

How does the process work?

Gathering Information:

The process usually starts by gathering information and talking to professionals. Some pregnant individuals and couples search the internet for information. Others read books and brochures. Some will start the process by gathering general information from a health care professional or a counselor. After gathering basic information about adoption, many will seek out an adoption professional. There are basically two types of adoption professionals- **adoption agencies** and **adoption attorneys**. There is a third type of adoption professional known as an **adoption facilitator**. Non licensed adoption facilitators operate in many states. However, in many states it is actually illegal for adopting parents to pay fees to non licensed facilitators. Anyone considering adoption should check out their state's law before approaching a non licensed adoption facilitator.

Making a Plan:

After gathering information about adoption, the pregnant person or couple has a lot of decisions to make. For those interested in pursuing adoption, they start the process known as **making an adoption plan**. This usually involves choosing what type of adoption they would like to pursue. If they want to work with an agency, this is called an **agency adoption**. If they decide to work directly with an attorney, this is called an **independent adoption**. In most agency adoptions, the birth parents actually surrender their parental rights to the adoption agency. The agency then places the child with the adoptive family that the birth parent has chosen. The agency has legal custody of the child until the adoption is finalized. The agency then places the child with the adoptive family that the birth parent has chosen. The agency has legal custody of the child until the adoption is finalized. In independent adoptions, the attorney coordinates all of the legal paperwork and court proceedings. Attorneys can refer the birth family and adoptive family to adoption professionals who can provide counseling and other services. In some cases the birth parent may have already located a family. In other cases, the birth family may go to the attorney looking for an adoptive family. In an independent adoption, the birth parent(s) directly surrenders their parental rights to the adopting family.

There are a few things that are consistent in both agency and independent adoptions:

- 1) Adoptive parent(s) have to have an **adoptive home study assessment** or a pre placement investigation in order to adopt a child. A home study assessment is essentially a stamp of approval to adopt a child. Every state has a different process for approving adoptive families. Every state has different process for approving individuals or agencies to do home study assessments. The one exception to this rule is when a family or individual adopts a child that is a close biological relative like a niece,

- sister or grandchild. This is called a **kinship adoption**. Some states do not require a home study assessment in a kinship adoption.
- 2) The process of **infant domestic adoption** involves a process of voluntary termination of parental rights. That means that the birth parent(s) should be making the adoption plan while being free from **pressure or coercion**. The word **termination** means that the birth parent(s) legally and permanently sever their parental rights and responsibilities to the child.
 - 3) The process of infant domestic adoption involves another individual or couple legally establishing a parental relationship with the child. This is a permanent relationship. Adopted children are afforded the same rights as biological children.
 - 4) The birth mother cannot legally terminate her parental rights until after the child is born. States vary on the laws about birth fathers. Some states allow **unmarried birth fathers** to terminate their rights before the birth of the child. Most states will not allow a **legal father** to terminate his parental rights until after the child is born.
 - 5) Birth parents are not able to change their mind about the adoption plan after signing the legal consents and the revocation period has passed. There are some states where the legal consent is irrevocable after signing. Most states have a period in which birth parents can legally revoke their consents. The length of time varies from state to state. In some cases, birth parents can attempt to withdraw their consent if they can prove coercion or duress.