

Making the Choice between Domestic Agency and Private Placement Adoption

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After deciding to build your family through adoption, the next step a prospective adoptive parent confronts is deciding what “kind” of adoption to pursue. Choices abound: Domestic Adoption or International Adoption; Public Agency Adoption or Private Agency Adoption; Agency Adoption or Private Placement Adoption. There is no one “best” method of adoption but rather there are advantages and disadvantages to each method. As a prospective adoptive parent, your task is to select a method of adoption which is most suited to your financial circumstances, your emotional needs and your personality. This article will focus on making the choice between a Domestic adoption through a private agency or through private placement adoption. .

Initially, I want to stress that all adoptions involve the same basic components; for example: educating the adoptive parents regarding the adoption process, determining whether the prospective adoptive parents are qualified to adopt, identifying an adoptive child, obtaining medical and background information , etc.. None of these components should be shortchanged regardless of the kind of adoption you chose. The quality of the service provided to the adoptive parents and birth parents should not vary based on the method of adoption chosen but may be affected by the ethics and expertise of the professionals performing the service.

Fundamentally, the difference between an agency and private placement adoption is that in an agency adoption, the agency acts as an intermediary between the birth parents and the adoptive parents. In a private placement adoption, there is no intermediary between the birth parents and adoptive parents. For this reason private placement adoption is often referred to as direct adoption; the plan for the adoption is made directly between the birth and adoptive parents.

In an agency adoption, the agency has mandated policies and procedures governing the adoption process and the adoptive parents are required to comply with those pre-established agency requirements. While some agency policies are dictated by state regulations, there are many areas in which the agencies have discretion in their approach. Consequently, an agency's adoption procedures may vary based on the staff's determination as to best adoption practices. This is especially true as it relates to issues of the level and degree of communication with birth parents both before and after the adoptive placement.

In a private placement adoption, the adoptive parents undertake to perform many of the required functions themselves, with the assistance of their attorney and independent contractors (i.e. social workers, psychologists, and advertising consultants) retained to perform services as needed.

WHY SOME PEOPLE CHOOSE PRIVATE PLACEMENT ADOPTION

- * It tends to be less expensive (no agency fee is required)
- * The process of becoming qualified as an adoptive parent can be more quickly and easily accomplished
- * Adoptive placements tend to occur more quickly because the adoptive parents have more control over the process of seeking out and identifying a potential adoptive child
- * The adoptive parents, with the guidance of their attorney, have more control in directing the various aspects of the adoption process
- * The adoptive parents look forward to the opportunity to have direct communication with the potential birth parents in the hope that this positive relationship will extend past the adoptive placement.

WHY SOME PEOPLE PURSUE AN AGENCY ADOPTION

- * Once the agency qualification requirements have been completed the adoptive parents look forward to being able to emotionally distance themselves from the process until the time a child is actually identified
- * The Adoptive Parents personal schedules do not afford them the opportunity to direct the adoptive process or receive calls from potential birth parents
- * The adoptive parents are uncomfortable speaking directly with potential birth parents either because they feel they wouldn't know what to say or because the process of receiving the phone calls would be too emotionally draining
- * The adoptive parents feel that the agency's expertise and its established policies and procedures will make the process more secure
- * The adoptive parents do not have the confidence that they will successfully identify a potential adoptive child themselves

The difficulty of choosing between methods of adoption varies greatly between people. For some, the inability to pay the agency fee alone may dictate their decision. Many others have an immediate, emotional reaction to each method and/or their personalities dictate the choice. For example, some adoptive parents choose to pursue private placement adoption because they have the time and emotional energy to devote to the process, they are comfortable or even relish the opportunity for direct communication with potential birth parents, they do not want to wait the delays inherent in the agency adoption process and they do not want agency adoption policies impacting on the manner in which the adoption is conducted. By contrast, some potential adoptive parents choose to pursue an agency adoption because by the time they reach the decision to adopt they have already walked a long and difficult path. These people are comforted by the knowledge that the professionals they have selected will take charge of the process for them and that the process will be conducted in an ethical and secure fashion which effectively addresses both their needs and the needs of the potential birth parents.

Of course, these are broad generalizations and there are exceptions to every generalization made. However, these broad considerations should be useful as a first step in your inquiry into these two methods of adoption. In conclusion, no one method of adoption is superior; it is merely a question of choosing the path to adoption best suited to your individual circumstances.

Practicing as Rumbold & Seidelman since 1996, Denise Seidelman and Nina E. Rumbold concentrate their practice almost exclusively in the areas of adoption and reproductive law. They are licensed to practice in both New York and New Jersey. Nina and Denise are experienced in all aspects of adoption law and have handled the full panoply of adoptions, including domestic private-placement adoptions, domestic agency adoptions (including adoptions of children in foster care), international agency adoption, and step-parent adoptions. They also focus their practice in the evolving field of reproductive law and have counseled Intended Parents, Egg, Sperm, Embryo Donors and Gestational Carriers in collaborative reproduction arrangements. They are both members of the American Academy of Adoption Attorneys and the American Society for Reproductive Medicine. In addition to their law practice, Nina and Denise are trained mediators and serve as mediators in the fields of Child Permanency and Parent Child Mediation.

Nina was admitted to the New York State Bar in 1979 and Denise was admitted in 1980. Both Nina and Denise started their legal careers working as criminal defense attorneys for the New York City Legal Aid Society, where they each tried numerous criminal cases to verdict and Nina also handled criminal appeals. Nina has two sons, ages 21 and 18 and a daughter aged 16. Denise has two sons, aged 21 and 17 and a daughter aged 18.