

GLOSSARY OF COMMONLY USED ADOPTION TERMS

Adoption: The legal transfer of all parental rights and obligations for a child from a person(s) or government (for example when the county has custody of a child) to another person or couple.

Adoption Petition: The legal document filed with a court where prospective parents request the courts permission to adopt a specific child.

Adoptive Parent(s): An individual or couple who have formally finalized the adoption of a child through a court of law thus making them the child's parent(s).

Adoption Attorney: An attorney that specializes in non-family adoption. Some attorneys will process the paperwork required for adoption only. Other attorneys will provide advice on how to locate a prospective birthmother, how to talk to her on the phone, request medical history of the prospective birthparents, get the prospective birthmother legal representation and counseling, and provide in-depth adoption related services including the negotiation of possible future contact between birth family members and adoptive parents.

Agency Adoption: Adoptive parents can work with either a public agency or a private agency that offer a variety of services. Some agencies have only one type of adoption (e.g. international adoption) other agencies will have more than one adoption program. Requirements and services can vary amongst programs within the same agency. All adoption agencies should be licensed. You can adopt with the help of an adoption agency in a state other than the one you live in. Some agencies are for profit; most adoption agencies are nonprofit agencies.

Agency-Assisted, Identified Adoption: An arrangement in which the adoptive parent(s) and prospective birthparent(s) find one another and then go to an adoption agency for services which include the baby being legally relinquished to the custody of an agency, which then places the baby with the adoptive parents. Usually an adoption agency offers adoptive parents and birth parents their full range of services except for the matching of the birthparent with the adoptive family.

Birthparent: Term referring to the biological parent of a child after an adoption of their child has been finalized. A pregnant woman considering making an adoption plan for her child is technically not a birthparent until the adoption is finalized. Prior to finalization the term used is expectant mother (or father) or prospective birthparent.

Disruption: The term is used to describe an adoption that ends between the time the child is placed for an adoption with a family and before the adoption is legally finalized.

Dissolution: The term is used to describe an adoption that fails after finalization, resulting in the child's legal custody reverting back to the department of social

services, agency or court and the child returning to foster care and/or to other prospective adoptive parent(s).

Dossier: A set of legal documents that are used in an international adoption to process a child's adoption or assignment of guardianship in the foreign court. Specific documents contained within a dossier vary by country.

Foster Child: A child placed in the legal custody of the state because their biological parent(s) were deemed by the court as abusive, neglectful or otherwise unable to care for the child. The child will live with a foster family or group home until the child can return to live with their family, an adoptive family can be found or the child ages out of foster care.

Foster Parent: State licensed adult who provide a temporary home for children in state custody whose biological parents are unable to care for them.

Hague Convention on Intercountry Adoption: An international treaty to improve accountability, safeguard and cooperation in intercountry adoption. The treaty applies to adoptions between the U.S. & other Hague Treaty countries. The State Department web site has information about the Hague Treaty & participating countries.

Home Study: A social investigation where a social worker interviews prospective adoptive parents concerning their background and their ability to raise a child. Often this is done in a series of interviews, with at least one interview in the home. It should also include information to help an individual, or couple, learn about issues unique to families formed by adoption. Home studies need to be current during the adoption process. Home studies can be "outdated" after a period of time and require an update. Prospective adoptive parents should inquire if the agency, state &/or country require that the home study be conducted by a licensed certified social worker- LCSW or have Hague training for international home studies.

International Adoption: An adoption in which the adopted child comes from another country. The countries with the most international adoptions in 2012 were: China, Ethiopia, Russia, S. Korea, & Ukraine. International adoptions are most often done with an adoption agency due to most countries not permitting non-agency adoptions. Laws from both domestic and foreign governments must be followed. Some adoptions are finalized in the country others are finalized after the child enters the United States. Some countries have local regions determining adoption laws. Other countries have centralized adoption laws and governing bodies.

Interstate Compact: The legal agreement between the states concerning a child living in one state and going to another state to be adopted. Adoption paperwork (e.g. home studies) must be reviewed by the state the child is residing in before the child can leave the state for its new home. It usually takes from 2 to 14 days for the adoption records to be processed. Weekends and holidays will affect the waiting period.

Open Adoption: An adoption that has contact between the adoptive family and birth family after finalization. This can be done through an intermediary or directly between families. It can be done without identifying information being shared. It can be anywhere from minimal information (photo/letter) being exchanged once a year through an intermediary, to more frequent contact of letter & photos shared through an intermediary such as an agency or lawyer, to regular and direct contact between birthparents and adoptive parents and child. Open adoption can occur with domestic private placement and domestic agency adoption and international adoption. If an open adoption agreement is signed by the adoptive family and attached to the adoption agreement as part of the adoption finalization the open adoption agreement for post placement contact can be legally enforceable in NYS.

Pre-certification: The legal process where prospective adoptive parents(s) submit to the court the following information: home study, references, child abuse clearance, fingerprints, medical status, employment verification and other documents for the court to review. The court then approves the prospective adoptive parents and issues a certificate that the person(s) can adopt a child. Pre-certification is done for private placement domestic adoption.

Private Placement Adoption (Independent Adoption): A non-agency domestic adoption is a private placement adoption. Private Placement adoption is legal in NYS (and most but not all states). With the help of an attorney, a prospective adoptive parent becomes pre-certified for adoption and locates a prospective birthparent by either networking or advertising. The prospective birthmother directly contacts the prospective adoptive parents. After an initial contact between the birthparent and the prospective parents, an adoption attorney will speak to the prospective birthparent and help the prospective birthparent find their own lawyer, and assist with the legal aspects of the adoption. In New York State lawyers and other non-agency adoption professionals cannot charge a fee to facilitate the placement. International adoptions can also be independent adoptions, but the adoption process is very different from domestic independent adoptions.

Special Needs Adoption: Refers to many categories of children, including those with physical, emotional, and medical disabilities, children over the ages of five, or sibling groups that are in foster care waiting for an adoptive family. Often these children are referred to as waiting children.

Termination of parental rights (TPR): This can either be done as a voluntary process when biological parents relinquish their parental rights or a family court can terminate a parent's rights due to neglect or abuse if the court believes it is in the best interest of a child. The termination of parental rights is a legal process and must be done before an adoption can be finalized.