

**ASSEMBLY BILL**

**No. 2579**

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**Introduced by Assembly Member Wyland**

February 21, 2002

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An act to amend Sections 7611.5, 7630, 7631, 7635, 7660, 8604, 8605, and 8606 of, and repeal Sections 7662, 7663, 7664, 7665, 7666, 7667, 7668, 7669, and 7670 of, the Family Code, relating to paternity.

LEGISLATIVE COUNSEL'S DIGEST

AB 2579, as introduced, Wyland. Paternity: presumed fathers.

Existing law establishes a presumption that a man is the natural father of a child under certain circumstances, including, among others, if he and the natural mother of the child are married and the child is born during the marriage. Existing law provides that if a man is not presumed to be the father of a child under those circumstances, he is not presumed to be the natural father if the child was conceived as the result of a rape, and the father was convicted of that rape, or if the child was conceived as a result of a statutory rape and the mother was under the age of 15 years and the father was 21 years of age or older at the time of conception.

This bill would delete the requirement that a man be convicted of those crimes in order for him not to be presumed to be the natural father of a child conceived under those circumstances.

Existing law provides that if a mother relinquishes for or consents to, or proposes to relinquish for or consent to, the adoption of a child who does not have a presumed father, or if a child otherwise becomes the subject of an adoption proceeding and the alleged father, if any, has not, in writing, denied paternity, waived his right to notice, or voluntarily relinquished for or consented to the adoption, the agency or person to

whom the child has been or is to be relinquished, or the mother or the person having physical or legal custody of the child, or the prospective adoptive parent, is required to file a petition to terminate the parental rights of the father, as specified. Existing law establishes procedures to identify, and provide notice to, an alleged father for purposes of his right to intervene in the adoption proceedings of a child.

This bill would repeal these procedures that require identification of, and notice to, an alleged father of a child who is the subject of an adoption proceeding.

Existing law provides that a child not having a presumed father, may not be adopted without the consent of the child’s mother, if living.

This bill would further provide that the consent of an alleged father of a child is necessary only if he has complied with certain requirements, including the development of a substantial relationship with the child, the financial support of the child, and the initiation of proceedings to establish paternity, depending on the age of the child.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The rights and interests of all parties affected by an adoption
- 4 proceeding should be considered and balanced in determining
- 5 which constitutional protections and processes are necessary and
- 6 appropriate.
- 7 (b) The state has a compelling interest in providing stable and
- 8 permanent homes for adoptive children in a prompt manner, in
- 9 preventing the disruption of adoptive placements, and in holding
- 10 parents accountable for meeting the needs of children.
- 11 (c) An unmarried mother, faced with the responsibility of
- 12 making crucial decisions about the future of a newborn child, is
- 13 entitled to privacy, and has the right to make timely and
- 14 appropriate decisions regarding her future and the future of the
- 15 child, and is entitled to assurance regarding the permanence of an
- 16 adoptive placement.
- 17 (d) Adoptive children have a right to permanence and stability
- 18 in adoptive placements.



1 (e) Adoptive parents have constitutionally protected liberty  
2 and privacy interest in retaining custody of an adopted child.

3 (f) An alleged father has an inchoate interest that acquires  
4 constitutional protection only when he demonstrates a timely and  
5 full commitment to the responsibilities of parenthood, both during  
6 pregnancy and upon the child's birth. The state has a compelling  
7 interest in requiring alleged fathers to demonstrate that  
8 commitment by providing appropriate medical care and financial  
9 support and by establishing legal paternity, in accordance with the  
10 requirements of this act.

11 (g) This act is intended to prescribe the conditions for  
12 determining whether an alleged father's action is sufficiently  
13 prompt and substantial to require constitutional protection.

14 (h) If an alleged father fails to grasp the opportunities to  
15 establish a relationship with his child that are available to him, his  
16 biological parental interest may be lost entirely, or greatly  
17 diminished in constitutional significance by his failure to timely  
18 exercise it, or by his failure to strictly comply with the available  
19 legal steps to substantiate it.

20 (i) A certain degree of finality is necessary in order to facilitate  
21 the state's compelling interest. The interests of the state, the  
22 mother, the child, and the adoptive parents described in this act  
23 outweigh the interest of an alleged father who does not timely  
24 grasp the opportunity to establish and demonstrate a relationship  
25 with his child in accordance with the requirements of this act.

26 (j) An alleged father has the primary responsibility to protect  
27 his rights.

28 (k) An alleged father is presumed to know that the child may  
29 be adopted without his consent, unless he complies with the  
30 provisions of this act, manifests a prompt and full commitment to  
31 his parental responsibilities, and establishes paternity.

32 (l) An unmarried mother has a right of privacy with regard to  
33 her pregnancy and adoption plan, and therefore has no legal  
34 obligation to disclose the identify of an alleged father prior to or  
35 during an adoption proceeding, and has no obligation to volunteer  
36 information to the court with respect to the father.

37 SEC. 2. Section 7611.5 of the Family Code is amended to  
38 read:



1 7611.5. ~~Where Section 7611 does not apply, a~~ A man shall is  
2 not be presumed to be the natural father of a child if either of the  
3 following is true:

4 (a) The child was conceived as a result of an act in violation of  
5 Section 261 of the Penal Code ~~and the father was convicted of that~~  
6 ~~violation.~~

7 (b) The child was conceived as a result of an act in violation of  
8 Section 261.5 of the Penal Code, ~~the father was convicted of that~~  
9 ~~violation,~~ and the mother was under the age of 15 years and the  
10 father was 21 years of age or older at the time of conception.

11 SEC. 3. Section 7630 of the Family Code is amended to read:

12 7630. (a) A child, the child’s natural mother, or a man  
13 presumed to be the child’s father under subdivision (a), (b), or (c)  
14 of Section 7611, may bring an action as follows:

15 (1) At any time for the purpose of declaring the existence of the  
16 father and child relationship presumed under subdivision (a), (b),  
17 or (c) of Section 7611.

18 (2) For the purpose of declaring the nonexistence of the father  
19 and child relationship presumed under subdivision (a), (b), or (c)  
20 of Section 7611 only if the action is brought within a reasonable  
21 time after obtaining knowledge of relevant facts. After the  
22 presumption has been rebutted, paternity of the child by another  
23 man may be determined in the same action, if he has been made  
24 a party.

25 (b) Any interested party may bring an action at any time for the  
26 purpose of determining the existence or nonexistence of the father  
27 and child relationship presumed under subdivision (d) of Section  
28 7611.

29 (c) An action to determine the existence of the father and child  
30 relationship with respect to a child who has no presumed father  
31 under Section 7611 or whose presumed father is deceased may be  
32 brought by the child or personal representative of the child, the  
33 Department of Child Support Services, the mother or the personal  
34 representative or a parent of the mother if the mother has died or  
35 is a minor, a man alleged or alleging himself to be the father, or the  
36 personal representative or a parent of the alleged father if the  
37 alleged father has died or is a minor.

38 ~~(d) An action under subdivision (c) shall be consolidated with~~  
39 ~~a proceeding pursuant to Section 7662 if a proceeding has been~~  
40 ~~filed under Chapter 5 (commencing with Section 7660). The~~



1 ~~parental rights of the alleged natural father shall be determined as~~  
2 ~~set forth in Section 7664. The consolidated action shall be heard~~  
3 ~~in the county in which the Section 7662 proceeding is filed, unless~~  
4 ~~the court in which the action under subdivision (c) is filed finds,~~  
5 ~~by clear and convincing evidence, that transferring the action to~~  
6 ~~the other county poses a substantial hardship to the petitioner.~~  
7 ~~Mere inconvenience does not constitute a sufficient basis for a~~  
8 ~~finding of substantial hardship. If the court determines there is a~~  
9 ~~substantial hardship, the consolidated action shall be heard in the~~  
10 ~~county in which the paternity action is filed.~~

11 SEC. 4. Section 7631 of the Family Code is amended to read:  
12 7631. Except as to cases coming within Chapter 1  
13 (commencing with Section 7540) of Part 2, a man not a presumed  
14 father may bring an action for the purpose of declaring that he is  
15 the natural father of a child having a presumed father under Section  
16 7611, ~~if the mother relinquishes for, consents to, or proposes to~~  
17 ~~relinquish for or consent to, the adoption of the child.~~ An action  
18 under this section shall be brought ~~within 30 days after (1) the man~~  
19 ~~is served as prescribed in Section 7666 with a notice that he is or~~  
20 ~~could be the father of the child or (2) the birth of the child,~~  
21 ~~whichever is later prior to the date the mother files a certified copy~~  
22 ~~with the State Department of Social Services of her relinquishment~~  
23 ~~of the child for adoption.~~ The commencement of the action  
24 suspends a pending proceeding in connection with the adoption of  
25 the child until a judgment in the action is final.

26 SEC. 5. Section 7635 of the Family Code is amended to read:  
27 7635. (a) The child may, if under the age of 12 years, and  
28 shall, if 12 years of age or older, be made a party to the action. If  
29 the child is a minor and a party to the action, the child shall be  
30 represented by a guardian ad litem appointed by the court. The  
31 guardian ad litem need not be represented by counsel if the  
32 guardian ad litem is a relative of the child.

33 (b) The natural mother, each man presumed to be the father  
34 under Section 7611, and each man alleged to be the natural father,  
35 may be made parties and *any person who is made a party* shall be  
36 given notice of the action in the manner prescribed in Section 7666  
37 and an opportunity to be heard.

38 (c) The court may align the parties.

39 (d) In any initial or subsequent proceeding under this chapter  
40 where custody of, or visitation with, a minor child is in issue, the



1 court may, if it determines it would be in the best interest of the  
2 minor child, appoint private counsel to represent the interests of  
3 the minor child pursuant to Chapter 10 (commencing with Section  
4 3150) of Part 2 of Division 8.

5 SEC. 6. Section 7660 of the Family Code is amended to read:

6 7660. If a mother relinquishes for or consents to, or proposes  
7 to relinquish for or consent to, the adoption of a child who has a  
8 presumed father under Section 7611, the *presumed* father shall be  
9 given notice of the adoption proceeding and have the rights  
10 provided under Part 2 (commencing with Section 8600) of  
11 Division 13, unless the *presumed* father's relationship to the child  
12 has been previously terminated or determined by a court not to  
13 exist or the *presumed* father has voluntarily relinquished for or  
14 consented to the adoption of the child.

15 SEC. 7. Section 7662 of the Family Code is repealed.

16 ~~7662. If a mother relinquishes for or consents to, or proposes~~  
17 ~~to relinquish for or consent to, the adoption of a child who does not~~  
18 ~~have a presumed father under Section 7611, or if a child otherwise~~  
19 ~~becomes the subject of an adoption proceeding and the alleged~~  
20 ~~father, if any, has not, in writing, denied paternity, waived his right~~  
21 ~~to notice, or voluntarily relinquished for or consented to the~~  
22 ~~adoption, the agency or person to whom the child has been or is to~~  
23 ~~be relinquished, or the mother or the person having physical or~~  
24 ~~legal custody of the child, or the prospective adoptive parent, shall~~  
25 ~~file a petition to terminate the parental rights of the father, unless~~  
26 ~~either of the following occurs:~~

27 ~~(a) The father's relationship to the child has been previously~~  
28 ~~terminated or determined not to exist by a court.~~

29 ~~(b) The father has been served as prescribed in Section 7666~~  
30 ~~with a written notice alleging that he is or could be the natural~~  
31 ~~father of the child to be adopted or placed for adoption and has~~  
32 ~~failed to bring an action for the purpose of declaring the existence~~  
33 ~~of the father and child relationship pursuant to subdivision (c) of~~  
34 ~~Section 7630 within 30 days of service of the notice or the birth of~~  
35 ~~the child, whichever is later.~~

36 SEC. 8. Section 7663 of the Family Code is repealed.

37 ~~7663. (a) In an effort to identify the natural father, the court~~  
38 ~~shall cause inquiry to be made of the mother and any other~~  
39 ~~appropriate person by any of the following:~~

40 ~~(1) The State Department of Social Services.~~



1 ~~(2) A licensed county adoption agency.~~

2 ~~(3) The licensed adoption agency to which the child is to be~~  
3 ~~relinquished.~~

4 ~~(4) In the case of a stepparent adoption, at the option of the~~  
5 ~~board of supervisors, a licensed county adoption agency, the~~  
6 ~~county department designated by the board of supervisors to~~  
7 ~~administer the public social services program, or the county~~  
8 ~~probation department.~~

9 ~~(b) The inquiry shall include all of the following:~~

10 ~~(1) Whether the mother was married at the time of conception~~  
11 ~~of the child or at any time thereafter.~~

12 ~~(2) Whether the mother was cohabiting with a man at the time~~  
13 ~~of conception or birth of the child.~~

14 ~~(3) Whether the mother has received support payments or~~  
15 ~~promises of support with respect to the child or in connection with~~  
16 ~~her pregnancy.~~

17 ~~(4) Whether any man has formally or informally~~  
18 ~~acknowledged or declared his possible paternity of the child.~~

19 ~~(c) The department or the licensed adoption agency shall report~~  
20 ~~the findings to the court.~~

21 SEC. 9. Section 7664 of the Family Code is repealed.

22 7664. ~~(a) If, after the inquiry, the natural father is identified~~  
23 ~~to the satisfaction of the court, or if more than one man is identified~~  
24 ~~as a possible father, each shall be given notice of the proceeding~~  
25 ~~in accordance with Section 7666, unless he has been served with~~  
26 ~~a written notice alleging that he is or could be the natural father of~~  
27 ~~the child to be adopted or placed or relinquished for adoption and~~  
28 ~~has failed to bring an action pursuant to subdivision (c) of Section~~  
29 ~~7630 to declare the existence of the father and child relationship~~  
30 ~~within 30 days after service of the notice or the birth of the child,~~  
31 ~~whichever is later. If any of them fails to appear or, if appearing,~~  
32 ~~fails to claim parental rights, his parental rights with reference to~~  
33 ~~the child shall be terminated.~~

34 ~~(b) If the natural father or a man representing himself to be the~~  
35 ~~natural father claims parental rights, the court shall determine if he~~  
36 ~~is the father. The court shall then determine if it is in the best~~  
37 ~~interest of the child that the father retain his parental rights, or that~~  
38 ~~an adoption of the child be allowed to proceed. The court, in~~  
39 ~~making that determination, may consider all relevant evidence,~~  
40 ~~including the efforts made by the father to obtain custody, the age~~



1 and prior placement of the child, and the effects of a change of  
2 placement on the child. If the court finds that it is in the best interest  
3 of the child that the father should be allowed to retain his parental  
4 rights, it shall order that his consent is necessary for an adoption.  
5 If the court finds that the man claiming parental rights is not the  
6 father, or that if he is the father it is in the child's best interest that  
7 an adoption be allowed to proceed, it shall order that that person's  
8 consent is not required for an adoption. This finding terminates all  
9 parental rights and responsibilities with respect to the child.  
10 Section 3041 does not apply to a proceeding under this chapter.

11 (e) ~~Nothing in this part changes the rights of a presumed father~~  
12 ~~under Section 7611.~~

13 SEC. 10. Section 7665 of the Family Code is repealed.

14 7665. ~~If, after the inquiry, the court is unable to identify the~~  
15 ~~natural father or any possible natural father and no person has~~  
16 ~~appeared claiming to be the natural father and claiming custodial~~  
17 ~~rights, the court shall enter an order terminating the unknown~~  
18 ~~natural father's parental rights with reference to the child.~~

19 SEC. 11. Section 7666 of the Family Code is repealed.

20 7666. ~~(a) Except as provided in subdivision (b), notice of the~~  
21 ~~proceeding shall be given to every person identified as the natural~~  
22 ~~father or a possible natural father in accordance with the Code of~~  
23 ~~Civil Procedure for the service of process in a civil action in this~~  
24 ~~state, except that publication or posting of the notice of the~~  
25 ~~proceeding is not required. Proof of giving the notice shall be filed~~  
26 ~~with the court before the petition is heard.~~

27 (b) ~~If a person identified as the natural father or possible natural~~  
28 ~~father cannot be located or his whereabouts is unknown or cannot~~  
29 ~~be ascertained, the court may issue an order dispensing with notice~~  
30 ~~to that person.~~

31 SEC. 12. Section 7667 of the Family Code is repealed.

32 7667. ~~(a) Notwithstanding any other provision of law, an~~  
33 ~~action to terminate the parental rights of a father of a child as~~  
34 ~~specified in this part shall be set for hearing not more than 45 days~~  
35 ~~after filing of the petition therefor and completion of service~~  
36 ~~thereon or the entry of an order dispensing with notice of the~~  
37 ~~proceedings. The petition shall either specify the date of the~~  
38 ~~hearing or state that a hearing will be held on a date as determined~~  
39 ~~pursuant to this section, which shall be separately noticed.~~



1 ~~(b) The matter so set shall have precedence over all other civil~~  
2 ~~matters on the date set for trial, except an action to terminate~~  
3 ~~parental rights pursuant to Part 4 (commencing with Section~~  
4 ~~7800).~~

5 SEC. 13. Section 7668 of the Family Code is repealed.

6 ~~7668. (a) The court may continue the proceedings for not~~  
7 ~~more than 30 days as necessary to appoint counsel and to enable~~  
8 ~~counsel to prepare for the case adequately or for other good cause.~~

9 ~~(b) In order to obtain an order for a continuance of the hearing,~~  
10 ~~written notice shall be filed within two court days of the date set~~  
11 ~~for the hearing, together with affidavits or declarations detailing~~  
12 ~~specific facts showing that a continuance is necessary, unless the~~  
13 ~~court for good cause entertains an oral motion for continuance.~~

14 ~~(c) Continuances shall be granted only upon a showing of good~~  
15 ~~cause. Neither a stipulation between counsel nor the convenience~~  
16 ~~of the parties is in and of itself a good cause.~~

17 ~~(d) A continuance shall be granted only for that period of time~~  
18 ~~shown to be necessary by the evidence considered at the hearing~~  
19 ~~on the motion. If a continuance is granted, the facts proven which~~  
20 ~~require the continuance shall be entered upon the minutes of the~~  
21 ~~court.~~

22 SEC. 14. Section 7669 of the Family Code is repealed.

23 ~~7669. An order requiring or dispensing with a father's consent~~  
24 ~~for the adoption of a child may be appealed from in the same~~  
25 ~~manner as an order of the juvenile court declaring a person to be~~  
26 ~~a ward of the juvenile court.~~

27 SEC. 15. Section 7670 of the Family Code is repealed.

28 ~~7670. There shall be no filing fee charged for a petition filed~~  
29 ~~pursuant to Section 7662.~~

30 SEC. 16. Section 8604 of the Family Code is amended to read:

31 8604. (a) Except as provided in subdivision (b), a child  
32 having a presumed father under Section 7611 may not be adopted  
33 without the consent of the child's ~~birth parents~~ *mother and*  
34 *presumed father*, if living.

35 (b) If one birth parent has been awarded custody by judicial  
36 order, or has custody by agreement of both parents, and the other  
37 birth parent for a period of one year willfully fails to communicate  
38 with and to pay for the care, support, and education of the child  
39 when able to do so, then the birth parent having sole custody may  
40 consent to the adoption, but only after the birth parent not having



1 custody has been served with a copy of a citation in the manner  
2 provided by law for the service of a summons in a civil action that  
3 requires the birth parent not having custody to appear at the time  
4 and place set for the appearance in court under Section 8718, 8823,  
5 8913, or 9007.

6 (c) Failure of a birth parent to pay for the care, support, and  
7 education of the child for the period of one year or failure of a birth  
8 parent to communicate with the child for the period of one year is  
9 prima facie evidence that the failure was willful and without lawful  
10 excuse.

11 SEC. 17. Section 8605 of the Family Code is amended to read:

12 8605. (a) A child not having a presumed father under Section  
13 7611 may not be adopted without the consent of the child's mother,  
14 if living.

15 (b) *The consent of an alleged father of a child is necessary only*  
16 *if he has complied with the requirements of this subdivision.*

17 (1) (A) *If the placement of a child with prospective adoptive*  
18 *parents occurs on or after the child is six months of age, an alleged*  
19 *father shall have developed a substantial relationship with the*  
20 *child, taken some measure of responsibility for the child and the*  
21 *child's future, and demonstrated a full commitment to the*  
22 *responsibilities of parenthood by financial support of the child in*  
23 *an amount that is fair and reasonable and in accordance with the*  
24 *father's ability, when not prevented from doing so by the person or*  
25 *authorized agency having lawful custody of the child, and has*  
26 *either:*

27 (i) *Visited the child at least monthly when physically and*  
28 *financially able to do so, and when not prevented from doing so by*  
29 *the person or authorized agency having lawful custody of the child.*

30 (ii) *Maintained regular communication with the child or with*  
31 *the person or agency having the care or custody of the child, when*  
32 *physically and financially unable to visit the child, and when not*  
33 *prevented from doing so by the person or authorized agency having*  
34 *lawful custody of the child.*

35 (B) *The subjective intent of an alleged father, whether*  
36 *expressed or otherwise, unsupported by evidence of acts specified*  
37 *in subparagraph (A) does not preclude a determination that the*  
38 *father failed to meet the requirements of that subparagraph.*

39 (2) *If the placement of a child with prospective adoptive parents*  
40 *occurs before the child is six months of age, an alleged father shall*



1 *have manifested a full commitment to his parental responsibilities*  
2 *by performing all of the following acts prior to the date the mother*  
3 *files a certified copy of her relinquishment of her child for adoption*  
4 *with the department as provided in subdivision (e) of Section 8700:*

5 (A) *Initiated proceedings to establish paternity under Division*  
6 *12 (commencing with Section 7500) and filed with that court a*  
7 *sworn affidavit stating that he is fully able and willing to have full*  
8 *custody of the child, setting forth his plans for care of the child, and*  
9 *agreeing to a court order of child support and the payment of*  
10 *expenses incurred in connection with the mother's pregnancy and*  
11 *the child's birth.*

12 (B) *Filed a notice of the commencement of paternity*  
13 *proceedings with the department, in a confidential registry*  
14 *established by the department for that purpose. The department*  
15 *shall establish a confidential registry which shall accept and*  
16 *maintain a confidential list of the notices of the commencement of*  
17 *paternity proceedings filed by alleged fathers.*

18 (C) *If the alleged father had actual knowledge of the*  
19 *pregnancy, he has paid a fair and reasonable amount of the*  
20 *expenses incurred in connection with the mother's pregnancy and*  
21 *the child's birth, in accordance with his means, if not otherwise*  
22 *prevented from doing so by the person or authorized agency having*  
23 *lawful custody of the child.*

24 (c) *An alleged father whose consent is required under*  
25 *paragraph (1) or (2) of subdivision (b) may lose his right to*  
26 *consent if, based on the petition of any interested party, the court*  
27 *determines that the alleged father is an unfit parent and that it is*  
28 *not in the best interest of the child for the alleged father to withhold*  
29 *his consent to the adoption.*

30 (d) *If there is no showing that an alleged father has consented*  
31 *to or waived his rights regarding a proposed adoption, the*  
32 *petitioner shall file with the court a certificate stating that a*  
33 *diligent search has been made of the registry of notices from*  
34 *alleged fathers described in subparagraph (B) of paragraph (2) of*  
35 *subdivision (b), and that no filing has been found pertaining to the*  
36 *father of the child in question, or if a filing is found, stating the*  
37 *name of the putative father and the time and date of filing. That*  
38 *certificate shall be filed with the court prior to entry of a final*  
39 *decree of adoption.*



1 (e) *An alleged father who does not fully and strictly comply*  
2 *with each of the conditions provided in this section, is deemed to*  
3 *have waived and surrendered any right in relation to the child,*  
4 *including the right to notice of any judicial proceeding in*  
5 *connection with the adoption of the child, and his consent to the*  
6 *adoption of the child is not required.*

7 SEC. 18. Section 8606 of the Family Code is amended to read:  
8 8606. Notwithstanding Sections 8604 and 8605, the consent  
9 of a birth parent is not necessary in *any* the following cases:

10 (a) ~~Where~~ *If the birth parent has been judicially deprived of the*  
11 *custody and control of the child (1) by a court order declaring the*  
12 *child to be free from the custody and control of either or both birth*  
13 *parents pursuant to Part 4 (commencing with Section 7800) of*  
14 *Division 12 of this code, or Section 366.25 or 366.26 of the*  
15 *Welfare and Institutions Code, or (2) by a similar order of a court*  
16 *of another jurisdiction, pursuant to a law of that jurisdiction*  
17 *authorizing the order.*

18 (b) ~~Where~~ *If the birth parent has, in a judicial proceeding in*  
19 *another jurisdiction, voluntarily surrendered the right to the*  
20 *custody and control of the child pursuant to a law of that*  
21 *jurisdiction providing for the surrender.*

22 (c) ~~Where~~ *If the birth parent has deserted the child without*  
23 *provision for identification of the child.*

24 (d) ~~Where~~ *If the birth parent has relinquished the child for*  
25 *adoption as provided in Section 8700.*

26 (e) ~~Where~~ *If the birth parent has relinquished the child for*  
27 *adoption to a licensed or authorized child-placing agency in*  
28 *another jurisdiction pursuant to the law of that jurisdiction.*

29 (f) *If an alleged father has not complied with the requirements*  
30 *of subdivision (b) of Section 8605.*

