

Introduction to

Adoption





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Introduction to Adoption

INTRODUCTION

The decision to adopt can be one of the most rewarding that a couple or individual can make. As with any important decision; it can also be quite complex. Persons who are interested in adopting a child must not only be willing to welcome a new person into their hearts, but they must also be willing to cope with the bureaucratic and legal issues that can often be involved and can frequently take months, if not years.

The primary key to a successful adoption is doing some background research which can include locating reputable agencies and attorneys, understanding the pros and cons associated with different types of adoptions and understanding the importance of being actively involved in each step; all without allowing frustration or impatience to take over.

Adoption takes place for many different reasons. Many people are not able to have children on their own. Other people wish to provide a loving environment for children who need a home. In fact, many people who ultimately adopt have already given birth to other children. Some individuals choose to adopt children who have 'special needs'; such as children who have disabilities or who would be difficult to place for adoption because of their age or ethnicity. Regardless of the reasons for adoption, the most important requirement to adopt is for future adoptive parents to realize that it is a lifelong commitment.

During the last few decades, international adoptions have become more and more common. Many prospective parents looked to countries such as China, Russia and South and Central America to adopt. A variety of factors spurred this trend; including a reduced fear of legal challenges to the adoption and a larger number of available children. Widespread legal challenges are not usually associated with domestic adoptions; however, it is also not unknown. For this reason, it is crucially important to work with agencies and professionals who have experience in the adoption process and who understand the factors involved in a successful adoption.





CHAPTER 1

Types of Adoptions

There are many different ways in which you can adopt a child. Below is a guide to some of the more common types of adoption.

Agency Adoption

Adoption agencies are private or public agencies which are regulated by the state and licensed to place children with adoptive parents. Public adoption agencies commonly handle children who have become wards of the state. This may be because they were abused, orphaned or abandoned. Private adoption agencies are typically operated by social service organizations and charities and often place children who have been brought to them by either expectant parents or parents who are seeking to give up their child for adoption.

Independent Adoptions

An independent adoption involves a direct arrangement between the adoptive parents and the birth parents. This sometimes involves the use of a middle person, such as a member of the clergy or a doctor. Due to the delicate nature associated with an independent adoption, it is a good idea to hire an attorney for handle the paperwork related to the adoption. Independent adoptions are not allowed in all states. Most states that do allow them regulate independent adoptions extensively, so it is important to check the laws of your state before considering this option.

Some independent adoptions are referred to as open adoptions. In this type of adoption the birth parents maintain some type of limited contact after the adoption is complete.

Identified Adoptions

An identified adoption is a combination of an agency adoption and an independent adoption. Typically, the adoptive parents locate a mother who wishes to place her child for adoption. Both sets of parents then request an adoption agency to control the remainder of the process. The advantage of an identified adoption over a straight agency adoption is that there is not a wait list involved for the adoptive parents. Prospective parents also often have increased control over the selection of the child they adopt.





International Adoption

International adoptions are the most complex of the different types of adoptions. In order to adopt a child who is a citizen of a foreign country, you will be required to satisfy the laws of the state you live in along with the laws of the host country. Parents will also need to obtain an immigrant visa for the child through the U.S. Citizenship and Immigration Services (USCIS). If approved, the child will then be granted U.S. citizenship automatically upon entry to the U.S.

As of April 1, 2008 international adoptions have been regulated through the Hague Adoption Convention. The treaty governs U.S. federal government oversight of international adoption policies. The intent of this oversight is to protect biological parents, adoptive parents and children from unethical adoption practices; which includes international child abductions and adoption scams.

Agencies which deal with international adoptions are now required to be certified by the State Department. Adoptive parents are required to prove to the State Department numerous things, including:

- the foreign adoption agency has provided counseling for biological parents,
- the foreign adoption agency has secured legal consent from the biological parents,
- the foreign adoption agency has considered local placement of the child,
- and the child has been properly cleared for adoption in the U.S.

While you could attempt to adopt internationally without the use of an agency, due to the complexity of the process, most people do decide to use the services of a U.S. agency that specializes in international adoptions.

Stepparent Adoptions

When the new spouse of a parent adopts the parent's child from a prior relationship, it is known as a stepparent adoption. The process is relatively simple compared to the other types of adoptions, provided that both parents consent. If one of the parents cannot be found or does not consent, an attorney will need to be involved. In this case, there can be a significant amount of paperwork and time involved.

