

THINGS TO THINK ABOUT
BEFORE ENTERING INTO AN ENFORCEABLE
POST ADOPTION CONTACT AGREEMENT

- I. Always keep the child at the center of the agreement
- At the same time - strive to consider the birth parents concerns and needs
 - This should not be an adversarial process.
- II. Where you and the birth parent desire to maintain confidentiality - implement strategies which still allow for post placement communication
- Exchange letters and photos through a third party (attorney, agency)
 - Share letters and photos through e-mail or through a secure internet site
 - Set up a non-identifying toll free number
- III. Where post placement visits are contemplated the agreement should include the following:
- Anticipated frequency of visits
 - Designate mutually convenient general location for visits
 - Parties wishing to maintain confidentiality can meet at public locations such as at a park, zoo, restaurant, or adoption agency picnic)
 - Specify who can participate in the visit (biological siblings; biological grandparents, friends)
 - Specify whether each party will pay the cost of their own travel to the visit
 - Where appropriate – address the possibility of either party relocating
 - Implement alternative methods of “visiting” such as Skype
 - Agreement should state whether visits will continue if birth parent attendance is sporadic or unreliable?
 - Build in flexibility so the child’s needs are paramount
 - Child may have conflicting obligations or may not wish to participate at that particular time in their life.
 - Parties should build in a procedure for addressing challenges before exercising right to go to court.
 - Mandate efforts to resolve conflicts with the assistance of a professional including a trained mediator
- IV. Safety Concerns:
- Consider provision addressing birth parent drug or alcohol abuse, emotional instability or inappropriate behavior during visit.
 - Advisable to prohibit birth parents from sharing child’s information on public websites (need to protect child’s privacy)