



Private Domestic Adoption Information and Services for Adoptive Parents

There is a brochure version of this document.

This document *must be signed for file*

1) **What is Adoption?**

A. There are three categories of adoption

1. Private Adoption

Private adoptions typically are limited to the adoption of newborns, but can be children already born to birth parents who want to relinquish their rights.

2. International Adoption

International adoption agencies work with children of all ages from other countries, although many of these children are infants and toddlers.

3. Public/State Adoption

Adoption of a child through Child Protective Services:

Child Protective Services works with children of all ages, and all of these children have been removed from their homes due to high-risk situations such as abuse, neglect, or abandonment.

This document is intended to inform specifically on Private Adoption (not international or state). It provides information on the services Circles of Care provides for private adoptions.

B. Types of Private Adoptions

1. Agency

A type of adoption in which an agency is used to connect birth parent(s) and potential adoptive parents. The agency provides services to both the birth parent(s) and adoptive parents and guides both through the adoption process. The agency provides necessary services such as adoption planning with the birth mother and services to the adoptive parents such as a home study.

2. Independent

An independent adoption is a situation in which a birth mother and potential adoptive family already know each other or have some relationship such as a friendship, being neighbors, or being connected through a church or some other affiliation.

C. Differences Between Agency and Independent Adoptions; Circles of Care Services

1. Agency Adoption

Adoption agencies are the intermediary in most adoptive journeys. Agencies are organized to facilitate adoptions and to service and help both birth parents and adoptive parents through the adoption process.

As an **adoption agency**, **Circles of Care provides many different services** to both birth parent(s) and adoptive parents. Those services include:

- Recruitment of potential birth parents.

- Intake and adoption planning with birth parent(s).
- Birth/Hospital planning with birth parent(s).
- Matching adoptive parents with a child; presenting profiles to birth parents.
- Arranging counseling for birth parent(s).
- Performing the Home Study Assessment and training to the adoptive parents.
- Preparing the Health, Social, Educational, and Genetic History (HSEGH).
- Completing a Post Adoption Agreement which is an agreement between the birth parent(s) and adoptive parents regarding how much continuous or ongoing contact they want, if any.
- Post-Placement Monitoring Services.
- Completing Affidavit for voluntary relinquishment with the birth parent(s).
- Filing Petition to adopt.
- Post Adoption Reports.
- Post Adoption Counseling to Adoptive Families.

Post-Placement Monitoring

Post placement services are provided to you for support. These visits make sure that you have all the resources you need to parent successfully. We will ensure that each family does not need additional services or does not have any lingering questions regarding the process or needs of their child. A post-placement report is completed for the court regarding how the adoption placement is going and if it is favorable.

During post-placement visits, Circles of Care will observe you and your child and discuss a variety of topics from developmental milestones to pediatrician visits. The primary purpose of the post-placement visit is to ensure the adoptive placement is a good fit for the adoptive parents and the child and that everyone's needs are being met.

2. Independent Adoption

In an independent adoption, birth parent(s) and adoptive parents know each other or have been connected in some way other than through an agency such as a church, friend, or acquaintance. Circles of Care also refers to this as family-identified adoption. In independent adoptions, adoptive parents are advised by an adoption attorney instead of working with an adoption agency, but can also choose to work with an agency that does family-identified adoptions. Circles of Care is able to perform family-identified adoptions. This form of adoption is specifically authorized by law in all states except Colorado, Connecticut, Delaware, Massachusetts, and North Dakota.

In an independent adoption, if the adoptive parents and birth parent(s) do not want to work through and receive services from an agency, the adoptive parents have to complete and arrange all the required services including screening of the birth parent(s), adoption planning with the birth parents, birth/hospital planning, counseling, mediation, having a Home Study Assessment completed, post-placement monitoring if the court requires it, and more. That means being there as an emotional counsel for the prospective birth mother whenever she has concerns or questions, handling all of the

communication back and forth, organizing a hospital stay, and working closely with your lawyer every step of the way to ensure the proper legalities are met.

3. Other Differences Between Agency and Independent Adoptions

Another difference between independent and agency adoption is the method by which the birth parents give their consent to adoption. In an agency adoption, the birth parents relinquish their parental rights to an agency, and the agency, in turn, consents to an adoption by specific adoptive parents. In an independent adoption, working only with an attorney, the birth parents give their consent directly to the adoptive parents.

2) Information on Birth Fathers

Generally, biological fathers (birth fathers) are separated into three legal categories: (1) alleged fathers, (2) presumed fathers and (3) unknown Fathers. The rights to notice and the ability to block an adoption process vary depending upon the category that the biological father is in and the law varies from state to state.

- **Rights of presumed fathers:** A presumed father is a man who has taken some action, recognized by state or Federal law that would allow the state to presume that he is the father of the child. Examples of these actions include, but are not limited to: (a) having the man listed as the father on the birth certificate; (b) being married to the mother of the child at the time of the birth of the child or (c) claiming the child in some other legal document or proceeding such as the Texas Paternity Registry. The presumed father's rights to notice of the intent to adoption and his consent and relinquishment is almost always necessary for an adoption. If his whereabouts are unknown, a diligent effort must be made to find him. If he is not found, services of citation to terminate his parental rights may be accomplished through alternative means such as service by mail or newspaper announcement may be authorized by the court.
- **Rights of alleged fathers:** An alleged father is a man who has been alleged to be the biological father of the child, but has no presumption of paternity as a matter of law. To gain any right to custody of the child or to block the adoption, the alleged father would have to file a legal action to establish paternity. Without a legal action to establish paternity, the alleged father has no right to notice and is not entitled to service of citation.
- **Rights of Unknown fathers:** The unknown father is the biological father of the child, but there is no father on the birth certificate, the man was not married to the mother of the child at the time of the birth, and no party has alleged a specific man to be the father of the child. There is no service or notice necessary in most state with regard to unknown father.

Regardless of the classification of the father of the child, all fathers (presumed, alleged and unknowns) must have their parental rights terminate prior to adoption.

3) Legal Process.

A. Parental Termination (Consent to Adopt)

When an expectant mother chooses adoption for her baby, she is voluntarily terminating her parental rights to an individual or agency. This relinquishment of parental rights is accomplished by the mother (and father) of the child by signing a document called a Voluntary Relinquishment of Parental Rights. This relinquishment of parental right cannot be signed until the baby is born.

An affidavit for voluntary relinquishment of parental rights must be:

1. Signed after the birth of the child, but not before 48 hours after the birth of the child, by the parent, whether or not a minor, whose parental rights are to be relinquished;
2. Witnessed by two credible persons; and
3. Verified before a person authorized to take oaths.

In the affidavit, the parent will designate Circles of Care, as a licensed child-placing agency, to serve as managing conservator of the child. The affidavit will further, as a general rule, waive notice to the biological parents of any future legal proceeding. Circles of Care, in turn, consents to adoption by a specific adoptive parent(s) following termination of parental rights.

Adoptive parents are free to retain their own independent legal counsel throughout the adoption process up to and including final consummation of the adoption.

B. Legal Finalization – Petition to Adopt

Court approval must be obtained for all adoptions. An Adoption Petition is completed and filed with the court to obtain an Adoption Hearing.

Filling the Petition:

On behalf of the adoptive parents, Circles of Care will submit a petition (request) for adoption with the proper court. Circles of Care will ensure that the petition is filed, pay the filing fees, and attend all court hearings with the adoptive parents. At the hearing, the court will verify that the adoptive parents have met all state requirements, that all necessary documents have been filed with the court, and that the adoption by the adoptive parents is in the best interest of the child(ren).

Before the adoption hearing may take place, Circles of Care must provide notice of the hearing to anyone legally involved in the child's life.

The petition for adoption generally includes:

- Names, ages, and residences of the adoptive parents, the child, and the birth parent(s).
- A statement that the adoptive parents understand their rights and duties.
- The legal reason for terminating the biological parent's rights.
- The relationship between the adoptive parents and the child (such as non-familial or step-parent).
- A statement that the adoptive parents are the best caregivers for the child.
- A statement that the adoption is in the child's best interest.

The biological parent's "affidavit of Voluntary Relinquishment" document will be filed with the Petition to Adopt and will serve as the ground for termination of the parental rights of the biological parents. Circle of Care will also file with the court, additional documents to include, but not limited to, Post-adoptive placement reports, pre-adoptive home study screening, criminal history background screenings, HSEGH, and the consent of Circles of Care to the adoption.

A name change request is also completed by filing a request for a name change with the adoption petition.

The Adoption Court Hearing

In most cases, the court hearing is a simple formality, but it can be an exciting and life-altering day for the new family. The judge will ask the adoptive parents, under oath, if they understand the impact of the adoption, including their rights to raise and obligations to support the child. If the court finds that the adoption is in the child's best interest, the judge will sign the adoption order and, if necessary, an order for a name change.

4) Fees and Expenses

Circles of Care fees for services are outlined in detail in its Domestic Adoption Fee Description document that is also part of the adoption service agreement completed and entered into with the adoptive parent(s). *See also Domestic Adoption Fee Description and Policy Adoption Fees.*

The fees cover the service and associated expenses of salaries of employees, overhead expenses of rent, utilities, accounting fees, office supplies, and other expenses associated with the services of:

- Recruitment of potential birth parents.
- Intake and adoption planning with birth parent(s).
- Birth planning with birth parent(s).
- Matching adoptive parents with a child.
- Arranging counseling for birth parents.
- Performing the Home Study Assessment and training to the adoptive parents.
- Preparing the Health, Social, Educational, and Genetic History (HSEGH).
- Completing a Post Adoption Agreement which is an agreement between the birth parent(s) and adoptive parents regarding how much continuous or ongoing contact they want, if any.
- Post-Placement Monitoring Services.
- Post Adoption Reports.
- Post Adoption Counseling to Adoptive Families.

A. Fees and expenses

See Circles of Care Domestic Adoption Fee Description document for complete detail of all fees and possible expenses.

1. Application Fee – \$300.00. This fee is non-refundable.
2. Initial Program Service Fee – \$750.00. This fee is non-refundable.
3. Preplacement Services fee – \$2,900-4,050. Fees are paid in installments based on services provided and are non-refundable.
4. Programming Fee-
Agency Identified- 3,000
Family- Identified-N/A
5. Placement Service Fee:
 - a. Agency Identified – Cases in which birth mother has applied to Circles of Care for adoption and Intake and Adoption Planning are completed – \$ 4,000
 - b. Family-Identified – Cases in which birth parent(s) and adoptive parents have already been connected; matched each other – \$1,000Placement Fee is paid at time of child placement and is non-refundable.
6. Post-placement Service Fee – \$8,000. Post-placement service fees are paid in two installments, one at time of placement and one at the three-month mark. Non-refundable once paid.

7. Mileage surcharge – \$.51 for round trips over 120 miles from Circles of Care or employee location. Mileage surcharge is non-refundable.

In addition to Circles of Care service fees, there are additional expenses to adoptive parents which are not part of Circles of Care service fees including:

- Legal fees for parental termination, birth mothers legal representation if she chooses to have separate legal representation and finalization/Consummation. These fees can range from 7,000-14,000 depending on specific adoption attorney adoptive parents choose.

Beyond Circles of Care service fees and legal fees, there are possible expenses that adoptive parents would need to pay including:

- Possible basic needs expenses for the birth mother such as rent and food.
- Birth mother pre-natal costs and delivery costs.
- Newborns initial medical expenses.

These expenses are only if the birth mother does not have insurance and does not qualify for Medicaid services and is also not able to meet her basic needs of housing and food. Circles of Care works with birth parent(s) to obtain any governmental assistance they may qualify for to meet their basic needs and pre-natal medical care. If Circles of Care expended these funds on behalf of the birth mother due to necessity, these expenses are passed on to the adoptive family and can increase the cost of the adoption significantly. Adoptive parents who are matched with a birth mother who requires these services can deny the match.

5) Agency Requirements

A. Basic Requirements for licensure for adoption:

- Must be a US citizen or resident.
- Be at least 21 years of age if married, and 24 years of age if single.
- If married, must be married at least one year.
- If divorced, must be divorced at least one year.
- Have a HS diploma or GED equivalent.
- Have no criminal history of abuse or neglect of a child.
- Have at least 40 sq. feet of bedroom space if child will be sharing a room.
- Home equipped with heat and air.
- Have reliable transportation.

B. Home Study requirements.

- Must share information regarding background and lifestyle.
- Must show proof of income.
- Must show proof of marriage and/or divorce.
- Provide relative and non-relative references.
- Home visits and interviews with all household members.
- Complete a criminal history background check and an abuse/neglect check on all household members 14 and older.
- Attend free training provide by Circles of Care to include CPR/First Aid, child development, discipline and other training related to adoption and parenting.

6) Getting Started on the Licensing Process with Circles of Care:

- A. Attend an Orientation meeting.
- B. Complete a private adoption application with Circles of Care. (Application fee: \$300.00)

7) Resource and Aid to Adoptive Families

A. Tax Credits and Deductions (subject to change)

Federal Adoption Tax Credit: Adoptive families may be eligible for a tax credit. In 2018, the maximum amount is \$13,810 per adopted child. You can claim the credit on your federal tax return for the year in which your child's adoption becomes final and carry it forward for up to five years. This is an important financial benefit because it is a dollar-for-dollar reduction in your tax liability. For more information, consult with your tax preparer or see:

- [IRS Tax Topic 607](#)
- [Adoption Tax Credit Working Group's infographic](#)
- [US Federal Adoption Tax Credit](#)
- [Adoption Credit at a Glance](#)

In addition to the adoption tax credit, you may be able to exclude certain amounts your employer paid for qualifying adoption expenses from your gross income for federal tax purposes.

1. **Individual State Deductions:** Check with your tax preparer for deductions you may be eligible for within your state of residence. For example, Massachusetts residents can claim an exemption for the full amount of fees paid to adoption agencies. Contact your state's Department of Revenue or Taxation or your State Adoption Specialist for more information. State Adoption Specialists can be found at [the Child Welfare Information Gateway](#).

Retroactive Claims: You may be able to claim newly discovered tax benefits retroactively for up to three years. File [Form 1040X](#) to correct an error in a prior year's federal return to collect a refund if one is due.

B. Adoption Grants and Loans

The following providers of adoption grants and loans are **independent** of Circles of Care. Please be advised that the information listed can change without notice. You may discover additional resources by conducting your own Internet search.

1. Non-Denominational

[Both Hands](#) awards grants to help reduce the financial barrier to adoption for families.

[Gift of Adoption](#) provides \$1,000-7,500 grants to qualifying families adopting domestically or internationally, with the average grant totaling \$3,500.

[Help Us Adopt](#) offers families demonstrating financial need grants of \$500-\$15,000 toward domestic, international, foster, or special needs adoptions.

[Journey to Parenthood Foundation](#) a non-profit providing grants to those struggling with infertility. Also provides social support through groups to connect those with infertility.

[The National Adoption Foundation](#) offers \$500-\$2,000 grants to adoptive families on a needs-based assessment. There is no income requirement. Also provides low-interest loans for adoption.

[The National Council For Adoption](#) provides a resource list and guide with a wide variety of information from tax benefits, loans, to fundraising and with a specific list of granting organizations.

[Oxford Adoption Foundation, Inc.](#) offers low-interest loans of up to \$5,000 to adoptive families.

[Parenthood for Me](#) offers grants to adoptive families pursuing domestic or international adoptions who can demonstrate significant financial need.

[Pathways for Little Feet](#) provides interest-free loans to qualifying families based primarily on (but not limited to) financial need.

[Resources 4 Adoption](#) provides the very latest in adoption financing education, information, and resources.

[United Healthcare Children's Foundation](#) provides grants to cover prescribed medical services (not fully covered by insurance) for children in need.

2. Faith-Based

[The ABBA Fund](#) provides married Christian couples interest-free loans to cover adoption expenses. These loans are typically no more than 1/3 of the total adoption cost and range from about \$6,000-\$8,000.

[America's Christian Credit Union](#) offers low interest rate adoption loans awarded to Christian families.

[God's Grace Adoption Ministry](#) provides matching grants up to \$1,000 for Christian families.

[Golden Dawn Adoption Assistance](#) provides grants of up to \$2,000 to Christian families adopting children with special needs and other hard-to-place children. Grants are considered on a needs-based assessment.

[HANDinHAND Christian Adoption](#) provides matching grants for Christian adoptive families based on donations received on behalf of the family from other family members and friends.

[Katelyn's Fund Orphan Ministry](#) offers married Christian couples a grant toward international or domestic adoption costs. Grants are awarded up to \$3,000 for first-time grants based on available resources, and priority is given to families whose income is

under \$100,000. Second and third-time grants are awarded up to \$1,500. There is a maximum limit of three grants.

[Lifesong for Orphans](#) offers interest-free loans to Christian families based on financial need and available funds. Matching grants are given in the range of \$1,000-\$4,000 which encourage the church community to contribute.

[The Lydia Fund](#) offers married Christian couples a grant toward international adoption costs.

[Shaohannah's Hope](#) (also known as "Show Hope") provides grants to qualifying Christian families for international, domestic, and foster child adoptions.

C. Crowdfunding

[AdopTTTogether](#) is a non-profit crowdfunding platform that helps offset adoption expenses by allowing families to fundraise in their community. Donations are tax-deductible.

D. Adoption Benefits in the Workplace

Employer Benefits: Find out if your employer offers adoption benefits by contacting your Human Resources Department. You may also check with the [National Adoption Center](#).

Advocating for Adoption Benefits: If your company does not offer adoption benefits, you might consider proposing them. The Adoption and Workplace Initiative, sponsored by the National Adoption Center and the [Dave Thomas Foundation for Adoption](#), has developed materials to help you advocate for adoption benefits in the workplace.

Military Subsidies: [The US Military](#) will reimburse active-duty personnel for most one-time adoption costs up to \$2,000 per child or up to \$5,000 per year for qualifying expenses for adoptions arranged by a qualified adoption agency.

E. Other Resources

- Contact the airlines to inquire about a reduced rate or waiver of fees for adoption-related travel. You may also want to consider asking family members or friends for a donation of frequent flyer mileage or credit-card points that are redeemable for travel.
- Research home-equity loans or refinancing your home.
- Borrow from a 401(k) or retirement account. Consult your tax advisor or financial planner regarding this loan option and how it will affect your future retirement finances.
- Borrow from a life insurance policy. Cash-value life insurance policies often allow you to borrow against the policy. Consult your insurance agent as to whether this option is available to you.
- Consider accepting a loan from family or friends. This can be done as formally or informally as you prefer.
- **National Adoption Center - Adoption Benefits Coordinator**
To request a list of employers that provide adoption benefits or to learn more about how to ask for this benefit at your workplace, contact:
Adoption Benefits Coordinator
National Adoption Center

1500 Walnut Street, Suite 701
Philadelphia, PA 19102
Phone: 1-800-TO ADOPT or 215-735-9988
Fax: 215-735-9410
E-mail: nac@adopt.org
www.adopt.org*External Link*

- **Texas Voluntary Adoption Registry**

The adoption registry is a voluntary system that biological parents and adopted children can use to try to contact each other. To obtain information about the adoption registry in Texas, contact the Department of State Health Services (DSHS). Additional information is available on the web site below.

Phone: 1-888-963-7111 ext. 7388

www.dshs.texas.gov/vs/reqproc/adoptionregistry.shtm*External Link*

Provide copy to family, retain a copy for file.

Adoptive Applicant Signature

Date

Adoptive Applicant Signature

Date

Circles of Care Representative

Date