



Law Offices of Adams & Romer
1-800- U-ADOPT-US
adamsromer@aol.com
www.1-800-U-ADOPT-US.com



Philosophy of the Law Offices Adams and Romer

We believe open adoption enables a pregnant woman to create a loving plan for her child if she decides not to parent. Open adoption gives you control over the adoption process. You can be an active participant, meeting and choosing the potential parents for your child, planning your relationship with adoptive parents during the pregnancy, at the hospital, and in the future. I have found that success is more likely when all parties are full partners in the adoption process. I love my work because it allows me to combine my expertise in adoption law with the personal side of people's lives. I will help you through the process of adoption and give you my full attention at this difficult but exciting time.

That is my promise!

~Susan Romer

Closed Adoption

When I placed my son for adoption 35 years ago, no such thing as open adoption existed. I was also adopted, I never knew my birth mother, so placing my child into the same situation was “normal” and okay with me. A few years ago my son searched for me and we have had a wonderful reunion and are in the process of developing a close relationship.

This experience, however, has made me realize how much I missed. I have now seen pictures of him at various stages of his life, but it would have been better, over the years, to have seen those pictures and received information about him at the time. Also,



his parents, who fortunately have been terrific parents, have not yet expressed a desire to meet me, despite my strong desire to meet them. These missing pieces are a few of the advantages open adoption provides - an opportunity to select and to know the people who will raise your child, and the chance to share with them at least some knowledge of their lives together.

Susan L.

(birthmother and staff attorney)

What is Open Adoption?

Open adoptions are characterized by an honest sharing of information between the birth and adoptive parents. The parties get to know each other and remain accessible to each other in the future for the good of the child. The birthmother (and the birthfather too if he chooses to participate) selects, interviews by phone, and then meets in person prospective adoptive families. In the selection process, the birthmother will have access to information regarding the adoptive parents, including full names, ages, place of residence, marital status, and whether or not they have other children. The birthmother will also learn about the adoptive parents, the values and attitudes that determine what kind of people the adoptive parents are, and the life the child will share with them. All prospective adoptive parents will have a home study conducted by a public or private agency demonstrating that they are ready, willing, and able to parent. A birthmother reviews profiles of prospective adoptive parents and, after selecting one or more profiles that may be a good fit for the child, the process of interviewing these families begins. After meeting, both parties can continue to gather more information about one another until it can be determined if there is a special connection and a match can be made. A match is made when a birthparent(s) determines that this is the family wanted for the child, and the adoptive parents want to adopt this child.

Once a match is established, open adoption can take many forms. It may consist of one brief meeting before the placement of the child, or, as in most cases, it develops into a continuing extended family-like relationship over the years. The parties involved jointly decide what kind of contact is expected in the future, be it pictures, letters, or visits with the family. The birthmother continues as a part of her birthchild's life although the legal right to parent the child has been relinquished. **Open adoption, however, is not co-parenting.**

Research over the last twenty years has shown that open adoption is healthy for the child, birthparents and adoptive parents. The child is able to understand what adoption is from an early age and understand the difference between parents and birthparents without confusion. There are no secrets because the child has knowledge about the adoption and there is contact while growing up. The birthparent(s) is reassured by knowing about the child's development. This is very different than the closed adoptions that existed until recently.

Should the Birthfather Participate?

It is helpful if you and the birthfather are supportive of each other through the pregnancy and the adoption process. We welcome involvement of birthfathers. However, this kind of cooperation may not be present. Even if you are not in contact with the birthfather, be it your husband, boyfriend, etc., for both legal and ethical reasons we must give him notice that an adoption is being planned. We will need your help in finding him so we can serve him with notice of the adoption.

If the birthfather is your husband, he will be advised and sign a termination of his rights, just like you. If he is an alleged father, not married to you or supporting you through the pregnancy, he may sign a waiver of his parental rights before the child is born. A birthfather may prefer to do nothing after service of notice and our office will terminate his rights through the court. If a birth father is going to contest an adoption we want to know early so we can discuss how best to interact with the situation. Our office is always careful to handle the birthfather in a courteous and legal manner so that we will have a safe adoption for your child.

If there is more than one possible birthfather we will privately give notice to each possible birthfather. If you have no way of knowing who the birthfather is, we will need an affidavit explaining the situation and will terminate his rights through the court.



Considering Adoption For Your Baby?



The reasons for choosing adoption are quite varied, personal and complicated. For example, you may need to finish college or vocational training. You may already be a successful parent to one child or more, but an additional child at this time would create challenges by limiting the financial resources necessary to provide for your family. You may be considering adoption because you want a better life for your baby than you can provide at this time. You do not need to justify your reasons but you should fully explore and understand the decision and weigh all other possible options. Adoption can be a very satisfying choice, and we hope any woman who chooses it will do so with pride and dignity after careful consideration.

Adoption is not a decision that a woman should make alone. We strongly encourage you to explore your adoption plan with your family and friends, the birthfather, and with the support of an adoption counselor. We can help you find an adoption counselor in your area who will provide you with counseling during pregnancy to help you determine if adoption is the best decision. We also encourage counseling after placement to help you through the loss you will experience. There will be no cost to you for this service.

We can introduce you to other birthmothers who have placed their children in a home of one of our adopting families. They would be very pleased to talk with you on the phone or in person about their personal experience with the open adoption process.



Choosing Parents for Your Baby

We have many families who desire to become parents. Our families have carefully considered adoption and have the resources to adopt and provide for a child.

When considering the decision to place your child for adoption, nothing is more important for your child than the adoptive family you choose. Selecting parents for your baby is a very personal experience. Many factors can come into play.

You will inform us about the characteristics you want in adopting parents. We will begin by providing you with personal letters and pictures of our families who are interested in adopting and who match your expectations. If our office does not have the appropriate family for you, we will use all of our resources to help find the right match.

You will know the parents you choose are suitable because every adoption in California requires a home study, by either a state or private licensed adoption agency, of the adopting parents. They are fingerprinted, provide social and employment histories, financial information, medical information, and letters of reference. A social worker goes to their home to make sure it is child-safe. Any criminal record or child abuse history is checked. You can review this home study if you like.

Our adoptive parents, like our birthparents, are ethnically and religiously diverse. They are married couples with no children, with adopted or biological children, gay or lesbian couples or single persons. They live in large cities, suburbs, or in the country, and represent a variety of family, educational, and professional backgrounds. What they all have in common is their desire to become parents.



Some Questions for You to Ask Prospective Parents:

- How long have you known each other? How did you meet?
- Have either of you been married before?
- Why do you want to adopt?
- Are you still trying to get pregnant?
- How do you plan to tell the child he/she is adopted?
- What kind of future contact do you consider ideal?
- What are your religious/spiritual beliefs?
- How does your family/other children feel about adopting?
- How many children would you like to have?
- If you became pregnant would you still want to adopt my baby?
- Would you still want to adopt if my baby was born with a

disability or health problem?
(Please know that if your child is born with a disability and the adoptive parents you selected feel they are not able to go forward with the adoption, we will find a special needs family through our resources who will be pleased to be chosen to parent your child).



Some Questions to Expect from Adopting Parents

- When is the baby due?
- Why did you pick us?
- What type of prenatal care have you received?
- Why are you considering adoption?
- What is the birthfather like?
- Is the birthfather supportive of your plan? His family?
- Have you told them you are considering adoption?
- What kind of contact would you like in the future?
- Does your family know?
- Are they supportive?



At the Hospital

Once you have successfully matched with adoptive parents, and before you go into labor, it is time to plan the birth of the baby. Labor and delivery can be a very emotional experience for all parties involved. Although you are considering adoption, the choices about labor and delivery are totally yours. You are the parent of this child through your pregnancy and delivery, during the time in the hospital, and until you have terminated your legal rights. Although you have the intent to go forward with adoption, you should not be pressured by anyone to place your child for adoption. You cannot sign a termination of your rights until after discharge from the hospital, and when you are ready and certain you want to go forward with the adoption.

After you create a delivery/hospital plan that feels right, we will notify the hospital by a letter to the hospital social worker. This letter will inform the staff that you are planning to place your baby for adoption with the adoptive parents and outline your wishes for the delivery room and hospital stay. It will also include a release of information that authorizes hospital staff to share all medical information with you and the adopting parents. If you go ahead with your adoption plan and want the adoptive parents to take the child directly from the hospital, you will need to sign a hospital release at the time of discharge to allow the adoptive parents to care for the child.



Questions to Guide You in Developing a Hospital Plan:

- Who will be at labor? At delivery?
- Who should hold the baby first?
- Do you want to remain on the maternity floor after delivery?
- Do you want your baby to room with you?
- Do you want to spend time alone with the baby?
- Do you want the adoptive parents to spend time alone with the baby?
- How will discharge from the hospital be handled?
- What name will you put on the original birth certificate?

Transition Ceremonies

Adoptive and birthparents sometimes hold “transition ceremonies” to honor the birthmother and the new family that is being created through her gift to them. These ceremonies can be spiritual in nature depending on the individual preferences of the parties involved. A ceremony can be held in the hospital, the chapel, a park, or later at someone’s home with family and friends. It is not necessary to have such a ceremony, but it may help in the post-placement transition for all parties involved.



Relinquishing Parental Rights

As a birthmother, you cannot terminate your rights as a parent until after the birth of the baby and discharge from the hospital. You should wait until you are ready and certain of your decision. Nevertheless, it is helpful to review the relinquishment of rights paperwork with a social worker/counselor before you deliver. This will allow you to familiarize yourself with the language used and provide an opportunity for you to ask questions at a time when you feel less emotional than after the birth of your baby. Our hope is that you are seeing an adoption counselor who will review your options, adoption being one of the choices, as well as to prepare you for the grief and loss you may experience.





finalization

Once all possible birth fathers' and your own rights are legally terminated, the adoption can go forward. Finalization in court usually takes place approximately six months after placement. You typically do not attend that court hearing.

Grief After Placement

While it is a good idea to try and prepare yourself for the feelings you will experience after placement, there is no way to avoid the grieving process. Many women are amazed at the intensity of the emotional pain they initially feel. It is important to remember that your feelings are normal and that these emotions will subside over time.

There are five stages of grief and loss: denial, anger, bargaining, sadness/depression, acceptance/resolution. Grieving is an individual process and everyone will deal with grief in her own manner. There is no right or wrong way. However, most women will experience each of these five emotions at some point in the process. While grief is painful, it is necessary for healing.

At the end of the road to acceptance, most birthmothers report feeling positive about their adoption decision. With open adoption a birthmother knows that she will always be a part of her child's life.

Financial Assistance for Birthmothers

In California, once a match is made, birthmothers may be assisted by adopting parents with pregnancy-related expenses during pregnancy and until a month or so following the delivery. Within what the law allows, and what you need, you may be helped with living expenses and maternity clothes. If you do not have medical insurance or do not qualify for MediCal/Medicaid, the medical costs will be covered by the adopting parents. In addition, you have the right to your own attorney and the right to counseling.

The policy behind this financial assistance is that you should not be in debt after the process of adoption. However, you also may not profit by placing a child. The acceptance of cash, gifts, a car etc. is against the law. Birthfathers are not entitled to receive help with living expenses.

Birth Parent Open Adoption Rights

- The right to participate in all phases of the adoption planning.
- The right to select the family of your choice.
- The right to meet and interview as many prospective families as you need before making a match and receiving financial help.
- The right to receive full identifying information about the adoptive family, and ask any questions necessary for your comfort.
- The right to receive counseling to help make your decision.
- The right to receive reimbursement for pregnancy-related expenses.
- The right to your own attorney.
- The right to see, hold, and spend time with the baby at the hospital.
- The right to information and contact with the adopting family after placement.
- The right to an open and honest relationship with the adopting family and your child.
- The right to be treated with dignity and respect and not to be pressured into decision making.



We hope this booklet has been helpful and informative. The decision to place a child for adoption can be a difficult one, and we admire the courage and love you must have in considering adoption for your baby.



Law Offices of Adams & Romer 1-800- U-ADOPT-US adamsromer@aol.com
www.1-800-U-ADOPT-US.com