



**OUT OF STATE
ADOPTION**

Adoption Choice Offices to Serve You

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A LOOK AT OUT OF STATE ADOPTION

One of options explored by potential adoptive parents includes Out of State Adoption. Out of State Adoptions occur when a child is born in one state and will be adopted by parents living in another state. Potential Wisconsin adoptive parents will contract with an adoption agency and/or an attorney in another state who will match them with a potential birthparent.

Many agencies have their own requirements governing the type and amount of contact between birth parents and adoptive parents as well as identifying information that is shared. Identifying information, such as the names, addresses, ages and income of the adoptive parents may be shared with the birthparents as part of their legal right to know identities and background information. How much information is shared depends on the birthparent's requests and the willingness of adoptive parents to share information, but most birthparents want to know enough to make them feel comfortable in their plan for their child. Adoption Choice, Inc. strongly recommends the exchange of fully identifying information to facilitate the most successful adoption plan.

Since a completed Termination of Parental Rights severs all legal rights of birthparents, the birthparents may wish to make verbal or written agreements with the adoptive family for receiving periodic information from them, or exchanging pictures, etc. The adoptive parents are under no legal obligation to allow the birthparents to see or contact the child once parental rights have been terminated. However, it is a moral and ethical arrangement. Often the agreement for contact is mutually agreed upon as being helpful to the child and is an exchange of information regarding the development and health of the child and the birthparents.

HOW DOES OUT OF STATE ADOPTION HAPPEN?

It is the adoptive parent's responsibility to locate and contact an Out of State agency or attorney who will assist with matching them to a birth parent. Some states require an adoption agency while other states allow attorneys to facilitate adoptions. Adoptive parents will work with this agency/attorney as well as Adoption Choice, Inc. concurrently to complete the home study process. Due to the fact that Wisconsin is an agency state, the adoptive parents must work with a Wisconsin agency. Adoptive parents must comply with the requirements of both states.

Adoption Choice, Inc will work directly with your Out of State agency in order to comply with the requirements of that state as well as Wisconsin's requirements for a home study.

Your Out of State agency will work with you to match you with a birthparent. Some agencies work with birthparents in various states, therefore each situation will be different. The birthparent will work with an agency or adoption worker in her state to prepare her for the adoption process.

WHAT ABOUT BIRTH PARENT EXPENSES?

Allowable birth parents expenses vary from state to state and may include items such as:

- Medical & hospital care received by the mother and child
- Maternity Clothes
- Transportation related to the pregnancy or adoption
- Living expenses of the birth mother
- Birthing classes
- Care for the child
- And More

In Wisconsin birth parent living expenses cannot exceed \$5,000; however this varies from state to state. Please discuss with your Out of State agency what the allowable expenses are.

SOME THINGS TO KEEP IN MIND

1. The laws regarding the Termination of Parental Rights vary from state to state. In most states, the consent to relinquish all parental rights must be in writing and executed before a judge or other designated official. Timeframes of when this can be done range from 12 hours after a child is born up to 30 days.
2. The requirements to notify birth fathers vary from state to state.
3. Travel expenses can be substantial, so you should consider this in your pursuit of adoption. You will be required to remain in the state of the child's birth for up to 10 business days awaiting ICPC approval.
4. It is possible that you may be required to hire an attorney in both states, depending on where the court proceedings will take place.
5. It is possible that you may need to finalize in the state where the child was born or the parental rights were terminated; requiring you to travel back to that state.

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

The Interstate Compact on the Placement of Children (ICPC) is an entity that governs all Interstate Placements of Children to insure legality, appropriateness and likelihood for permanent completion.

The Interstate Compact on the Placement of Children (ICPC) approval process must be followed for every out of state adoption. It is initiated by the state in which the baby is residing and the receiving state agrees to provide post placement services until finalization. The Interstate Compact for your adoption plan will be initiated as soon as the materials needed to do this are obtained, usually right after the child's birth. Adoption Choice, Inc. cannot control when the state administrators will approve your child's placement and allow you to return to your home state with your baby. Please be aware that this process is between states and not between agencies. Adoptive families must remain in the state of the child's birth until the two state ICPC offices have approved the placement, and notified Adoption Choice, Inc. as well as the Out of State agency.

The Out of State coordinator and Wisconsin's coordinator will review all the materials and must provide approval of the placement before you can return home with your child. Plan to stay in the other state up to ten business days after the birth of your child to await approval. Approval may happen earlier than 10 days, however there is no guarantee.

SERVICES PROVIDED BY ADOPTION CHOICE

I. We provide the required HOME STUDY preparing you for adoption. Our staff focuses on issues important to you in adoption, parenting style, training education, and resources for you in your family and community. We will provide information, as well as gathering all required documents for the court. We are committed to helping you to prepare, receive and integrate this child into your family.

II. PROMPT RESPONSE to your request for a study and appropriate contacts with attorneys, other adoption professionals and state personnel involved with the process. We know that communication is important in Out of State placements.

III. We PREPARE all written reports required for the Interstate Compact on the Placement of Children as needed.

IV. We PROVIDE POST PLACEMENT SERVICES during the supervision time until the adoption is finalized. We will visit you and your child IN YOUR HOME to help insure adjustment and integration for all family members. We will support you with materials and information about the adjustment, adoption, and parenting. We will be a listening ear when frustration or changes occur.

V. We PROVIDE THE FINALIZATION MATERIALS IF NEEDED. Depending on the requirements in the other state, Adoption Choice, Inc. may provide the Consent to Adopt as well as a Finalization report. The Finalization hearing may occur in Wisconsin or the state where the child was born. This will depend on the requirements in both states.

**If you are not connected with an Out of State Agency, we can provide a list of recommended agencies.