

ADOPTION

WHERE DO I BEGIN?

BY MINIGAN BLACKWOOD

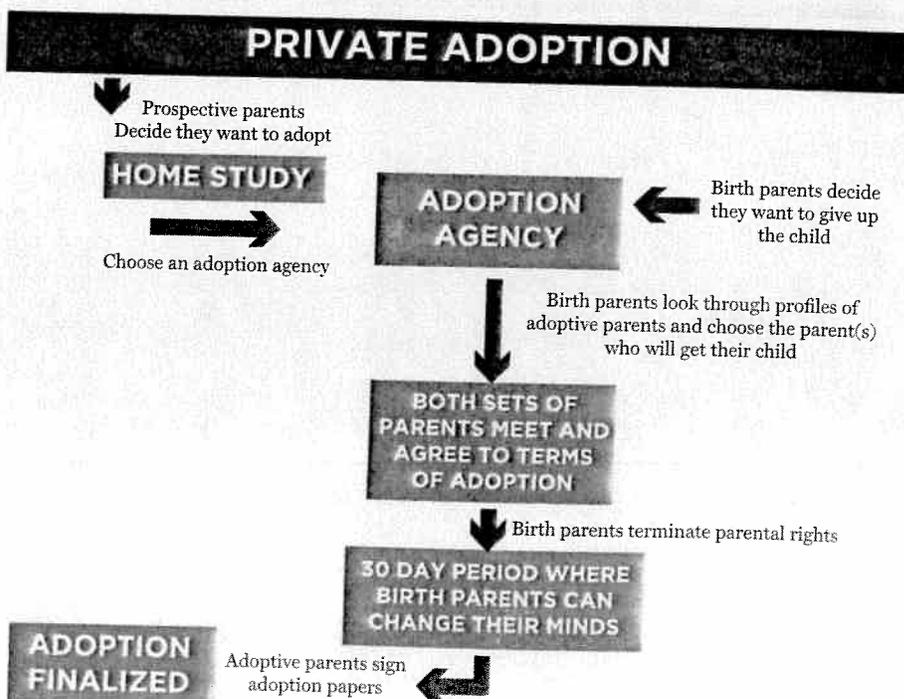
In this new age of marriage equality, many gay couples can now begin to build a family. For many considering adoption, the primary question may be “where do I begin?” The idea of adopting a child is a significant task, especially when unsure of where the road to adoption starts. There are many different routes to take, each one with positive and negative aspects. With these choices, each individual or couple must decide which are best, while keeping in mind that each decision will affect the child’s life, who is yet a stranger. So where does one begin? Right here. MetroBurgh has compiled information on private adoption, foster to adopt and kinship care, the main roads to adoption, plus details regarding the process of adopting a child or becoming a foster parent, to help guide decisions regarding which route would be the best for a wide variety of new families.

There are several factors determining the time it will take to complete the process of private adoption. Gerri Sperling, counsel at Strassburger, McKenna, Gutnick and Gefsky in Pittsburgh, explains, “It can take anywhere from a few months

to a few years to complete the adoption process. That variation comes down to the preferences of the adoptive parents. For instance, domestic newborn adoption takes a long time, and if the parents want a child without special needs or have a racial preference, that will add even more time. If they care about the openness of the adoption it will take longer, because most adoptions today have some level of openness. Therefore,” adds Sperling, who is passionate about assisting families through the adoption process, “children who have special needs, are a minority race or are adolescents or teenagers will take less time.”

There is also significant variation in the cost of private adoptions. “Adoption agency fees can be anywhere from \$16,000 to \$35,000,” Sperling explains. “On top of that, the adoptive parents will have attorney’s fees. These will be anywhere from \$20,000 to \$30,000.” These numbers, Sperling adds, are just for private adoptions. “A less expensive route to adopt is through the Statewide Adoption Network, or SWAN, program. Adoptive parents would be looking for older children currently in foster homes. Both this option and foster to adopt are far less expensive, and foster to adopt could cost nothing to the potential parents.”

“All the children on the SWAN website (www.adoptpakids.org) are kids waiting to be adopted, with their birth parents’ parental rights terminated, or in the process. Unlike the foster to adopt program, the prospective parents aren’t also the child’s



foster parents,” Sperling explains.

The process for private adoption is complicated and not without risk. After a home study is completed, prospective parents register with a private adoption agency such as Children’s Home of Pittsburgh. Birth parents, usually mothers, call an agency to give up their infant for adoption. The birth parents select among the profiles of adoptive parents which parents would be best for the child. Private adoptions like these are newborns. Once the birth parent or parents decide on adoptive parents, both parties begin the process of transferring the parental rights. Sperling shares that it is in this time that the potential risk is high.

“There are two pieces to every adoption,” Sperling explains, “the termination of parental rights, and the finalization of adoption. It is in the termination of parental rights where things can get tricky. Both the mother and the father have 30 days after terminating their rights as parents to change their mind. And while the father can terminate his parental rights before the child is born, the mother is allowed to do so 72 hours after birth. That is the earliest she can sign the papers. That means the termination could happen after the child is placed with their new family. If parental rights have not been terminated when the child is placed with a family, they run the risk of losing the child they bonded with. In that aspect, every newborn adoption is a risk placement.”

When asked if gay couples could experience any limitations due to their sexual orientation, Sperling explains that “most agencies are private agencies, so some are going to be more gay friendly than others. Children’s Home of Pittsburgh, for instance, is more supportive of the LGBT community. Also, since the birth parents have input on who will adopt the child, if they are not comfortable with a homosexual couple raising their child they can choose another couple.” But beyond homosexuality, some preferences of the birth parents show how difficult it can be to adopt an infant. “Birth parents are more likely to choose a couple over a single parent,” Sperling shares. “If they are willing to give their child to a single parent, they are more likely to choose a single mother over a single father. Single fathers adopting infants is more uncommon because of that.”

There is a recent development in the law that applies to gay couples looking to adopt. Sperling explains. “Before, if you were going to adopt as a couple, the law required you to be married. Of course, at the time, gay marriage hadn’t been legalized, so gay couples weren’t able to adopt.”

Lisette McCormick, an Attorney for the Pennsylvania court system, has been working on a committee that has been charged with updating and improving adoption procedures for two parent and same gender adoptions. The committee submitted their procedure revisions to the Orphans Court Rule Committee

of the Pennsylvania Supreme Court. The Orphans Court Committee is working to revise and improve the uniformity of adoption procedures state wide. McCormick’s committee recommendations were submitted two years ago with no response to date, but she says it is possible that the committee has not started work on that section of the procedures.

McCormick explains. “In 2001, the Pennsylvania state supreme court ruled that it is appropriate for two unmarried people to adopt a child. This opened the door for same sex couples to adopt children, but certain counties throughout the state created procedures to make it difficult and cost more. For example, some counties require a home assessment for both adults, even if they are in the same home, increasing costs and causing delays. Some counties simply refused adoptions for parents of the same gender, defying the Supreme Court case that did not specify that parents had to be male and female.” In 2015 the Pennsylvania State Supreme Court banned sexual orientation discrimination for adopting children.

“Now,” Sperling explains, “in Allegheny County, same sex couples have to be married if they want to adopt as a couple, just like straight couples. The couples still can do second parent adoption, but that process takes longer.” Sperling adds, “this only applies for Orphan’s Court, which deals with private adoptions. The foster to adopt system goes through Juvenile Court, and the

couples don't have to be married to adopt together."

Sperling also addresses health requirements for adopting parents. "Anyone looking to adopt has to have something from their physician indicating their physical health status. There are also psychological requirements adoptive parents must meet. For private adoptions, couples have to complete a home study, and for SWAN or foster to adopt, the potential parents have to complete a family profile. In both cases, a social worker will visit the house and assess if there are any mental health concerns. The social worker will also ask about the mental health history of both parents." Sperling adds, "some agencies have income requirements, just to make sure that the adoptive parents can afford to raise a child."

There is some help that comes from private agencies, but it doesn't go to the extent the foster system goes. "Before the adoption is finalized, but after the child is placed with the new parents, the family's case worker will do post placement visits, followed by post placement reports that are to be submitted to the courts. But once the finalization is over, the agency provides no support at all," Sperling adds.

Elaine Plunkett is a Communications Specialist for Allegheny County Department of Human Services, Office of Community Relations. She explains the foster care process. Children, Youth, and Families is the government program that protects children under

the age of 18 from abuse and neglect and works to find a safe and loving permanent home for children. This program is where the children that enter the foster care system come from. "The main reasons children are put into foster care are due to either child abuse or neglect. Either there is substance abuse going on with the parents, leading to them neglecting their kids, or there is physical/sexual abuse occurring. There are cases where the parents die, the parents become ill and can no longer care for the child, or where the child is abandoned, but child abuse and neglect are the main categories."

Kinship Care is an additional adoption service that maintains the children's connection to their extended families. Childwelfare.gov states: "Kinship care refers to the care of children by relatives or, in some jurisdictions, close family friends (often referred to as fictive kin). Relatives are the preferred resource for children who must be removed from their birth parents because it maintains the children's connections with their families."

Plunkett shares that people from a wide variety of backgrounds choose to serve as foster parents. "Some foster parents have had experience raising kids in the past. Some have kids, possibly raising other family members, like siblings or nieces and nephews. And others are empty nesters that want to put their child raising experience to good use. Foster parents can be a married or partnered couple, or single. Anyone can foster in

that aspect. In general, they are people interested in helping kids. They are understanding, they are patient, and they want to help the child get through whatever problems they are facing. There is no typical kind of foster parent. As long as they meet the qualifications, anyone can foster a child."

The foster care process is primarily handled through a variety of agencies, and several months may pass before a child is placed with a new foster family. "People wanting to foster should start by going to Fostergoodness.org or call them at 1-800-862-6783. They have a lot of information there to help anyone who is thinking about fostering a child about how to start the process and if they will qualify. The next step is to choose an agency. Fostergoodness.org provides a list of questions that you can ask agencies to see if they will be a good fit for you. Once you have chosen an agency, the agency will lead you through the process. Through the agency, you will get certified, which will take from 60 to 90 days, during which time you will take classes to prepare you for fostering." Plunkett continues, "once you have been certified, the agency will find a child that needs foster care, and explain the child's or children's situation to you. The foster parent is engaged in deciding whether or not the child will be placed with them, since both the foster family and the agency are looking for the best match possible."

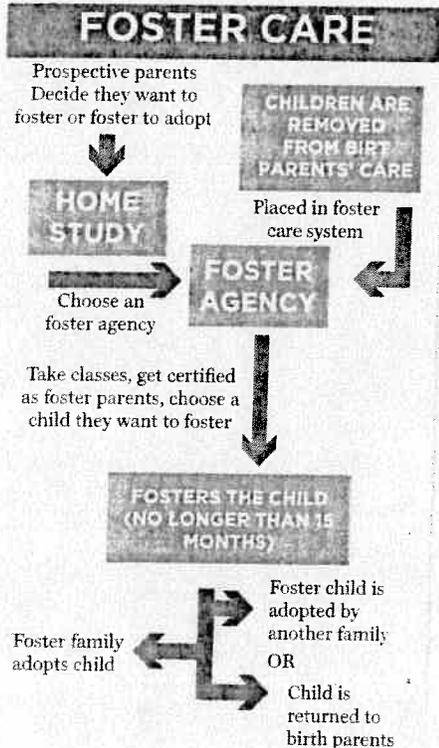
Over all, the length of time a child will be in foster care is hard

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to determine, as each case varies. Plunkett explains that “the law requires up to 15 months in foster care; that is the maximum amount of time a child can be under foster care. If it will take the full fifteen months, then by the 12 month mark, a permanent plan has been identified by the

her through Children Youth and Families. In cases where the child has an ongoing illness, medical care is also available. Also through the agencies is educational support for the families, such as training courses to maintain their foster certification and foster parent support groups. There is also mental and psychological support available in the form of family counseling. The foster child has access to many of the same services along with private counseling.” Plunkett adds that “every child is different, so private counseling helps to focus on the individual child and help him or her through this difficult time.”

placed into a foster home, to not knowing where they will end up. Foster parents need to be understanding of this, and they need to be patient with the child. Foster parents need to understand the trauma, which is why they work so closely with counselors and case workers.” According to Plunkett, “out of 209 total adoptions in 2015, 111 (53%) were from foster care placement settings, with all others coming from kinship care. Within both care types, nearly all 2015 adoptions were by adoptive families who were also the caretakers in the child’s prior foster or kinship care placement; 97% of adoptions from foster care settings were by the foster parents immediately preceding the adoption, and 100% of adoptions from kinship care settings were by the prior kinship caretakers.” MB

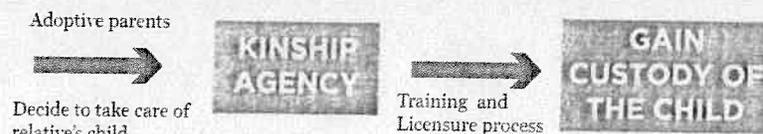


court, the family, and the agency. They will look into placing the child with a family, either the foster family or a new adoptive family. If it is possible, the child may even be reunited with his or her birth family.”

After a child has been placed with a foster family, the child and the family both have various kinds of support available to them through both their agency and Children Youth and Families. Plunkett explains that “each family has an agency worker assigned to them and regular visits to make sure things are going well. The child also has a case worker assigned to him or

Other than the more obvious reasons, foster parenting is unlike parenting a biological child or an adopted child in one big way. Plunkett explains that “unlike most children being raised by their biological parents, children in foster care are experiencing trauma. They experienced it from their living situation with their biological parents, to being

KINSHIP CARE (Formal process)



KINSHIP CARE (Informal process)

