoptions of all special needs children and ensured health coverage for adopted special needs children; prohibited States from delaying/denying placements of children based on the geographic location of the prospective adoptive families; required States to document and report child-specific adoption efforts; required States to document child-specific efforts to move children into adoptive homes; and required	This act placed a specific timeframe for the rights of parents to be terminated quicker and to allow the child to be adopted faster.

P.L. 105-89		States to initiate termination of parental rights proceedings after the child has been in foster care 15 of the previous 22 months except if not in the “best interest of the child”, or if the child is in the care of a relative	
Intercountry Adoption Act	2000	Mandates the Department of State and Immigration and Naturalization Services (INS) to establish a case registry for all intercountry adoptions (incoming, outgoing, Hague Convention cases, and others). The act also authorized the State Department to: monitor each accrediting entity's performance of its duties and their compliance with the Convention, the Intercountry Adoption Act (IAA), and applicable regulations established that Convention adoptions finalized in other countries party to the Convention recognized throughout the United States. Other aspects of the act included procedures and requirements to be followed for the adoption of a child residing in the United states by persons resident in other countries party to the Convention; prohibited State courts from finalizing Convention adoptions or granting custody for a Convention adoption unless such a court has verified that the required determinations have been made by the country of origin and the receiving country; amended the Immigration and Nationality Act to provide for a new category of children adopted or to be adopted under the Hague Convention and meetings other requirements to qualify for immigrant visas; preserved Convention records on individual adoptions held by the State Department and INS without affecting Federal laws concerning access to identifying information. The act would preempt state laws only to the extent that they are inconsistent with the IAA but would have no effect on the Indian Child Welfare Act	
P.L. 106-279			
Adoption Promotion Act	2003	Reauthorizes and amends the adoption incentive payments program for Title IV-E of the Social Security Act. It provided	This act further

<p>P.L 108-145</p>		<p>states additional incentive payments for older children who are adopted from foster care</p>	<p>supported the need to have parental rights of birth parents terminated in a quicker manner by providing a fiscal incentive.</p>
<p>Deficit Reduction Act</p> <p>P.L. 109-171</p>	<p>2005</p>	<p>Revises adoption assistance eligibility criteria to require AFDC at the time of the child's removal from the specified relative's home only. This allows a child to be eligible for adoption assistance only at the entry of placement to foster care.</p>	
<p>Adam Walsh Child Protection and Safety Act</p> <p>P.L. 109-248</p>	<p>2006</p>	<p>Requires primary focus on background checks for prospective foster or adoptive parents. The act required: (1) fingerprint-based checks of the National Crime Information Databases (NCID) for prospective foster or adoptive parents; and (2) checks of state child abuse and neglect registries in which the prospective foster or adoptive parents and any other adults living in the home have resided in the preceding 5 years. The act also required states to comply with any request for a child abuse registry check that is received from another state; required states to have in place safeguards to prevent the unauthorized disclosure of information in any child abuse and neglect registry maintained by the state. The act provided that the information be used only for the primary purpose of the act and prevented any such information from being used for a purpose other than conducting background checks in foster or adoptive placement cases</p>	

<p>Tax Relief and Health Care Act</p> <p>P.L. 109-432</p>	<p>2006</p>	<p>Amends the Internal Revenue Code of 1986. The act amended Title XIX of the Social Security Act (Medicaid) by including all foster children assisted by Titles IV-B and IV-E of the Social Security Act and children receiving Title IV-E adoption assistance in the groups exempt from the requirement to present documentary evidence of citizenship or nationality. The requirement allowed them to declare themselves to be citizens or nationals of the United States</p>	
<p>The Fostering Connections to Success and Increasing Adoptions Act</p>	<p>2008</p>	<p>Amends parts B and E of Title IV of the Social Security Act. This act provided: improved incentives for adoption for tribal foster care and adoption access; amended the Chafee Foster Care Independence Program to allow services to youth who leave foster care for kinship guardianship or adoption after age 16. The act further amended the Education and Training Voucher Program to permit vouchers for youth who entered foster care or were adopted from foster care after age 16. The act permitted states to extend Title IV-E assistance to otherwise eligible youth who at age 16 or older exited foster care to either a kinship guardianship or adoption placement. The act further provided that if the child had not yet reached age 19, 20, or 21, as the state may elect, and was in school, employed, engaged in another activity designed to remove barriers to employment, or incapable of doing so due to a documented medical condition (effective October 1, 2010), that adoption assistance or other support would be continued. It also provided for the extension of the Adoption Incentive Program through federal fiscal year (FY) 2013. It doubled incentive payment amounts for special needs children (to \$4,000) and for older child adoptions (to \$8,000), revised adoption assistance eligibility criteria to de-link the Adoption Assistance Program from the Aid to Families with Dependent Children requirements to</p>	

		<p>be phased-in, from FY 2010 to FY 2018. The revised adoption assistance eligibility criteria based on whether the child is defined as "an applicable child"; required Title IV-E agencies to make reasonable efforts to place siblings removed from their home in the same foster care, adoption, or guardianship placement (P.L. 110-351). States would benefit the most from these incentives because, by 2018, particularly every child in foster care with the goal of adoption could be adopted and the state would receive federal funds. This incentive creates another reason for states to terminate parental rights quicker and have children adopted with the aid of adoption assistance</p>	
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Appendix B: Focus Group Demographics

FOCUS GROUPS	Henrico	Virginia			Total
		Beach	Arlington	Fairfax	
Age Group					
18 to 29	5	7	1	1	14
30 to 39	4	4	2	2	12
40 to 49	0	2	2	3	7
50 to 59	1	3	0	3	7
60 or older	1	0	0	1	2
Race/Ethnicity					
African-American/African/Caribbean	6	4	4	5	19
American Indian	1	0	0	0	1
Asian/Pacific Islander	0	0	0	2	2
Caucasian	2	11	0	2	15
Hispanic Latino	2	1	1	1	5
Relationship Status					
Single	5	2	2	4	13
In a relationship	3	5	1	0	9
Married	2	10	1	6	19
Education level					
Elementary	0	0	0	0	0
Middle School	0	0	0	0	0
High School	0	1	0	1	2
High School Graduate	6	5	3	2	16
Some College	3	4	0	1	8
College Graduate	1	4	2	3	1
Graduate Degree	0	2	0	1	3

Appendix C: Survey Constituency Group Demographics

Variable	Adoption Attorneys	Adoption Social Service Workers	Adoptive Parents	Birth Mothers	Putative Fathers
Gender					
Male	15	8	10	6	34
Female	11	49	6	5	0
Education Level					
Elementary	0	0	1	1	3
High School (9 th to 12 th Grade)	0	0	0	1	4
High School Graduate/GED	0	0	0	0	8
Some College	0	0	2	1	8
Associate Degree	0	0	2	0	2
College Graduate	0	28	2	2	5
Master's Degree	0	30	4	5	2
Professional/Ph.D. Degree	29	0	5	1	2
Race					
African-American, African, Caribbean	2	17	8	4	21
American Indian	0	1	0	0	0
Asian/Pacific Islander	0	1	1	1	3
Caucasian	26	35	7	5	10
Hispanic	0	2	0	0	0
Other	0	2	0	1	0
Geographic Region					
Central	6	16	4	3	10
Eastern	7	12	5	1	15
Northern	7	16	4	4	6
Piedmont	1	10	0	1	1
Western	6	1	0	0	0
Outside of Virginia	2	3	3	2	2
Age					
18 to 29	0	11	0	0	12
30 to 39	6	18	3	0	6
40 to 49	2	12	2	5	8
50 to 59	10	11	6	4	5
60 or older	11	5	5	2	2
Parental Group					
Putative Father	1	3			
Adoptive Parent	4	6			
Birth Parent	1	6			

Appendix D: Research Subject Information

To: Research Participant:

I am a Ph.D. candidate at Virginia Commonwealth University conducting my doctoral research on the Virginia Putative Father Registry. I am employed with the Virginia Department of Social Services as the Family Engagement Senior Consultant in Richmond, Virginia.

The purpose of this research is to seek information regarding the effectiveness and efficiency of the Virginia Putative Father Registry. This study examines the perceptions of various individuals who use or would be affected by the Registry. This study will provide data regarding the Virginia Putative Father Registry and information for improving the utility of putative father registries.

As an individual who either may be affected by or uses the Virginia Putative Father Registry, you are invited to participate in this study by filling out the attached form and participating in a focus group. Additional information and instructions for completing and submitting this form are enclosed. A Research Subject Information and Consent Form are enclosed.

If you have any questions, please contact me at (804) 726-7983 or jackson@gvcu.edu. Your participation is greatly appreciated.

Respectfully,

Tracey G. Jackson, Ph.D. Candidate
P.O. Box 36159
Richmond, Virginia 23235
Phone: (804) 726-7983
Email: jackson@gvcu.edu or tgjackson1@aol.com

If you have any questions about your rights as a participant in this study, you may contact:
Office for Research, VCU
800 East Leigh Street, Ste 113
P.O. Box 980568
Richmond, VA 23298
Telephone: 804-827-2157

Appendix E: Research Subject Information Form

TITLE: Applying the Multiple Constituency Model and Social Justice Variables to Determine the Constituents' Perceptions of the Virginia Putative Father Registry

VCU IRB NO.:

PURPOSE OF THE STUDY

This research will seek to fill gaps in the literature related to putative father registries and to explore the application of the Multiple Constituency Model to the Virginia Putative Father Registry. This research will explore the perceptions of constituency groups and provide data regarding the Virginia Putative Father Registry's effectiveness, efficiency and data regarding the perceptions of the efficiency of Orders of Publication to identify putative fathers. This study will contribute to the field of literature regarding the Virginia Putative Father Registry and provide data regarding the Registry and Orders of Publication.

You are being asked to participate in this study because you are a member of a group that either may be affected by the Virginia Putative Father Registry or may use the Registry.

DESCRIPTION OF THE STUDY AND YOUR INVOLVMENT

In this study, participants will be asked to participate in a recorded focus group. The focus group is estimated to take about 30 to 45 minutes to complete. You will be requested to provide information about your perceptions, opinion, attitudes, demographic and other relevant information.

Responses to the focus group will contribute to research regarding putative father registries. Findings of the research can be provided to you upon request.

The Consent/Statement Regarding the Research form are attached to the demographic questions. The meetings will be tape recorded so we are sure to get everyone's ideas, but no names will be recorded on the tape.

RISKS AND DISCOMFORTS

The issues regarding the due process rights of putative fathers and adoption are sensitive. People have strong feelings regarding these issues. Several questions will ask your perception and thoughts regarding a putative father registry and orders of publications. You do not have to share your responses. If you need assistance, please ask the facilitator of the focus group.

BENEFITS TO YOU AND OTHERS

As a participant, you may not get any direct benefit from this study. The information you provide may assist putative fathers in Virginia and others in the adoption process regarding the provision of notice for the termination of parental rights proceedings and how to become more aware of the Registry.

COSTS

Please note that the researcher will not receive money for the conducting this study. There is no cost to participate in this study other than the time spent in the focus group.

ALTERNATIVES

This study does not have a treatment component. The alternative you have is not to participate in the study.

CONFIDENTIALITY

Potentially identifiable information about you will consist of recordings, audiotapes and transcriptions. Data is being collected only for research purposes. Your data will not be identified and will only be coded for the focus group. All information will be kept in a password-protected file and these files will be deleted after the research is finished. Other records, such as the recorded focus group session, will be kept in a locked file cabinet for 1 month after the study ends and will then be destroyed at that time. No recordings, audiotapes or transcriptions of information will be kept indefinitely. Access to all data will be limited to study personnel. A data and safety-monitoring plan is established.

We will not tell anyone the answers you give us; however, information from the study may be looked at or copied for research or legal purposes by Virginia Commonwealth University.

What we find from this study may be presented at meetings or published in papers, but your name will not ever be used in these presentations or papers.

The focus group session, will be audio taped, but no names will be recorded. At the beginning of the session, all members will be asked to use initials only so that no names are recorded. The tapes and notes will be stored in a locked cabinet. After the information from the tapes is typed up, the tapes will be destroyed.

VOLUNTARY PARTICIPATION AND WITHDRAWAL

You do not have to participate in this study. If you choose to participate, you may stop at any time without any penalty. You may also choose not to answer particular questions that are asked in the study. You may retain a copy of this form for future reference.

Your participation in this study may be stopped at any time by the study staff without your consent. The reasons might include:

- the study staff thinks it necessary for your health or safety;
- you have not follow you have not followed study instructions; or
- administrative reasons require your withdrawal.

If you leave the study before the final regularly scheduled session there is not perceived consequences or psychological risks or discomfort.

QUESTIONS

In the future, you may have questions about your participation in this study. If you have any questions, complaints, or concerns about the research, contact:

Susan Gooden, Ph.D. Principle Investigator
Virginia Commonwealth University
923 West Franklin Street
Richmond, Virginia 23298
Email: stgooden@vcu.edu

Tracey G. Jackson, Ph.D. Candidate
P.O. Box 36159
Richmond, Virginia 23235
(804) 726-7983
Email: jacksontg@vcu.edu or tgjackson@aol.com

If you have any questions about your rights as a participant in this study, you may contact:

Office for Research
Virginia Commonwealth University
800 East Leigh Street, Suite 113
P.O. Box 980568
Richmond, VA 23298
Telephone: (804) 827-2157

You may also contact this number for general questions, concerns or complaints about the research. Please call this number if you cannot reach the research team or wish to talk to someone else. Additional information about participation in research studies can be found at <http://www.research.vcu.edu/irb.volunteers.htm>.

Appendix F: Focus Group Script

Now that we have completed the paperwork (demographic information), we can begin. Today, I would like to learn about your opinions of a putative father registry. Generally speaking, a putative father registry is designed to protect the rights of a man who may have fathered a child out of wedlock. I am asking you to participate in this focus group because your input can be helpful in understanding how to reach other men.

My role is to ask questions and listen to you. I will be co-leading this discussion with (insert name). From time to time, I will be taking notes. I am particularly interested in your thoughts and ideas. There are no wrong answers and all views are important. Please feel free to share your thoughts politely, even if you disagree with what was said by another participant in the group today.

Please don't hesitate to speak up, but only one person at a time. It is important that we respect one another so that everyone feels comfortable to speak. It is important for me to hear from everyone, because everyone has different thoughts, ideas, and life experiences.

This session is being audio-recorded, so that I don't miss any of your comments or thoughts. Your name will not be attached to your comments. Let's begin. Each participant will be provided with a Virginia Putative Father Registry brochure and will be shown two commercials regarding the Virginia Putative Father Registry. (Note: After the commercials have been played and the participants have an opportunity to look over the brochure the focus group questions will be asked.)

Appendix G: Demographic Focus Group

1. What is your age group?

- 18 to 29 30 to 39 40 to 49 50 to 59 60 or older

2. What is your race/ethnicity?

- African-American/African/Caribbean
 American Indian
 Asian/Pacific Islander
 Caucasian
 Hispanic/Latino
 Other _____

3. What is your relationship status (choose only one)?

- Single, not currently in a relationship
 In a relationship but not married to the person
 Married

4. How many children do you have?

- 0 1 2 3 4 5 or more

5. If you have children, what are their genders and ages?

- Female_____ Age_____
- Female_____ Age_____
- Female_____ Age_____
- Female_____ Age_____
- Female_____ Age_____
- Female_____ Age_____
-
- Male_____ Age_____
- Male_____ Age_____
- Male_____ Age_____
- Male_____ Age_____
- Male_____ Age_____
- Male_____ Age_____

6. What is the highest level of education you have obtained?

- Elementary (1st-5th grade)
- Middle School (6th-8th grade)
- High School (9th-12th grade)
- High School Graduate or GED
- Some College
- College Graduate
- Graduate Degree

7. What is your general field of work or occupation/job?

Appendix H: Focus Group Questions

- 1) Prior to seeing these commercials today, have you ever heard about the Virginia Putative Father Registry?
- 2) Based on the information you were shown, what are your initial opinions of the Virginia Putative Father Registry?

Probe Question: Do you think a putative father registry is a good idea or not?

- 3) If a child you fathered was being considered for, adoption how would you, like to learn about the adoption/legal notice?
- 4) The responsibility to register for a putative father registry is on the man/father. In Virginia and many other states, sex is legal notice that a man could have fathered a child. A man would need to take proactive steps to protect his rights. What do you think about this?
- 5) What are some ways to get the word/message out to men about this registry?
- 6) Another way to protect a man's rights is place an ad in a newspaper. The ad will tell a man he needs to come to court to protect his rights regarding a child he may have fathered. How do you feel about this method?
- 7) How important is it for you to know whether a child you may have fathered is placed for adoption?

8) On a scale of one to 10, 10 being a very important issue to you, i.e. causes you not to sleep at night; one being not important, i.e. would never think about it, how important is a putative father registry to you?

Appendix I: Code Summaries

CODES-PRIMARY-DOCUMENTS-TABLE (CELL=Q-FREQ)

Report created by Super - 10/26/2012 02:44:12 PM

"HU: [F:\Focus Groups\Virginia Putative Father Registry Focus Groups Oct 15 2012.hpr6]"

Code-Filter: All [29]

PD-Filter: All [4]

Quotation-Filter: All [227]

PRIMARY DOCS					
CODES	1	2	3	4	Totals
Audio and or Visual	1	1	1	5	8
Classes or Training	0	1	2	1	4
Email Preference to	1	1	0	1	3
Heard of Registry	6	7	1	7	21
High Importance Regard	2	9	3	1	15
Importance of Registry	5	9	0	8	22
Initial Opinion of t	3	5	4	4	16
Knowledge of Registry	0	0	1	0	1
Little or No Knowledge	5	6	0	7	18
Low or Little Import	2	0	1	2	5
Mail or Letter Preference	2	4	4	1	11
Male Oriented Events	0	4	1	5	10
Medium Importance Re	2	0	0	2	4
Methods to Create Aw	3	7	4	18	32
Need to Know about A	2	0	3	3	8
Negative Opinion of	3	3	3	6	15
Opinion on Requirement	5	5	0	2	12
Opinions Regarding N	3	6	5	10	24
Phone Call for Preference	2	1	0	1	4
Positive Themes for	0	0	0	0	0
Positive Impression	3	4	3	4	14
Positive Opinion of	0	0	1	2	3
Positive Strong Opinion	2	0	2	3	7
Preference for learn	3	4	9	4	20
Print Media	4	4	0	4	12
Promotion of Registry	0	0	0	0	0
Sex as Notice	4	0	0	2	6
Social Media	0	1	1	3	5
Sporting Events	0	1	1	4	6
Totals	63	83	50	110	306

Appendix J: Research Subject Information

To: Research Participant:

I am a Ph.D. candidate at Virginia Commonwealth University conducting my doctoral research on the Virginia Putative Father Registry. I am employed with the Virginia Department of Social Services as the Family Engagement Senior Consultant in Richmond, Virginia.

The purpose of this research is to seek information regarding the effectiveness and efficiency of the Virginia Putative Father Registry. This study examines the perceptions of various individuals who use or would be affected by the Registry. This study will provide data regarding the Virginia Putative Father Registry and can provide information for improving the utility of putative father registries.

As an either individual who may be affected by or use the Virginia Putative Father Registry, you are invited to participate in this study by completing a survey. Your participation is completely voluntary. We do not need your name or information that could identify you. If you choose to participate, we expect the survey will take approximately 20 minutes or less to complete. Additional information and instructions for completing the survey are provided to you prior to being the survey. A Research Subject Information and Consent Form are a part of the survey.

The survey can be completed by clicking the following link:

If you have any questions, please contact me at (804) 726-7983 or jacksontg@vcu.edu. Your participation is greatly appreciated.

Respectfully,

Tracey G. Jackson, Ph.D. Candidate
P.O. Box 36159
Richmond, Virginia 23235
Phone: (804) 726-7983
Email: jacksontg@vcu.edu or tgjackson1@aol.com.

If you have any questions about your rights as a participant in this study, you may contact:
Office for Research, VCU
800 East Leigh Street, Ste 113
P.O. Box 980568
Richmond, VA 23298
Telephone: 804-827-2157

RESEARCH SUBJECT INFORMATION FORM

RESEARCH SUBJECT INFORMATION AND CONSENT FORM

TITLE: Applying the Multiple Constituency Model and Social Justice Variables to Determine the Constituents' Perceptions of the Virginia Putative Father Registry

VCU IRB NO.:

This consent form may contain words that you do not understand. Please ask the study staff to explain any words that you do not clearly understand. You may take home an unsigned copy of this consent form to think about or discuss with family or friends before making your decision.

PURPOSE OF THE STUDY

This research will seek to fill gaps in the literature related to putative father registries and to explore the application of the Multiple Constituency Model to the Virginia Putative Father Registry. This research will explore the perceptions of constituency groups and provide data regarding the Virginia Putative Father Registry's effectiveness, efficiency and data regarding the perceptions of the efficiency of Orders of Publication to identify putative fathers. This study will contribute to the field of literature regarding the Virginia Putative Father Registry and provide data regarding the Registry and Orders of Publication.

You are being asked to participate in this study because you are a member of a group that either may be affected by the Virginia Putative Father Registry or may use the Registry.

DESCRIPTION OF THE STUDY AND YOUR INVOLVEMENT

If you decide to be in this research study, your documentation of consent is your participation. The Consent/Statement Regarding the Research form is a part of the survey and after you have had all your questions answered and understand what will happen to you if you choose please complete the survey.

In this study, participants will be asked to complete a survey. The survey is estimated to take about 15 to 20 minutes to complete. You will be requested to provide information about your perceptions, opinion, attitude, demographic and other relevant information.

A response to the survey will contribute to the research and findings of the research can be provided to you.

Significant new findings developed during the course of the research, which may relate to your willingness to continue participation will be provided to you.

RISKS AND DISCOMFORTS

The issues regarding the due process rights of putative fathers and adoption are sensitive. People may have strong feelings regarding these issues. Several questions will ask your perception and thoughts regarding a putative father registry and orders of publications. You do not have to share your responses. If you need assistance, please ask the facilitator of the focus group.

BENEFITS TO YOU AND OTHERS

As a participant, you may not get any direct benefit from this study, but the information we learn from people in this study may help assist putative fathers in Virginia and others in the adoption process regarding the provision of giving notice for the termination of parental rights proceedings and how to become more aware of a putative father registry.

COSTS

There are no costs for participating in this study other than the time spent you will spend in filling out the survey.

ALTERNATIVES

This study does not have a treatment component. The alternative you have is not to participate in the study.

CONFIDENTIALITY

Potentially identifiable information about you will consist of survey data. Data is being collected only for research purposes. Your data will not be identified and will only be coded for the focus group. All information will be kept in a password-protected file and these files will be deleted after the research is finished. Other records, such as the survey data will be kept in a password protected computer and portable drive that will be locked file cabinet for 1 month after the study ends and will be destroyed at that time. No information will be kept indefinitely. Access to all data will be limited to study personnel. A data and safety monitoring plan is established.

We will not tell anyone the answers you provide; however, information from the study may be looked at or copied for research or legal purposes by Virginia Commonwealth University.

What we find from this study may be presented at meetings or published in papers but your name will not ever be used in presentations or papers.

VOLUNTARY PARTICIPATION AND WITHDRAWAL

You do not have to participate in this study. If you choose to participate, you may stop at any time without any penalty. You may also choose not to answer particular questions that are asked in the study.

Your participation in this study may be stopped at any time by the study staff without your consent. The reasons might include:

- the study staff thinks it necessary for your health or safety;
- you have not followed study instructions;
- the study has stopped; or
- administrative reasons require your withdrawal.

If you leave the study before the final regularly scheduled visit, there are not consequences to you.

QUESTIONS

In the future, you may have questions about your participation in this study. If you have any questions, complaints, or concerns about the research, contact:

Susan Gooden, Ph.D. Principle Investigator
Virginia Commonwealth University
923 West Franklin Street
Richmond, Virginia 23298
Email: stgooden@vcu.edu

Tracey G. Jackson, Ph.D. Candidate
P.O. Box 36159
Richmond, Virginia 23235
(804) 726-7983
Email: jacksontg@vcu.edu or tgjackson1@aol.com

If you have any questions about your rights as a participant in this study, you may contact:

Office for Research
Virginia Commonwealth University
800 East Leigh Street, Suite 113
P.O. Box 980568
Richmond, VA 23298
Telephone: 804-827-2157

You may also contact this number for general questions, concerns or complaints about the research. Please call this number if you cannot reach the research team or wish to talk to someone else. Additional information about participation in research studies can be found at <http://www.research.vcu.edu/irb/volunteers.htm>.

Appendix K: The Virginia Putative Father Registry Survey

Definitions

Adoptive Parent is a person who did not give birth to a child but has legally brought a child into their family

Birth Parent is a person who has placed their child for adoption.

Order of Publication is an ad placed in a newspaper to let a man to go to court to protect his rights. The ad must be placed in the newspaper once a week for four weeks.

Putative father (Possible Father) is a man who may have fathered a child out of wedlock.

Putative Father Registry is a confidential database used to provide legal notice to a putative father.

Process for a putative father registry:

A putative father registry is designed for a putative father. If a putative father would like to know if a plan for adoption is made he is required to register with the registry. If a putative father would like to know if someone is trying to terminate his parental rights, he would also need to register.

Virginia Putative Father Registry:

In 2007, the Virginia Putative Father Registry was established. The Virginia Putative Father Registry is a confidential database. A putative father can register by mailing a form or going online. Mailing the form or going online require the putative father to sign the form. People are required to search the Virginia Putative Father Registry before completing a termination of parental rights or adoption. If a search request matches a registration the person who requested the search must give the putative father legal notice regarding hearings. The Virginia Putative Father Registry is also known as If Daddy.





©2007 photo by JynMeyer



The Virginia Putative Father Registry Survey

Using the following 5-point scale, circle the number that best represents how familiar you are with a putative father registry.

	Not at all familiar (No knowledge) 1	Not Very Familiar 2	Familiar 3	Slightly Familiar 4	Very Familiar 5
1. How familiar are you with the adoption process?	1	2	3	4	5
2. How familiar are you with the process to get permission (consent) from the birth parents to have their child adopted?	1	2	3	4	5
3. How familiar are you with orders of publications?	1	2	3	4	5
4. How familiar are you with a putative father registry?	1	2	3	4	5

Using the following 5-point scale, circle the number that best represents how often you have use or been involved with the following.

	Never (No knowledge) 1	Occasionally 2	Sometimes 3	Often 4	Regularly 5
5. Heard of a putative father registry.	1	2	3	4	5
6. Heard of the Virginia Putative Father Registry.	1	2	3	4	5
7. Used or have used a putative father registry?	1	2	3	4	5
8. Used or have used the Virginia Putative Father Registry services (registration/ search)?	1	2	3	4	5

Using the following 5-point scale, circle the number that best represents your level of agreement with each item.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
1	2	3	4	5	
9. A man who could have fathered a child out of wedlock should have to register with a putative father registry in order to know about a plan for adoption or termination of his parental rights.	1	2	3	4	5
10. Guidelines of a putative father registry appear to be free of bias.	1	2	3	4	5
11. Guidelines of a putative father registry generally uphold fair practices.	1	2	3	4	5
12. A putative father registry generally provides safeguards for a man who could have fathered a child out of wedlock to protect his rights.	1	2	3	4	5
13. The average person knows about a putative father registry.	1	2	3	4	5
14. If you search a putative father registry getting the results in four days is good.	1	2	3	4	5

Select the group that represents your answer to the questions below. Choose one group for each question.

15. What group has the most influence in creating a putative father registry?	Adoption Attorneys	Adoptive Parents	Social Services Workers	Mothers (Birth Mothers)	Possible Fathers/Putative Fathers
16. What group has the least influence in creating a putative father registry?	Adoption Attorneys	Adoptive Parents	Social Services Workers	Mothers (Birth Mothers)	Possible Fathers/Putative Fathers
17. What group would benefit the most from a putative father registry?	Adoption Attorneys	Adoptive Parents	Social Services Workers	Mothers (Birth Mothers)	Possible Fathers/Putative Fathers
18. What group would benefit the least from a putative father registry?	Adoption Attorneys	Adoptive Parents	Social Services Workers	Mothers (Birth Mothers)	Possible Fathers/Putative Fathers

Demographics

This information is gathered to further analyze survey results in general terms of the people who complete the survey.

19. What is your age group?

- 18 to 29
 30 to 39
 40 to 49
 50 to 59
 60 or older

20. What is your gender?

- Male Female

21. What is your race/ethnicity?

- African-American/African/Caribbean
 American Indian
 Asian/Pacific Islander
 Caucasian
 Hispanic/Latino
 Other _____

22. What is your relationship status (choose only one)?

- Single, not currently in a relationship
 In a relationship but not married to the person
 Married

23. How many children do you have?

- 0 1 2 3 4 5 or more

24. If you have children, what are their genders and ages?

- Female _____ Age _____
 Female _____ Age _____
 Female _____ Age _____
 Female _____ Age _____
 Female _____ Age _____
 Female _____ Age _____
 Male _____ Age _____
 Male _____ Age _____
 Male _____ Age _____
 Male _____ Age _____
 Male _____ Age _____
 Male _____ Age _____

25. What is the highest level of education you have obtained?

- Elementary (1st-5th grade)
 Middle School (6th-8th grade)
 High School (9th-12th grade)
 High School Graduate or GED
 Some College

- Associate Degree
- College Graduate
- Master's Degree
- Professional Degree (M.D., JD, etc.) or Ph.D.

26. What is your general field of work or occupation/job?

- Attorney
- Social services worker
- Other (please specify)

27. Are you a birth parent (placed your child for adoption)?

- Yes
- No

28. Have you ever adopted a child?

- Yes
- No

29. Are you a man who has ever had a child out of wedlock (putative father)?

- Yes
- No

Appendix L: Recruitment Letter

To: Research Participant:

I am a Ph.D. candidate at Virginia Commonwealth University conducting my doctoral research on the Virginia Putative Father Registry. I am employed with the Virginia Department of Social Services as the Family Engagement Senior Consultant in Richmond, Virginia.

The purpose of this research is to seek information regarding the effectiveness and efficiency of the Virginia Putative Father Registry. This study examines the perceptions of various individuals who use or would be affected by the Registry. This study will provide data regarding the Virginia Putative Father Registry and can provide information for improving the utility of putative father registries.

As an individual who may either be affected by or use the Virginia Putative Father Registry, you are invited to participate in this study by filling out the survey at the following link:

Additional information and instructions for completing this survey are enclosed. A Research Subject Information and Consent Form are enclosed.

If you have any questions, please contact me at (804) 726-7983 or jacksontg@vcu.edu. Your participation is greatly appreciated.

Respectfully,

Tracey G. Jackson, Ph.D. Candidate
P.O. Box 36159
Richmond, Virginia 23235
Phone: (804) 726-7983
Email: jacksontg@vcu.edu or tgjackson1@aol.com

Appendix M: IRB Consent

VCU Memo

Virginia Commonwealth University


Office of Research Subjects Protection
BioTechnology Research Park
BioTech One, 800 E. Leigh Street, #114
P.O. Box 980568
Richmond, Virginia 23298-0568
(804) 828-3992
(804) 827-1448 (fax)

DATE: January 24, 2012

TO: Susan T. Gooden, PhD
Wilder School of Government and Public Affairs
Box 842028

FROM: Lisa M. Abrams, PhD
Chairperson, VCU IRB Panel B
Box 980568

RE: VCU IRB #: HM14136
Title: Applying the Multiple Constituents' Model and Social Justice Variables to Determine the Constituents' Perception of the Virginia Father Registry



On January 24, 2012, the following research study was approved by expedited review according to 45 CFR 46.110 Category 7. This approval includes the following items reviewed by this Panel:

RESEARCH APPLICATION/PROPOSAL: None

PROTOCOL (Research Plan): Applying the Multiple Constituents' Model and Social Justice Variables to Determine the Constituents' Perception of the Virginia Father Registry, received 1/24/11, version date 1/24/11

- VCU IRB Study Personnel Roster, received 12/21/11, version date 12/6/11
- The Virginia Putative Father Registry Survey, received 12/21/11, version date 12/6/11
- Focus Group Script and Questions, received 12/21/11, version date 12/6/11

CONSENT/ASSENT (attached):

- Research Subject Information and Consent Form: Survey, received 12/21/11, version date 12/6/11, 3 pages
- Research Subject Information and Consent Form: Focus Group, received 12/21/11, version date 12/6/11, 3 pages
- Waiver of Documentation of Consent for All Participants: One of the conditions set forth in 45 CFR 46.117(c) (2), for waiver of documentation of consent has been met and the IRB Panel has waived documentation of consent.

ADDITIONAL DOCUMENTS (attached):

- Research Subject Information (Cover Letter): Survey, received 12/21/11, version date 12/6/11
- Research Subject Information (Cover Letter): Focus Group, received 12/21/11, version date 12/6/11
- Recruitment Letter, received 12/21/11, version date 11/30/11

Please Note: The VCU IRB acknowledges receipt of The Virginia Putative Father Registry registration booklet on December 21, 2011.

(Continued...)

This approval expires on November 30, 2012. Federal Regulations/VCU Policy and Procedures require continuing review prior to continuation of approval past that date. Continuing Review report forms will be mailed to you prior to the scheduled review.

The Primary Reviewer assigned to your research study is Mrs. Emily Rossiter. If you have any questions, please contact Mrs. Rossiter at eri@infionline.net; or you may contact Jennifer Rice, IRB Coordinator, VCU Office of Research Subjects Protection, at irbpanelb@vcu.edu and 828-3992.

[Attachment – Conditions of Approval]

Conditions of Approval:

In order to comply with federal regulations, industry standards, and the terms of this approval, the investigator must (as applicable):

1. Conduct the research as described in and required by the Protocol.
2. Obtain informed consent from all subjects without coercion or undue influence, and provide the potential subject sufficient opportunity to consider whether or not to participate (unless Waiver of Consent is specifically approved or research is exempt).
3. Document informed consent using only the most recently dated consent form bearing the VCU IRB "APPROVED" stamp (unless Waiver of Consent is specifically approved).
4. Provide non-English speaking patients with a translation of the approved Consent Form in the research participant's first language. The Panel must approve the translated version.
5. Obtain prior approval from VCU IRB before implementing any changes whatsoever in the approved protocol or consent form, unless such changes are necessary to protect the safety of human research participants (e.g., permanent/temporary change of PI, addition of performance/collaborative sites, request to include newly incarcerated participants or participants that are wards of the state, addition/deletion of participant groups, etc.). Any departure from these approved documents must be reported to the VCU IRB immediately as an Unanticipated Problem (see #7).
6. Monitor all problems (anticipated and unanticipated) associated with risk to research participants or others.
7. Report Unanticipated Problems (UPs), including protocol deviations, following the VCU IRB requirements and timelines detailed in VCU IRB WPP VIII-7:
8. Obtain prior approval from the VCU IRB before use of any advertisement or other material for recruitment of research participants.
9. Promptly report and/or respond to all inquiries by the VCU IRB concerning the conduct of the approved research when so requested.
10. All protocols that administer acute medical treatment to human research participants must have an emergency preparedness plan. Please refer to VCU guidance on <http://www.research.vcu.edu/irb/guidance.htm>.
11. The VCU IRBs operate under the regulatory authorities as described within:
 - a) U.S. Department of Health and Human Services Title 45 CFR 46, Subparts A, B, C, and D (for all research, regardless of source of funding) and related guidance documents.
 - b) U.S. Food and Drug Administration Chapter I of Title 21 CFR 50 and 56 (for FDA regulated research only) and related guidance documents.
 - c) Commonwealth of Virginia Code of Virginia 32.1 Chapter 5.1 Human Research (for all research).

010507

VITA

Tracey G. Jackson is a United State citizen born in Fort Belvoir, Virginia. Her early education was received in Fayetteville, North Carolina and Philadelphia, Pennsylvania public school systems. She received her Bachelor of Arts in 1992 in Political Science from Fayetteville State University. In 1998, she received her Master of Arts in Political Science also from Fayetteville State University. Ms. Jackson has worked in the human service field for over 20 years and began her teaching career as an Adjunct Instructor at Fayetteville State University. She can be reached at tgjackson1@aol.com.