

TYPES OF ADOPTION

Children In Foster Care



Children who are in foster care are ones whose birth parents are unable to take care of them or whose parental rights have been terminated. The children remain in group homes or foster care while waiting for someone to adopt them. Adoptions can be facilitated by private and public agencies.

Fost-Adopt is another type of adoption where a child is first placed in your home as a foster child. There is an expectation that the child will eventually become legally available for adoption by you.

Infant



Infant adoptions are, as the name suggests, adoptions of infant children. These typically take place as soon as the baby is born, and the birth parents have already terminated their parental rights. Some of these adoptions are done through a third party like a lawyer, physician, or facilitator rather than an agency.

Stepparent Adoption



Stepparent adoption is a formal adoption process wherein the stepparent legally adopts the child of his or her spouse and the spouse still has legal rights. Stepparent situations are unique, as some people may legally adopt their stepchild as soon as they are joining the family while others have raised the child for years before entering into the process.

In Virginia the process of adopting your stepchild can be complex if you don't understand the specific legal requirements set forth by the courts. Prior to filing your adoption paperwork, you must meet two important criteria in Virginia.

The first of the two main requirements for stepparent adoptions in Virginia involves your spouse being one of the biological parents of the child. Your spouse must consent with your desire to adopt your stepchild and be included as a joint petitioner. This will prove to the court that your spouse is agreeing to the adoption.

The second requirement involves obtaining consent of the other biological parent, which may be challenging in some instances. Options include:

- Other biological parent consents to the adoption;
- The other parent is deceased;
- The identity of the other parent is unknown and there is a sworn statement of the biological mother confirming this fact;
- The other parent refuses to accept paternity of the child; or
- The child is 14 years of age or older and has been living in the stepparent's household for at least five years.

If the biological parents are in agreement, it is an easier process when compared to a traditional adoption. You must include the required evidence in your initial petition. If the judge feels everything is in order, he or she will issue a final order of adoption. There are some rare instances where a judge may need additional information or even summon all parties to appear in court.

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Agency vs. Independent Adoptions

When someone refers to an **agency adoption**, they are talking about the agency who works as the intermediary between the birth parents and the potential adoptive parents. There are two main types of agencies:

- Private licensed agencies, which are legal in a majority of states as well as numerous foreign countries
- Public agencies, such as social services, foster care, and child welfare

Independent adoptions are ones that are facilitated by the birth and prospective adoptive parents. These can take place in several different ways:

- Use of an attorney or other intermediary where required by law
- Several states allow the use of adoption facilitators
- Handling everything yourself where allowed

If you plan to adopt across state lines, you will need to comply with all state laws. And, for international adoptions, you are bound by the laws of your own state, the U.S. State Department, and the United States Citizenship and Immigration Service (USCIS).

Closed vs. Open Adoptions

Closed adoption is where the birth parents want no identifying information to be shared with the adoptive family and vice versa. In other words, there is no contact between the parties. As the adoptive parents, you will get non-identifying information about the child and birth family. Once the adoption is finalized, the records will be sealed.

Open adoptions allow the birth parents and adoptive parents to have some sort of bond. This can range from just allowing identifying information to be shared to developing a relationship with each other. Perhaps you share photos of the child to the birth parents, or it's just that there is approval for the adopted child to contact the birth parents when ready.