Could Open Adoption be the Best Choice for You and Your Baby?
Open Adoption: It’s Your Choice

If you’re pregnant and thinking about placing your child for adoption (making an adoption plan for your child), you may want to consider open adoption. Ask yourself—

- Do I want to have a say in who will raise my child?
- Does it matter to me if I won’t know if my child is safe and healthy?
- Do I want to watch my child grow up through photos, phone calls, letters, or visits?
- Do I want to be able to tell my child about his or her family background or other important information in the future?
- Do I want my child to know, for example, if he or she looks or acts like someone else in the family?

If your answer to any of these questions is “yes,” open adoption may be the best choice for you and your baby.

Open adoption can give you peace of mind by knowing your child will have information about his or her family history, identity, and background.

There is no one right way that works for everyone. Learning more about your options will help you figure out what’s right for you and your child.
What is *Open Adoption*?

*Open adoption* is a form of adoption that allows *birth parents* to know and have contact with the *adoptive parents* and the *adopted child*. Adoption agencies or professionals you talk with may describe open adoptions differently. But in open adoptions, *usually*—

- Birth parents or other birth family members have some level of contact with the adoptive parents and the adopted child in some way depending on what feels comfortable for everyone.
- **Expectant mothers** may take part in selecting the adoptive parents who will raise their children.
- Adopted children know they have been adopted and may have relationships with one or more members of their birth families.
- Communication between **birth mothers** (and sometimes **birth fathers**, grandparents, or other relatives) and adoptive parents may take place through letters, phone calls, e-mails, or visits.
- Families communicate in ways that feel comfortable to them. Some send pictures and brief notes. Others celebrate holidays together. The type of contact and how often it happens will depend on the needs and choices of everyone involved, and may change over time.

Open adoption does not mean parenting your child together with the adoptive parents. Like all forms of adoption, the adoptive parents will have the permanent legal rights and responsibilities for parenting and raising the child.
Different Levels of Openness

There are different levels of openness in adoption. For example, you may choose to select a family but decide not to have any further contact after that, and this may still be considered a level of openness.

You and the baby’s father can decide how large a role you would each like to play—when the adoption process is taking place, and after it becomes final. Oftentimes the feelings about openness may change over time for birth parents, the adopted children, or the adoptive parents.

There are two basic levels of openness: fully open and semi-open.

❤️ In a **fully open adoption**, you (and/or possibly the birth father and/or other members of your families) may have direct contact with the adoptive parents and your child. Both birth parents and adoptive parents have identifying information about one another.

This type of adoption makes it possible for everyone to develop relationships with one another. But as with any relationship, the needs and wishes of the people involved may change over time. It may take time for everyone to get to know and trust each other and better understand his or her roles.

❤️ In a **semi-open adoption** (sometimes called a **mediated adoption**), an agency caseworker, lawyer, or other go-between will pass along letters, photos, or other information between you and the adoptive family.

This type of adoption allows for birth parents and adoptive parents to communicate and exchange information while maintaining their privacy. Contact information like names or addresses are not shared.

Some semi-open adoptions may also involve an anonymous meeting with the **prospective adoptive family**. An anonymous meeting means that names and contact information are not shared.

“It might be the right decision for some people, but I just couldn’t give my baby to strangers and never see her again.”
“Open adoption set my mind at ease. I can be sure that my daughter is being taken care of by loving parents who can provide her what I could not.”

Other adoptions are not open. In a **confidential** or **closed adoption**, no contact takes place between you and the adoptive family. No information will be given out that identifies the adoptive parents or you as the birth mother.

However, nonidentifying information, such as background and medical information about the birth family, will be shared with the adoptive family.

Research has shown that children do better in an open adoption because it allows them to better understand how they came to be adopted. An open adoption also allows them to ask questions about their family backgrounds as these questions come to mind throughout their lives.

Forty years ago, most adoptions were closed and kept secret. Research has shown that closed adoptions created problems for adopted children and birth parents, including a sense of secrecy. Secrets sometimes suggest that something shameful or bad happened in the past. Therefore, information that may be normal for all children to have as they grow and mature is missing. Birth parents often feel a sense of loss or sadness. And they may worry about the child they gave birth to.

Today, more women who face unplanned pregnancies seek openness. There is no one level of openness in adoption that is best for everyone, and the level of openness may change over time.
Benefits of Open Adoption for *You*

Choosing adoption is a loving parenting decision that shows you care for your child. The benefits for you of placing your child through open adoption *may be*—

- A sense of control over decisions about placing your child with adoptive parents
- Comfort in knowing your child is growing up safe, healthy, and loved
- Support in dealing with your feelings of grief and loss that can come up after placement
- Personal relationships with the adoptive parents and the child
- Greater satisfaction with the adoption process

Birth fathers, grandparents, and other members of the birth families also can benefit from communication with the adopted child and/or the adoptive family.

**Benefits of Open Adoption for Your Child**

Open adoption can provide your child with a sense of connection and completeness. Openness may answer many of the questions that adopted children in closed adoptions often struggle to answer such as: *Who am I? What are my birth parents like? Why was I placed for adoption?*

The possible benefits of open adoption for your child include—

- Links to his or her birth mother, and possibly birth father, brothers, and sisters—doing away with the need to search for them
- Removal of the feelings of secrecy and shame that can come up at different points in his or her life, although not all of the time
Increased self-worth, and a sense of identity and security that comes from firsthand answers to identity questions

A sense of belonging, which may lessen his or her feelings of abandonment

Connection to his or her cultural and ethnic background and ancestry

Better access (than would be possible in a closed adoption) to important medical information, such as factors that can lead to disease, or medical conditions that exist in the birth families

Better understanding of the reasons for placement

A sense of knowing that he or she looks like someone else or has characteristics that come from a blood connection

Benefits of Open Adoption for Adoptive Parents

Adoptive parents, who may be frightened at first by the idea of an open adoption, may come to realize, once they are comfortable in their new parental roles, that they also benefit. Some of the benefits for them are—

Access to one or more birth family members who can answer background and other questions that the adoptive parent cannot

Access to important medical information

Warm relationships between birth and adoptive families that can create uplifting and valuable lifelong connections for the adopted child and lessen the sense of loss he or she may feel

Delight in being “chosen” as adoptive parents and more confidence in parenting that comes from being chosen

Less fear of birth parents reclaiming their child because they know the birth parents and their wishes

“When I read the letter my birth mom wrote, it suddenly hit me—it wasn’t that she didn’t love me, she wanted to protect me.”
Some people believe that children in open adoptions will be confused about who their parents are. But research shows that children in open adoptions understand the different roles that adoptive and birth parents play in their lives.

Often it is the adults who need to clarify their roles. Adoption agencies or specialized adoption counselors often can assist with this.

## What Now? Action Steps

- **Explore your options.** Make sure you have considered all of your choices, which include parenting your child; placing your child with the birth father or his or your relatives (kinship care); and closed, semi-open, or open adoption.

  You may also consider what adoption agency or service provider you want to work with if you choose adoption. Think about today, the next few years, your future, and the future of your child.

- **Consult with others.** Talk with the baby’s father and your family members or other supportive people in your life. Meet and talk with a social worker or other experienced professional who knows about adoption.

  You can look in the yellow pages under “adoption,” browse on the Internet, or call the local public social services adoption agency to identify appropriate people to contact. Talk also with other parents.

- **Do your research.** Read books and visit websites to learn more about how open adoption works. The Child Welfare Information Gateway can be a good place to start. Call 800–394–3366 for free publications or visit online http://www.childwelfare.gov/adoption/birth/for/birth_parents/connections.cfm. If you don’t have access to the Internet, visit your local library.

## Important Legal Matters

Because adoption is a legal process, there are some important legal matters that you should know about:

- **Laws may be different from State to State.** State laws regulate different parts of the adoption process, such as—
  - How to advertise to find birth mothers or adoptive families
  - Who can help in placing a child (whether it is an agency, lawyer, or facilitator)
  - Who must consent to the adoption, and when the consent becomes final
Who can oversee a birth parent’s decision to give up his or her parental rights, and what kind of training must this person have

Who may adopt

How to conduct background checks and prepare reports about adoptive families

What types of expenses are adoptive parents allowed to pay

How much time is required before an adoption becomes final

What are the terms of postadoption contact agreements

Your parental rights will end. In any adoption—open or closed—parental rights will legally and permanently be given to the adoptive parents. But relationships can continue in an open adoption.

Your child’s father needs to be involved. Most States require that the birth father be told about, and consent to the adoption. In the spirit of openness, the birth father is encouraged to communicate with the adoptive family so that the child can have access to information about both sides of the family. This information may be medical history and family background, as well as personal traits.

No decision is final until after the baby is born. Even if you have prepared for adoption, you have until after the child’s birth to make a final and legal decision. You should not feel pressured by earlier discussions, payment of expenses, or what the selected adoptive parents and others hope and want.

Also, you should not feel pressured by time. You should not sign papers until you are absolutely certain of your decision. When making a decision as important as adoption, it is normal to expect to be allowed plenty of time to change your mind.

However, the length of time you (the biological parent) are legally allowed to change your mind may be different from State to State. It is better not to sign papers until you are sure of your decision, and any questions you may have about the process have been fully answered.

To learn more about adoption laws in your State—

• Talk with an adoption social worker, adoption agency counselor, or a lawyer in your State.
• Call the Child Welfare Information Gateway at 800–394–3366.
• Visit the Child Welfare Information Gateway’s website on State adoption laws at www.childwelfare.gov/systemwide/laws_policies/state
Choosing an Adoption Agency or Lawyer

You can work with a public or private adoption agency, or—if you choose to do an independent adoption—with a lawyer.

Some women prefer licensed agencies because they follow State adoption licensing standards and usually provide more services (including counseling) before and after the adoption. Other women feel they will have more choices and control by working with a lawyer.

You may want to talk to several agencies or lawyers before you select one. Each agency can describe what range of services they offer. For example, some public agencies may help pregnant women with giving up their parental rights (called voluntary relinquishment or relinquishment). Other agencies may not.

As you seek help, know your rights as an expectant parent, and ask as many questions as you need to feel comfortable. For example you could ask—

- How does the agency select prospective adoptive parents?
- Will I be allowed to help choose?
- How does the agency or individual work with birth parents?
- If I place my child in this State, will my housing or medical expenses be paid for?

Make sure that the agency or lawyer you select—

- Is licensed to place children (if you prefer an agency) or licensed to practice law in your State (if you prefer a lawyer)
- Has a good reputation
- Has experience conducting open adoptions

If you choose to work with a lawyer, you should have your own lawyer who represents your interests and protects your rights. The adoptive parents will have a different lawyer represent them.
Some women choose to work with facilitators in an independent adoption. Be aware that facilitators may offer less legal protection in the adoption process and are not allowed—or are limited or regulated—by law in some States.

## What Now? Action Steps

- **Find qualified adoption professionals.** Friends or family may be able to recommend an agency or lawyer. To find names and contact information for public and private adoption agencies and lawyers in your State refer to the—
  - *National Foster Care and Adoption Directory.* A directory of licensed, private domestic adoption agencies. Call 800–394–3366 or go online to www.childwelfare.gov/nfcad
  - *American Academy of Adoption Attorneys.* A directory of adoption lawyers. Call 202–832–2222 or go online to www.adoptionattorneys.org
- **Gather information.** You will want to find out about the public or private agency’s, adoption facilitators’, or lawyer’s qualifications, experience conducting adoptions, how they find and screen adoptive parents, services, fees (if any), financial assistance, and adoption and placement processes. Also read, *How to Assess the Reputation of Licensed, Private Adoption Agencies* on Child Welfare Information Gateway.
- **Ask questions about open adoption.** Here are some suggestions:
  - *Do you offer semi-open and fully open adoptions?*
  - *How do you define semi-open and fully open?* (Note: Some people use the terms differently.)
  - *How many open adoptions have you arranged?*
  - *Do you currently know of families interested in adopting who are willing to maintain contact with me after my child is placed?*
  - *What role can I play in selecting the family who will adopt my child if I want that option?*
  - *Will I have an opportunity to meet possible parents for my baby?*
  - *Will I receive the adoptive parents’ address and contact information?*
  - *If I agree to a semi-open adoption, who will help me, my family, and the adoptive family stay in touch? Who will pay for that service?*
  - *Will I be notified if the person who has been helping me leaves, or the agency closes, or becomes part of another agency?*
  - *Will I receive ongoing information about my child or be able to have direct contact after placement?*
  - *Will you help with developing a contact agreement?* (Note: Contact agreements are not enforceable in most States.)
  - *Can you provide me with references of clients whose children you placed in open adoptions?*
What to Expect in an Open Adoption: Planning and Preparing

The process of open adoption will not be the same in every State, agency, or family. An adoption agency social worker, counselor, facilitator, or lawyer can walk you through the process they use.

The common steps *before* the baby’s birth are described below. They cover the typical process of working with an agency and highlight some key differences in working with a lawyer (in the case of an independent adoption).

- **Initial meetings.** Early in the process of an agency adoption, you will meet with an adoption counselor or social worker who will talk with you about your options and help you decide what feels right for you and your baby. Your adoption professional will explain what’s involved in the process to legally give up your parental rights. Typically this process—sometimes called “voluntary relinquishment” or “relinquishment of your parental rights”—involves legal forms and at least two separate meetings.

  If you decide to work with a lawyer, the initial meeting may be different, depending on where you are in the adoption process. For instance, you may have already found an adoptive family, and are now looking for legal help.

- **Adoption plan.** You and your chosen adoption professional will work together on creating an adoption plan that describes what you want (such as your role in selecting the adoptive family, how much openness you prefer after placement, and what type of contact you wish to have with your baby). The counselor or lawyer also will collect information about you, the baby’s father, medical histories, and your pregnancy.
**Home study.** Agency staff will conduct a home study of interested adoptive parents to make sure that children are placed in safe homes. The staff will interview the parents, review their medical histories, conduct criminal and background checks, and talk with references. Many agencies also require that adoptive parents go through training to prepare them for adoption.

In an independent adoption, potential adoptive parents also will need a home study conducted either by a local agency or a certified social worker. In some cases, this may take place after the baby’s birth.

**Selection of adoptive parents.** Depending on the agency, lawyer, or facilitator you are working with, you may choose the adoptive parents for your child. You may be asked to look at pictures and profiles of families who have applied to the agency. Some families may write “Dear Birth Mother” letters explaining why they would be good parents. Some agencies can arrange for you to meet some families, and you can ask questions to figure out which family is right for your child.

In an independent adoption, you may find potential adoptive parents with the help of your lawyer, through others in your community (family, friends, your doctor, your church, etc.), or through personal ads in trustworthy newspapers or on websites. If you have made the first contact with a family, your lawyer can help follow up.

**Counseling.** Most agencies will offer counseling services before and after your baby is born. Counseling is an important part of the adoption process. It will help you deal with the many emotions and questions that may come with placing a child for adoption.

Counseling may include one-on-one therapy or support groups with other birth parents. In a private adoption, prospective adoptive parents often pay the costs for counseling.

“This is the hardest decision I’ve ever had to make. My counselor helped me and the baby’s father think it through and understand that we have choices.”
Financial aid and other services. Many agencies will help make medical and hospital arrangements. Some agencies may help pay some allowable expenses during your pregnancy.

In an independent adoption, the prospective adoptive parents may help pay medical, legal, or living expenses, as allowed by each State’s laws.

What Now? Action Steps

- **Consider what type of family and home you would prefer for your baby.** The agency or lawyer may be able to pre-select families that meet specific conditions that are important to you. For example, do you want your child to be raised by two parents? Is it important to you that the parents be a certain age? Have particular occupations? Share your religious beliefs or values? Have no other, or some other children?

- **Meet and get to know possible adoptive parents.** Usually in open adoptions, you will be able to meet with possible adoptive parents and learn more about them. Many birth parents report that they felt some type of connection with the adoptive parents selected. Choose an adoptive family that feels right for your child and that feels the same way as you do about staying in touch after the adoption.

What to Expect in an Open Adoption: After the Baby Is Born

The baby’s birth starts the final decision-making phase of the adoption process.

- **Baby’s birth.** Some mothers will invite the adoptive parents to be in the hospital room for the baby’s birth. Others prefer time alone with their babies at the hospital.

  The only time you are likely to be entirely alone with your child is in the hospital. So it may be important for you to spend time saying hello in order
to be able to say goodbye. You can decide what feels comfortable for you and also how long you want to spend with your baby before placement.

**Consent and placement.** Making the legal decision to place your child takes place after the baby is born. The consent process and related laws are different from State to State with many requiring a brief waiting period.

Remember, during this time, you have the right to change your mind. States differ in the amount of time allowed to change your mind, so make sure you understand what timeframe applies to you. If you still feel comfortable with the adoption plan, then you will be asked to sign legal documents to place the baby permanently with the adoptive family.

**In an independent adoption, you will give your consent to place the baby directly with the adoptive parents.** In an agency adoption, you release your parental rights to the agency, which then consents to the adoption by the selected adoptive parents.

**Ongoing communication and contact.** You and the adoptive parents will work out how to stay in touch (letters, phone calls, e-mails, visits) and how often. Some agencies help set up these arrangements in a more formal way with a written agreement that both birth and adoptive parents may sign. It’s often called a postadoption contact agreement. (See the box on contact agreements on the next page.)

Changes in communication may take place over time as needs and situations change. There may be times when contact will be hard for you or for the adoptive family (for example, if someone moves to another State).

Also, your child’s need for contact with you may change as he or she grows older. It will be important to discuss changing needs so that everyone knows what to expect.

Women who place a child for adoption often feel a range of different emotions such as grief, loss, guilt, anger, sadness, and confusion.

Counseling, one-on-one therapy, and/or support groups with other birth mothers can help you understand and deal with your emotions as you move forward.
Contact Agreements

Postadoption contact agreements, sometimes called open adoption agreements, are arrangements between birth families and adoptive families. They describe how and when contact and communication will take place after the adoption. The goal of a contact agreement is to build a strong relationship between the birth and adoptive families for the benefit of the adopted child.

In most States, contact agreements are not enforceable, and there is no legal action to take if the agreement is broken as in a case where the legal parents of the child (the adoptive parents) decide to change the arrangements.

Some birth parents and adoptive parents arrange contacts informally, based on shared understandings. Others will sign formal agreements. Written agreements can help clarify how everyone understands the expectations for future contact, and they generally—

• Focus on the needs of the child
• Name each person involved in the agreement by their relationship to the child
• State the types of contact that have been agreed to (such as visits, phone calls, e-mails, or letters)
• Answer questions about who does what, where, when, and how

Agency staff, lawyers, or a mediator can help set up a written agreement before the adoption. But it is important to understand that contact agreements are not guarantees.
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<th>What Now? Action Steps</th>
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<tr>
<td><strong>Do your research.</strong> Read information about voluntary relinquishment and adoption. Search the Internet for reliable books and websites with reliable information about adoption. Choosing open adoption will likely be one of the most important decisions you will make in your lifetime.</td>
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<td><strong>Be open to many points of view.</strong> You may feel that some views don’t feel right for you. Do not rely only on opinions of friends and family members, but decide what’s right for you and your baby.</td>
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<td><strong>Finalize your decision.</strong> After the birth of your child, expect to make your decision all over again. You either may go through with your adoption plan or change your decisions about placing your baby for adoption or about the level of openness.</td>
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<td><strong>Seek counseling or join a support group during your pregnancy.</strong></td>
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<tr>
<td><strong>Develop an openness agreement.</strong> Work with the agency or lawyer and the adoptive family to develop contact arrangements that you can all live with to benefit your child.</td>
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“I knew in my heart, the last couple was the right one. I can’t put my finger on it. . . . I could just tell that their home would be full of laughter.”
Words To Know in Open Adoption

**Adopted child**: Person who has been adopted.

**Adopted person** *(see adopted child)*

**Adoptee** *(see adopted child)* Some prefer the term “adopted person” or “adopted child.”

**Adoption**: The legal process through which children born to one set of parents become the legal members of another family.

**Adoption agency**: An organization that places children with adoptive families and may provide counseling and support services. Agencies may be public or private, and may be licensed by the State. Some public agencies work only with children in foster care; others also work with voluntarily relinquished infants *(see relinquishment)*.

**Adoption facilitators**: People (not a licensed agency) who help match up or bring together expectant parents with adoptive parents.

**Adoption professionals**: People and organizations that place children in adoptive families and in some cases provide counseling and support services. Adoption professionals can work for a public or private agency; or be social workers, counselors, facilitators, or lawyers.

**Adoptive parents**: Individuals who adopt a child. Before the adoption, these parents are sometimes called **prospective (or expected) adoptive parents**.

**Birth father**: The child’s biological father.

**Birth mother**: The woman who gave birth to a child (the biological mother). Before the adoption, the biological mother of a child is an “expectant mother” or “the mother.”

**Birth parent**: The child’s biological mother or father. Sometimes called a birth mother or birth father.

**Closed adoption** *(or confidential adoption)*: An adoption in which the birth family and the adoptive family do not share identifying information and do not communicate with each other before or after placement.

**Consent**: Legal agreement by a parent to place a child for adoption and give up the rights and responsibilities to take care of that child. The consent process is directed by State laws. Timeframes for consent and revocation of consent are different in different States.

**Contact agreement**: Arrangements between birth parents and adoptive parents that describe how and when contact and communication will take place after the adoption. It
is sometimes called an open adoption agreement, openness agreement, or postadoption contact agreement. These agreements are not legally binding in most States.

**Expectant mother**: Pregnant woman. Sometimes referred to as expectant parent.

**Expectant parent** (see **expectant mother**)

**Facilitators** (see **adoption facilitators**)

**Finalization**: The final step in the adoption process, which involves a court hearing in which the judge orders that the adoptive parents become the child’s legal parents.

**Fully open adoption**: An adoption in which birth parents or the birth family have direct contact with the adoptive parents and the child. Both birth parents and adoptive parents have all identifying information about one another.

**Home study**: A process to determine if the home of a prospective adoptive family is safe and appropriate for an adopted child. A home study often includes interviews, visits to the home, fingerprint and background checks, and classes and information to help the family prepare to parent the adopted child.

**Independent adoption** (or **private adoption**): A legal method of placing a child for adoption using a lawyer (or other qualified person) instead of an adoption agency. (For some independent adoptions, an adoption agency must oversee part of the process.)

**Mediated adoption** (see **semi-open adoption**)

**Open adoption**: An adoption that allows birth parents to know and have contact with the adoptive parents and the child.

**Open adoption agreement** (see **contact agreement**)

**Openness agreement** (see **contact agreement**)

**Postadoption contact agreement** (see **contact agreement**)

**Prospective adoptive parents** (see **adoptive parents**)

**References**: People named by the prospective adoptive parents who know them and can comment on their parenting ability.

**Relinquishment**: Voluntary termination or release of all parental rights and duties that legally frees a child to be adopted. It is sometimes referred to as a surrender, voluntary relinquishment, or making an adoption plan for one’s child.

**Semi-open adoption**: An adoption in which birth parents and adoptive families communicate by sending letters or other information through an agency or lawyer.

**Voluntary relinquishment**: (see **relinquishment**).

Child Welfare Information Gateway

As a service of the Children’s Bureau, Child Welfare Information Gateway offers many publications and a wealth of online information on all aspects of adoption. Free fact sheets include Are You Pregnant and Thinking About Adoption? and Consent to Adoption. The website provides information for pregnant women and birth parents on making an adoption plan, considering options for openness, understanding State laws, maintaining connections, and other related topics. Call 800–394–3366 or visit www.childwelfare.gov/adoption/birth/for.

Office of Population Affairs

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