

AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE

**ADOPTION**  
*A Guide for Patients*



PATIENT INFORMATION SERIES

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# ADOPTION

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## *A Guide for Patients*

*A glossary of italicized words is located at the end of this booklet.*

### INTRODUCTION

Adoption is an important family-building option to consider as an alternative to infertility therapy. Some couples explore adoption only after infertility treatment has proven unsuccessful. Others couples choose to forego treatment in favor of adoption. Still others have both adopted and biological children.

Before pursuing adoption, it is important to recognize and deal with the psychological aspects of infertility, including the loss of individual genetic continuity and the pregnancy/birth experience. Adoption cannot replace all of these losses, but it does provide you with the opportunity to become a parent and to experience the challenges and rewards of loving and raising a child. Because there may be age restrictions for some types of adoptions, especially infant adoption, it is helpful to collect information on adoption early in the course of the fertility evaluation and treatment.

### TYPES OF ADOPTION

It is estimated that 2% to 4% of the U.S. population has been adopted. Approximately 50,000 domestic infant adoptions, 15,000 international adoptions, and 10,000 domestic *special needs adoptions* occur in the United States each year.

Each state has different adoption laws. You may find an attorney's assistance valuable in any type of adoption. Just as specially trained physicians are best able to help individuals with infertility problems, specially trained attorneys can help with adoption issues.

### ***Agency or Independent Adoptions***

There are several methods of adoption. Some couples utilize state-licensed public or private agencies that find homes for children in need. Adoption agencies can provide counseling, support services, and follow-up; they have varying age limits for potential parents, from very strict to very liberal. Some agencies serve only married heterosexual couples while some place children with singles and same-sex couples. Some agencies have strict health standards for prospective adopters while others are more lenient. Some may require that adoptive parents be active members of a particular religion. In addition, adoption agency costs vary widely.

*Independent or private adoptions* frequently have more liberal policies and shorter waiting periods. In an independent adoption, an adoptive couple or a professional on their behalf typically locates either a “birth mother” (a pregnant woman considering planning an adoption for her child) or, less frequently, an infant or child in need of an adoptive home. An attorney is usually necessary for this type of adoption, to advise and coordinate both the legal aspects of the adoption and the medical and social services needed by most birth parents. The cost of an independent adoption varies widely and is dependent on the number of hours billed by attorneys and counselors, and the medical expenses of the birth mother and child not covered by insurance. The cost may include some support for a birth mother’s living expenses during her pregnancy, although not all states’ laws allow this.

Some agencies will assist independent or private adoptions by providing counseling and support services. Agencies may coordinate prenatal medical care for a birth mother who was located by prospective adoptive couples and provide services to the adoptive couple as well. This type of *agency-assisted or identified adoption* allows the prospective adoptive parents to independently locate a birth parent or child and receive an agency’s assistance in coordinating and finalizing the adoption. An attorney can also provide general information on the adoption laws in the individual states. Whatever form of adoption is pursued, careful legal oversight of the termination of birth parents’ parental rights must be scrupulously followed to provide a secure adoption. Although fears that a birth parent will “come back” for “her child” are common among pre-adoptive couples, this fear is seldom realized. If all potential birth parents’ rights are promptly and properly addressed and terminated, there should be little reason for concern.

A table showing a side-by-side comparison of agency and independent adoption is often helpful to couples considering adoption (Table 1). Utilize this table and fill in the appropriate information for each option investigated.

### ***Open and Confidential Adoptions***

Adoption may be open or confidential. In the past, confidential adoptions were standard, meaning the birth parents and the adoptive parents had little or

no knowledge about each other. Agencies and state laws made every effort to keep the adoption records sealed to everyone, including the adoptive parents, the birth parents, and the adopted children regardless of their age. Most agencies believed that the separation of the adoptive parents from the birth parents was necessary for the adoptive family to feel secure.

In recent years, openness in adoption has gained increasing acceptance. Today, most adoptions take place with some information being exchanged between biological and adoptive parents. In terms of confidentiality and openness, adoption currently has many variations, from the exchange of only non-identifying information to the exchange of unlimited information and ongoing contact between the two families. Many agencies present non-identifying information on several prospective adoptive couples to the birth parents. This information allows the birth parents to help select the adoptive parents. The primary purpose of a more open adoption process is to consider the life-long needs of the child and to help both the birth family and adoptive family feel comfortable over time with their choice.

### ***Infant and Older Child Adoption***

Some adoption agencies adhere to a parental age limit. Most couples seek newborn adoption; however, some couples choose to adopt older infants or children over the age of two. International adoptions usually involve infants who are at least six months old. Agencies often encourage older couples to adopt older infants and young children.

### ***Domestic and International Adoption***

In domestic adoption, the child and the adoptive parents are citizens of the country where the adoption will take place. In international adoption, the child is a citizen of a country other than that of the adoptive parents. International adoptions may be performed through specialized agencies or privately arranged. In addition to completing a *home study*, couples adopting internationally must satisfy U.S. Immigration and Naturalization Service regulations, including a federal security check. Internationally adopted children usually become citizens of their adoptive parents' country through a naturalization process that is independent of the adoption and typically occurs after the adoption has been finalized. The Child Citizenship Act of 2000 allows the child to automatically become a U.S. citizen if at least one parent is a U.S. citizen. Nearly all international adoptions involve children of underdeveloped or politically fragile countries, so access and availability changes frequently.

### ***Interracial Adoption***

Prospective parents may choose to adopt a child of a different race. *Interracial adoption* has become more widespread in recent years, especially in international adoption, but potential difficulties may still develop with family, friends, and community. The child's point of view should also be considered. Couples

contemplating interracial adoption must have a realistic perspective of what it means to be an interracial family. There are many ways to gather this information, including books, conferences, and parent groups in every state. Agency policies dealing with interracial adoption vary widely.

### ***Special Needs Adoption***

Some couples adopt a child with special needs. Special needs may refer to emotional, learning, or physical difficulties; age of the child; race; or the fact that he/she is part of a sibling group. Adopting a child with special needs can require substantial commitment. Prospective parents must have a thorough understanding of such a child's history, difficulties, and prospects of becoming an independent adult. Many parents believe the experience is extremely gratifying, and some go on to adopt more children with special needs. Couples interested in special needs adoption should contact a parental support group and talk with parents who have chosen special needs adoption.

## **THE ADOPTION AGENCY PROCESS**

Each adoption agency has different requirements concerning age, religion, race, etc. Most adoption agencies offer introductory sessions to explain the requirements and average waiting time for placement. After considering the requirements, interested couples then fill out an application. An agency social worker performs a home study evaluation and parental preparation process. Couples not accepted at one agency may be accepted at another, depending upon the eligibility requirements. Most states require this evaluation for all adoptions—agency or independent. Couples may be asked to supply references from relatives, employers, and friends, as well as physician statements certifying that each partner is in good physical and mental health. Frequently, as part of this process, groups of prospective adopters are brought together to explore their feelings and learn more about parenting issues unique to adoption.

If everything is satisfactory and the home study evaluation is completed, the agency helps the couple identify a child who is available for adoption either immediately or in the near future. This may happen in a variety of ways. The agency may have shared the couple's profile with a birth mother who has selected the couple, or the agency may do the matching. The couple may, with their worker, look through photo-listing books and ask for additional information on one or more waiting children. In international adoption, an agency or orphanage in another country may receive a couple's profile and refer a specific child's information to them. If the couple chooses to adopt the child, the child joins the family and a supervisory period goes into effect. During this time, the couple assumes responsibility for the child, but a social worker stays in contact. After a specified time period that varies with agency policy, state law, and other country regulations, the child is legally adopted by the new parents.

As mentioned before, agency adoption costs vary widely. Most agencies charge fees, payable in one lump sum or in installments during the adoption process. Ask to see a copy of the fee schedule in advance. Be certain to find out if medical expenses can be paid conditionally upon the adoption going forward and if other adoption fees will be refunded and arrangements made to adopt another child if the planned adoption is not completed. It is recommended that all payments be facilitated through a third party, such as a lawyer or agency. Adoptions may fail if either the birth mother or father changes her or his mind or if the child is born with unanticipated medical problems that the adoptive couple is not prepared to handle.

## **THE INDEPENDENT ADOPTION PROCESS**

Couples who pursue independent or identified adoptions generally retain an attorney or an agency to facilitate the process. Costs vary with each independent adoption arrangement. Couples adopting a newborn often pay the prenatal and delivery medical bills of the birth mother and infant, including any costs of medical complications. Some or all of these costs may be covered by health insurance. Other expenses may include travel and living expenses for both birth parents, counseling, telephone calls, and legal fees for both adopters and birth parents. In an adoption across state lines, it may be necessary or advisable for attorneys in both states to work together. Again, be certain to find out if medical expenses can be paid conditionally upon the adoption going forward and if other adoption fees will be refunded and arrangements made to adopt another child if the planned adoption is not completed. It is recommended that all payments are facilitated through a third party, such as a lawyer or agency.

## **ADOPTION: A LIFE-LONG PROCESS**

Adoption is a life-long process. In many ways, families created by adoption are similar to families created by birth. Adoptive parents are legally responsible for the well being of their children. Parents and children, whether adopted or not, express unconditional love, have disputes, and make compromises in their daily lives.

Parents need to talk openly with their child about the adoption and acknowledge the child's losses and grief if necessary. They need to disclose information and address questions in an age-appropriate manner. Parents need to examine their feelings about the role of the *biological* or *birth parents* in their child's life. It is a good idea for adoptive parents to explore these feelings with a trained counselor before proceeding with adoption.

## WHEN ADOPTION IS NOT THE ANSWER

Some prospective parents fear that an adopted child won't "measure up to family standards." Partners may disagree with each other about adopting, based on their individual life experiences. Denying disappointment about infertility, persistent fantasies about what life might have been like with *biological children*, and a desire to keep the adoption a secret may be signs that adoption is inappropriate at the present time. Prospective adoptive parents having doubts about adoption should consult a counselor or therapist who specializes in infertility and adoption, a knowledgeable member of the clergy, and/or other adoptive parents.



# MYTHS ABOUT ADOPTION

Many myths and misconceptions surround adoption and are listed below.

<p>MYTH: If an adoptive family really loves the adopted child and does a good job of parenting, then the adopted child will not be curious about his or her birth parents.</p>	<p>FACT: Children are often curious about persons who play major roles in their lives. Most, if not all, adopted children will want to know something about their biological parents.</p>
<p>MYTH: Once the process of adoption is over, adoptive families feel the same as biological families.</p>	<p>FACT: Although more like biological families than not, there are significant differences in biological and adoptive families. Among these is that the adopted child will have different questions about adoption at each stage of development.</p>
<p>MYTH: Adoptive parents make better parents because they want a child so badly.</p>	<p>FACT: The degree of desire for a child does not necessarily result in better parenting.</p>
<p>MYTH: Adopted children belong to their new families forever and owe them something more than biological offspring.</p>	<p>FACT: Adoptive children offer neither more nor less to their parents than biological children.</p>
<p>MYTH: Once a couple has decided to adopt, they are more likely to become pregnant on their own.</p>	<p>FACT: It is neither more nor less likely that a couple who has decided to adopt will ever achieve pregnancy.</p>
<p>MYTH: Once adoption has taken place, the pain of infertility will cease.</p>	<p>FACT: Infertility issues often linger after the family has been established by adoption. Although very happy with their adoptive families, couples may still want to pursue having a child by the birth process. Adoption is an opportunity to become parents, not a cure for infertility.</p>
<p>MYTH: Prospective parents should adopt only after all possibilities of having a biological child have been exhausted.</p>	<p>FACT: Because of rapid developments in infertility management, there is no longer a clear stopping point for possible infertility therapies. The prospective parents must decide how much money, time, physical discomfort, and emotional pain they are willing to invest in fertility evaluation and treatment. Prospective parents should look into alternative means for starting a family early in the infertility work up in case their quest for a biological child is unsuccessful. Some couples undergoing infertility treatments begin to conclude that adoption may be a better choice than continuing treatment.</p>
<p>MYTH: Adopting a child is extremely difficult.</p>	<p>FACT: Although the adoption process can be tedious, adoption is possible for most couples. If the prospective adoptive parents include the possibilities of adopting a child of another race or a child with special needs, the adoption process can be reasonably short. With persistence and flexibility, adopting a child is usually possible for most prospective adoptive parents.</p>

## GLOSSARY

***Agency-assisted or identified adoption.*** An adoption where the prospective adoptive parents locate a child or birth parents and utilize the services of an agency to assist with and finalize the adoption.

***Biological children.*** Children produced by the union of the birth parents' sperm and egg.

***Biological or birth parents.*** The parents who supply a child with his or her genetic heritage through the union of their sperm and egg.

***Home study.*** Usually part of the adoption process, either public or private, in which an agency or independent adoption social worker visits the prospective adoptive parents' home, evaluates and prepares a written report on a couple's suitability and readiness to become adoptive parents, and helps prepare them for adoptive parenthood. The currently used term for this part of the adoption process is "parent preparation."

***Independent or private adoption.*** An adoption that takes place outside an agency. It is often facilitated by a lawyer, minister, physician, or consultant, who serves as an intermediary between the birth parents and the adoptive parents.

***Interracial adoption.*** Adoption of a child of a different race than that of the adoptive parents.

***Special needs adoption.*** Adoption of a child with emotional, physical, or learning difficulties, who is beyond infancy, is part of a sibling group, or has other special needs.

**Table 1.**

<b>Considerations</b>	<b>Agency</b>	<b>Independent (Legal Assisted)</b>
Cost		
Management of fees (escrow, 3rd party, etc.)		
Type of Counseling Services		
Frequency and Terms of Counseling		
Available for International Adoption		
Available for Domestic Adoptions		
Available for Agency Assisted Independent Adoption		
Age Limit/Other Restrictions		
Options if Adoption Fails		

## RESOURCES

Adopting.org

<http://www.adopting.org/>

Adoption Legislation

<http://www.adoptionlegislation.org/>

American Fertility Association (AFA)

<http://www.theafa.org/>

American Pregnancy Association (APA)

<http://www.americanpregnancy.org/adoption>

FamilyNet -- A project of the Human Rights Campaign Foundation for and about gay, lesbian, bisexual and transgender families.

<http://www.hrc.org/Template.cfm?Section=Parenting>

Healthfinder -- the National Health Information Center

<http://www.healthfinder.gov/>

MEDLINEplus - the National Library of Medicine

<http://www.nlm.nih.gov/medlineplus/adoption.html>

National Adoption Information Clearinghouse -- part of the Department of Health and Human Services

<http://naic.acf.hhs.gov/>

National Council For Adoption

<http://www.adoptioncouncil.org/>

North American Council on Adoptable Children

<http://www.nacac.org/>

Polycystic Ovarian Syndrome Association

<http://www.pcosupport.org/living/adopt>

RESOLVE

[http://www.resolve.org/site/PageServer?pagename=lrn\\_adp\\_home](http://www.resolve.org/site/PageServer?pagename=lrn_adp_home)

### **Let Us Know What You Think**

Email your comments on this booklet to [asmr@asmr.org](mailto:asmr@asmr.org). In the subject line, type "Attention: Patient Education Committee."

# NOTES

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