

Creating Families: 5 Tips when Considering Adoption

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The Law Firm of Brinkley Morgan

Expanding a family through *adoption* presents specific considerations that require reliable information, guidance and planning. With over one and a half million adopted children in the United States and more than 500,000 children eligible for adoption right now, adoption is a realistic option for many prospective parents. Every family has a uniquely special bond, whether it is traditional, blended or adoptive.

If you choose to begin or expand your family through adoption, there are legal and emotional issues to take into account. The following five tips are meant to shine some light on the process:

- **Consider your adoption options.** – Different types of adoptions are available to prospective parents, including public, private and international. Public adoptions are children in the welfare system that have been removed from their homes for various reasons and usually are placed with permanent families through a public agency. In private adoptions, children are placed with adoptive parents by birth parents that have chosen this course and typically using the services of a facilitator. Adopting children from foreign nations, practiced since the 1950s, has increased over the past decade and has been popularized by high profile international adoptions, such as the children adopted by Madonna, Angelina Jolie and Brad Pitt.

With all three types of adoptions utilizing a Final Judgment of Adoption, a request to the Bureau of Vital Statistics will legally change the child's name and the State will issue a new birth certificate.

- **There is no such thing as a "typical adoption."** – Potential parents who are considering adoption have many questions about what to expect. The fact is, there is no standard timeline or situation. Prospective adoptive parents should be prepared for many factors that may affect the adoption process. For example, the timeline in a private adoption of a newborn depends upon how far along in her pregnancy the birth mother is when she initially agrees to the adoption. Adopting a child from another state may create other challenges, as adoption laws and procedure differ from state to state.
- **Choose your facilitator wisely.** – People who are interested in adopting a child privately should carefully research their state's adoption laws regulating facilitators. In the case of public adoptions, they should learn about the regulations governing the interplay between agencies, biological families, adoptive families and the state. Florida, for example, requires facilitators to obtain all consents, file petitions and affidavits, and serve notices of hearings. In many cases, it is advisable to hire an experienced attorney to help navigate the legal aspects of an adoption.

- **Beware of scams.** – Considering the deeply emotional component of adoption and how it may cloud the judgment of people who have a profound desire to adopt a child, prospective parents should begin the process with their eyes wide open to the existence of scams and illegal activity. Terrible as it is, there are stories of conmen, nonexistent biological parents and even trafficked children. When researching state adoption laws, potential parents should also research agencies, facilitators and adoption lawyers, specifically looking for certifications and necessary registrations. It is wise to get recommendations from previous adoptive parents and check the background and reputation of adoption facilitators through state listings and respected attorneys who specialize in representing adoptive parents.
- **Understand that adoptions entail unknowns.** – It is no surprise that elements of the adoption process can be emotionally and financially stressful for potential parents. An adoption is never guaranteed until the judge awards Final Judgment of Adoption. Domestic adoptions may become complicated as, in some cases, the biological parents have the option to either challenge the adoption or change their minds. International adoptions tend to be more expensive and time consuming, and there are cases where little is known about the adopted child's life experiences or family heritage, especially if the child is from a rural town where medical histories are not documented. Knowing from the start that adoption entails certain unknowns will help ease the way for prospective parents.

Creating the legal bond is just the beginning of the adoption process. Once the Final Judgment of Adoption is issued, the adventure of becoming a family begins.

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