

# Exploring the Pathways to Adoption

Adoption can be both exciting and overwhelming. The types of adoption may seem confusing, and you may feel unprepared to parent a child who has experienced separation and loss. As you explore the different pathways to adoption, you will begin to understand how you can benefit from building and adjusting your knowledge, attitude, and parenting techniques related to the emotional, developmental, social, and physical needs of the child you adopt.

This factsheet is an introduction to the various pathways to build your family through adoption. It addresses how prospective adoptive parents make the decision to adopt, such as with the help of a public or private agency or an independent provider. It introduces the different types of adoption and guides you to relevant resources. It also examines basic common elements that apply to all types of adoption, including preparation and training for prospective parents, and considerations regarding supports and services.

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## MAKING THE DECISION TO ADOPT

Adoption is a lifelong process. When deciding whether to pursue adoption, it is important to evaluate your motivations and assess how your skills and strengths can enhance the life of a child. Exploring your willingness to change your home environment to incorporate the needs of your adoptive child is also essential as is making an informed decision about the ages of children you can effectively parent. This involves consideration of the developmental behavior of children in various stages of life.

The adoption decision involves developing an awareness about your family's desire to adopt and understanding your ability to meet the needs of a child or youth who is eligible for adoption. Visit Child Welfare Information Gateway's [Making the Decision to Adopt](#) web section to help you decide whether you and your family are emotionally prepared to bring a child into your home.

## HOW ADOPTION AGENCIES AND AUTHORIZED INDIVIDUALS CAN HELP YOU UNDERSTAND THE ADOPTION PROCESS

A licensed, public or private adoption agency or individual (e.g., an adoption attorney) may provide adoption services, such as identifying children and youth eligible for adoption, making determinations about their best interests, and conducting or arranging a home study on prospective adoptive parents. You should look for a reputable agency or authorized individual who understands your family's values, priorities, and abilities to care for children eligible for adoption.

Many public and private adoption agencies offer free orientation sessions to present an overview of their services and answer questions you may have. Asking questions and attending sessions at a variety of agencies is important for gathering as much information as possible and does not obligate you to use the services of those agencies or individuals.

A licensed adoption agency or individual will also ensure that necessary documentation is provided for filing. An attorney will need to be involved if only to file the documents and schedule the court hearing.

### Resources on Selecting an Adoption Service Provider or Attorney:

- The [National Foster Care & Adoption Directory](#) provides contact information for the State licensing specialists in the State where the agency is located. State licensing specialists maintain the listing of licensed child-placing agencies in each State or territory, so they know if the agency is in good standing, if any complaints have been lodged against it, and how long the agency has held the license.
- [Choosing an Adoption Professional](#), from the National Council For Adoption, discusses what prospective adoptive parents should consider when selecting an agency or adoption attorney.
- AdoptUSKids' ["Five Questions to Ask When Interviewing Agencies"](#) suggests questions to ask when researching adoption agencies.

- The Information Gateway [Finding an Adoption Agency](#) webpage provides resources to help find an agency for domestic or intercountry adoption.
- [Selecting an Attorney in Adoption Matters](#), from The Academy of Adoption & Assisted Reproduction Attorneys, offers tips and a directory of adoption attorneys.

## EXPLORING PATHWAYS TO ADOPTION

If you decide that adoption is right for your family, one of the first decisions many prospective adoptive parents make is whether they have the ability to meet the needs of a child born in the United States (domestic adoption) or in another country (intercountry adoption). Love goes a long way, but children who have been adopted need families who understand the effects of trauma and how to help their child come to terms with complex feelings. The Information Gateway factsheet for families, [The Impact of Adoption](#) (también disponible en Español, [El impacto de la adopción](#)), provides information on caring for children who have been adopted and the potentially challenging issues they face.

The decision tree on page 4 illustrates the different types of domestic and intercountry adoption. Information Gateway's web section, [What Are My Choices in Adoption?](#), also directs you to more detailed information about each type of adoption.

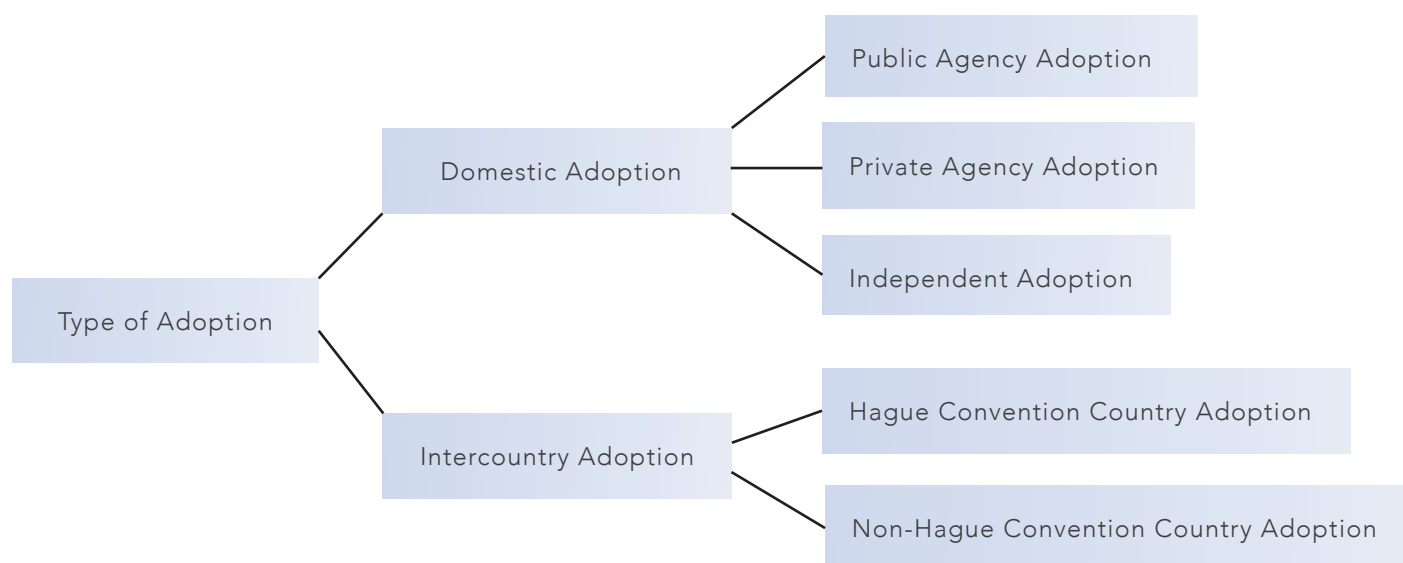
### The Home Study Process

Regardless of the type of adoption you pursue or whether you work with an agency or attorney, nearly all prospective adoptive families are required to complete a home study, which is an assessment of the parent or parents, prior to being considered for placement of a child or youth. The process is subject to change and varies considerably from State to State depending on laws and policies for approving prospective families. [Home Study](#), an Information Gateway webpage, provides several resources to learn about the adoption home study process, including specific practices for different types of adoption. The Information Gateway factsheet, [The Adoption Home Study Process](#), provides more information about what is generally included in a home study.

## PATHWAYS TO ADOPTION

For domestic adoption, all public and private providers of adoption services follow the same rules and standards set by each State's public child welfare system. Some States contract with private agencies to provide foster and adoptive services for children in foster care. You can check with your public child welfare agency to identify potential adoption agencies in your area. For intercountry adoption, adoption service providers typically specialize in either Hague Convention or Non-Hague Convention adoptions.

## Map of Pathways to Adoption



### DOMESTIC ADOPTION

Three main types of agencies or service providers work in a domestic adoption:

1. Public agency adoption
2. Private agency adoption
3. Independent private adoption (through an attorney)

### PUBLIC AGENCY ADOPTION

Thousands of children and youth are waiting in foster care for adoptive families. Children in foster care have been removed from their families for a variety of reasons, including abuse or neglect, and they may have experienced trauma as a result. These children range in age from infants to teenagers. According to data from the national [Adoption and Foster Care Analysis and Reporting System](#), the average age of a child waiting to be adopted from the U.S. foster care system is 8 years old. Children ages 8 and up—especially older youth, children of color, sibling groups, and children with disabilities—often wait longer than other children for adoptive families.

Adoptions from foster care are usually free or have minimal fees because they're funded by the State. Public agencies—and private agencies contracted by public agencies—locate and prepare adoptive families to adopt children from foster care. In public agency adoptions, adoption matches are generally arranged by the agency through a meeting of several social workers and supervisors and/or by a placement committee and are based on the needs of the child and the ability of the family to meet those needs.

Adopting from foster care requires you to enhance your existing parenting skills and develop new ones to successfully care for children who have experienced separation and loss and some who have also experienced trauma. To be effective, this involves dedicated time and effort. As a foster parent, you will foster children who have identified permanency goals such as reunification or adoption. Reuniting children with birth families is almost always the preferred first goal in child welfare, and in these cases foster parents work with agency social workers to support a child's safe return home. When children cannot be safely reunified, their plan can change to adoption. As their foster parent, you likely would be offered the opportunity to adopt. There are also thousands of children and youth in need of placement who are already legally free for adoption because parental rights have been relinquished or terminated. Typically, in these cases, a child or youth will be placed with you with the goal of adoption, and you will work with a social worker to prepare for adopting that child.

Adoption from foster care is not limited to adoption from your immediate area or even your State. You may view online adoption exchanges, which are organizations that connect families with children in foster care waiting to be adopted. Adoption exchanges provide photolists with pictures and brief descriptions of children in foster care within particular States or regions.

Find children in need of families on AdoptUSKids' [State Photolists](#) webpage.

## **RESOURCES ON PUBLIC AGENCY ADOPTION**

### **Resources From AdoptUSKids**

- [AdoptUSKids](#) is a national project funded by the Children's Bureau that features children eligible for adoption from foster care across the United States.
- [Getting Started](#), an AdoptUSKids webpage, lists general steps to becoming a foster/adoptive parent: educating yourself, contacting a local agency, and attending an orientation meeting.
- [Support for Parents Who Adopt From Foster Care](#) offers guidance on accessing ongoing support and services for the whole family.
- [Frequently Asked Questions About Adopting From Foster Care](#) provides answers to commonly asked questions about foster care and adoption.

### **Resources From Information Gateway**

- [State Adoption Exchange Websites](#) includes links to adoption exchange services sponsored by State child welfare agencies.
- [State Adoption Photolisting Services Websites](#) provides photolisting services websites sponsored by State child welfare agencies.
- [Families Considering Foster Care and Adoption](#) outlines considerations in this type of adoption.

## Ongoing Contact Between Birth and Adoptive Families

Prospective parents who adopt children or youth from any adoption pathway play an important and rewarding role in helping their child maintain healthy relationships with their birth families. All children, regardless of the age at which they were adopted, can benefit from seeing their birth and adoptive families interact openly with each other. Such relationships help birth parents know that their children have loving homes, and children can maintain a relationship with their birth families that feels natural to them.

Adoption professionals in private adoptions and social workers in public agencies can help you and your child's birth parent(s) explore ongoing contact between your child and their birth family (or others with whom your child has an established relationship). Postadoption contact agreements range from informal, mutual understandings between the birth and adoptive families to written, formal contracts. They can be drawn up by adoption professionals and/or adoption lawyers who can assist birth and adoptive parents thoroughly consider what kind of contact and how much is best for your child. Contact may be occasional or frequent, and in person or remote (for example, via social media). It may also vary over time, depending on the child's best interest. If your child's relationship with their birth family involves a safety concern, it may be in their best interest for you to arrange ongoing contact made indirectly through a mediator, such as an agency caseworker or therapist, or through letters and/or photos sent to an anonymous post office box or email address. Find out more about the various forms of ongoing contact in adoption in the following Information Gateway resources:

- [\*Helping Your Adopted Children Maintain Important Relationships With Family\*](#)
- [\*Ongoing Contact With Birth Families in Adoption\*](#)
- [\*Postadoption Contact Agreements Between Birth and Adoptive Families\*](#)

## PRIVATE AGENCY ADOPTION

In a private agency adoption, birth parents relinquish their parental rights, and adoptive parents work with an agency to adopt. Agencies are required to adhere to licensing and procedural standards. Agencies provide trainings for prospective parents and many offer support groups. Some agencies may also have therapists or counselors on staff to help adoptive families address issues they may experience before or after an adoption has been finalized.

Many prospective parents work with private agencies to adopt infants. Waiting times for infant adoptions vary tremendously and can take several years or more. Private adoption agencies may set specific eligibility criteria for prospective adoptive parents seeking infant adoption, and adoptive parents typically incur more costs than they do in public agency adoptions.

Many private agencies support birth parents in choosing a prospective adoptive family for their child based on profiles that prospective families create. Birth parents and prospective adoptive parents may have several opportunities to meet face-to-face or have regular contact over time. Social workers may make decisions about which families' profiles are shared with expectant parents considering adoption based on mutual preferences, or agency staff may match a child with a prospective adoptive parent with the birth parent's consent to do so.

Birth parents' consent to adoption is not final until after the birth. State laws differ on the timing of birth parents' consent and the conditions and timing of birth parents' rights to revoke that consent. Adoptive parents need to be aware of these laws and understand that some birth parents choose not to move forward with adoption.

The [National Foster Care & Adoption Directory](#) (see additional description on page 1 of this factsheet) lists public and licensed private adoption agencies and State adoption program managers for every State, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

## **INDEPENDENT ADOPTION**

In an independent adoption, attorneys assist prospective adoptive parents and birth parents with the adoption process, which usually involves the adoption of an infant. Families adopting independently often identify the expectant parents (or the expectant mother) without an agency's help. In some cases, the attorney may identify expectant parents who are seeking an adoptive family. Each family's situation is different; it is impossible to predict the length of time you may wait for a child.

Infants usually are placed with the adoptive parents directly from the hospital after birth. As with private agency adoptions, State laws differ about the timing of the birth parents' consent and the conditions and timing of the birth parents' right to revoke that consent, but there is always the possibility that birth parents will decide to parent when the baby is born. The birth parents are the child's legal parents until they consent to the surrender of their parental rights.

If you decide to choose independent adoption, you will interact with the expectant parents or their attorney. Birth parents typically provide written consent for the adoption that must be approved by the court. Attorneys who facilitate independent adoptions must adhere to the standards of the American Bar Association and any applicable State and Federal laws. Some attorneys who specialize in adoption are members of the [American Academy of Adoption and Assisted Reproduction Attorneys](#), a professional membership organization with standards of ethical practice.

## **RESOURCES ON LICENSED/PRIVATE AGENCY AND INDEPENDENT ADOPTION**

- Information Gateway's [Consent to Adoption](#) offers information on State laws regarding consent and revocation of consent.
- [Regulation of Private Domestic Adoption Expenses](#) includes State laws on permissible expenses.
- [Adopting Infants Domestically Through a Licensed Private Agency or an Attorney \(Independent Adoption\)](#) contains information on the adoption of infants in the United States.

## Adoption Laws

State laws and regulations govern U.S. adoptions. These laws vary from State to State and govern who can adopt and be adopted, confidentiality of records, inheritance rights, postadoption contact agreements, adoption expenses, period of time the birth parents have to change their mind after signing consents (also known as revocation period), and more. Learning about the adoption laws in your State, or any States involved with your adoption, can smooth the process and help you avoid frustrating situations.

The [State Statutes Search](#) on the Information Gateway website provides a brief overview and summaries of State laws on a variety of adoption topics.

Other adoption law resources include the following:

- [Family and Youth Law Center](#)
- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [American Bar Association](#)

## INTERCOUNTRY ADOPTION

Intercountry adoption is an option for prospective adoptive parents who are interested in adopting a child born in another country. The placement process for intercountry adoption varies depending on the agency you choose and the child's country of origin. Less information is generally known about a child's birth and family history in intercountry adoption than in domestic adoption. Intercountry adoption involves costs that can be extensive. Issues of cultural and language differences must also be considered.

In the United States, the Department of State is the designated Central Authority for the Convention, and the Office of Children's Issues in the department's Bureau of Consular Affairs is responsible for executing the day-to-day functions under the Convention. U.S. Citizenship and Immigration Services (USCIS), an agency within the U.S. Department of Homeland Security, also plays a significant role. The following resources provide more information about the roles of the Department of State and the USCIS in intercountry adoption.

## RESOURCES ON INTERCOUNTRY ADOPTION

- Information Gateway's factsheet, [Intercountry Adoption: What Do I Need to Know?](#), offers more detailed information on intercountry adoption.
- The U.S. Department of State offers comprehensive details, including country-specific information, on its [Intercountry Adoption](#) web section.
- The USCIS [Adoption](#) web section provides up-to-date information about adopting a child from abroad.



## Facilitated/Unlicensed Agency Adoption

Some adoptive parents work with facilitators and unlicensed agencies to adopt children. These facilitators link prospective parents, for a fee, with expectant birth mothers. This type of adoption is strongly discouraged as these facilitators and agencies are illegal in many States and do not follow best practices for the children or the parents. They offer the least amount of supervision and oversight and may not be regulated in the States in which they practice. They have varying degrees of expertise in adoption practice. Consequently, adoptive and birth families using facilitators and unlicensed services may be at greater financial, emotional, and legal risk than families using licensed services. Families who work with facilitators often have little recourse if the plan does not work out as they had hoped. Check the adoption program or policy in your State. For more information on facilitated adoption, read Information Gateway's [Use of Advertising and Facilitators in Adoptive Placements](#).

## CONCLUSION

Deciding to adopt and exploring what type of adoption to pursue is a journey that involves understanding and navigating the different pathways that are available to you. Licensed and authorized adoption providers can help you understand the adoption process and the needs of children who are eligible for adoption. You will receive help to determine whether your family has the capability to meet those needs and to access valuable training and support. When you find the pathway that is right for you, your adoption provider will help you through every step of the adoption process. Whether you adopt an infant or an older child, domestically or internationally, knowing about the different pathways to adoption and resources available can further prepare you for the joys and challenges of adopting and raising a child.

## ADDITIONAL RESOURCES

The following Information Gateway factsheets (not cited above) and webpages are additional resources that provide more detailed information about the adoption process, adopting for certain family types, adoption costs, adoption support and services, and parenting after adoption.

- [Accessing Adoption Support and Preservation Services](#) describes issues that adoptive families may encounter after adoption and the services available to help them manage those issues.
- [Adopting as a Single Parent](#) discusses issues that are relevant specifically to single people considering adoption.
- [Adoption by Family Type](#) links to resources for specific types of adoptive families, including single parents, families formed by second-parent or stepparent adoption, racially and culturally diverse families, military families, and foster families.
- [Adoption Statistics](#) provides State, national, and international data and statistics on private, public foster care, and intercountry adoption.
- [Background Checks for Prospective Foster, Adoptive, and Kinship Caregivers](#) discusses the requirements set by States for conducting background checks of prospective foster and adoptive parents, including any adults in the prospective caregivers' households.
- [Finding and Working With Adoption-Competent Therapists](#) provides suggestions for finding a therapist and offers information about the types of therapy that can help adoptive families.
- [Frequently Asked Questions From Lesbian, Gay, Bisexual, Transgender, and Questioning \(LGBTQ\) Prospective Foster and Adoptive Parents](#) answers some of the initial questions prospective foster or adoptive parents may have during the first stage of the journey.
- [Frequently Asked Questions: Adoption](#) answers some common questions prospective adoptive parents may have about adoption.
- [Introduction to Adoption](#) provides information on the history of adoption in the United States, definitions and the language used in adoption, and information about social media in adoption as well as links to related resources and information.
- [Parenting After Adoption](#) provides resources for adoptive families that explain what to expect at various developmental stages, including how to talk about adoption, address adoption issues in school, and help children cope with grief and loss.
- [Planning for Adoption: Knowing the Costs and Resources](#) explains various adoption expenses and some of the resources that may be available depending on the type of adoption.
- [Military Families Considering Adoption](#) provides basic information to help military families learn about the adoption process.
- [Who May Adopt, Be Adopted, or Place a Child for Adoption?](#) summarizes State laws regarding eligibility for becoming an adoptive parent, eligibility for being adopted as a child or adult, and authority to place a child for adoption.

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