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Adoption in Massachusetts: Private and Public Agency Placements and Practices in 2005: Issue Brief on Contact and Communication Practices in Adoption Placements

Prepared by:

Jennifer Ellingwood, MPA

Center for Adoption Research, part of the
Center for Health Policy and Research

The Center for Adoption Research is part of the Center for Health Policy and Research (CHPR) at the University of Massachusetts Medical School under the direction of Dr. Ron Steingard. CHPR's mission is to promote and conduct applied research, evaluation, quality improvement, education and training aimed at informing policy decisions and advancing practice to improve the health and well-being of people served by public agencies. For more information, please contact us at healthpolicy@umassmed.edu.

At the Center for Adoption Research, under the direction of Martha Henry, Ph.D., we are dedicated to developing practical responses to improve foster care and adoption policy and practice by conducting research, policy analysis, and developing education and training programs. In line with our mission, we conduct an annual survey of all licensed adoption agencies in Massachusetts. This survey collects information on the number and nature of adoptions finalized in Massachusetts each year.

Background

Since 1999, Massachusetts law¹ has required that every licensed adoption agency in the Commonwealth provide annual information about the number and nature of adoptions finalized through their agency. Massachusetts is an agency state, meaning that all residents seeking to adopt a child must utilize the services of an adoption agency licensed by the state. Specifically, all Massachusetts citizens interested in adopting a child must, at a minimum, have a home study conducted by a Massachusetts licensed adoption agency. These agencies may provide services for private domestic adoptions, international adoptions or they may contract with the Massachusetts Department of Social Services (DSS) to provide services for adoptions from foster care.

The Center for Adoption Research collects and analyzes the data on the number and nature of adoptions finalized annually, and disseminates this information to interested parties. The request for data from licensed Massachusetts agencies, issued in the summer of 2006 to collect information about adoptions finalized in calendar year 2005, was completed and returned by 45 private adoption agencies² and by DSS. The results of this survey are being presented in five issue briefs. This issue brief addresses contact and communication practices in adoptions finalized during calendar year 2005.

Openness in Adoption

Openness in adoption refers to the amount of contact and communication between the birth parent(s) and the adoptive family. There have been dramatic changes in policies

¹In 1999, HB 4900 37 amended M.G.L. 28A §10 (c) (8). This is the fifth annual report. Previous reports can be downloaded from www.umassmed.edu/adoption/index.aspx. In the Commonwealth of Massachusetts, only licensed adoption agencies may legally place children for adoption. The Department of Early Education and Care (EEC) regulates adoption agencies in Massachusetts; contact them at www.eec.state.ma.us for information about regulations, as well as a listing of licensed agencies. The EEC Central Office is located at: 600 Washington St., 6th Floor, Suite 6100, Boston, MA 02111. Phone: (617) 988-6600

² This represents a 98% response rate from private agencies.

and practices regarding contact and communication in adoption over the past 30 years. This is typically an issue only in domestic adoption, as birth parent involvement is rare in international adoption. There is a continuum of placement practices around openness in adoption, ranging from confidential adoptions, in which there is no contact or exchange of information between the birth parent(s) and the adoptive parent(s), to fully open adoptions, in which the birth parent(s) and adoptive family directly communicate with each other.³ See Table 1 for the definitions of contact and communication practices included in the survey.

Private Domestic Adoption. Adoption agencies that facilitated private domestic adoptions (n=36) were asked about various levels of openness in adoption and how frequently each was seen in practice in 2005. The results are reported in Table 1. These results do not include information about adoptions from foster care, for which data were not collected. The most common level of contact was non-identifying exchange of photos and letters between the birth and adoptive parents, with 56% of agencies rating this as common or very common. The least common scenario was no contact at all between the birth parents and adoptive families, with 66% of agencies rating this as uncommon or very uncommon.

Table 1: Practices Related to Contact and Communication*

Type of Practice	Very Common	Common	Not Applicable	Uncommon	Very Uncommon
No contact between birth parents and adoptive families; no agreement for update or communication through agency	11%	6%	17%	29%	37%
Non-identifying exchange of photos and letters	50%	6%	17%	17%	11%
Non-identifying face-to-face meetings between birth and adoptive families	36%	25%	17%	6%	17%
Identifying information exchanged, but no plans for ongoing contact	8%	25%	28%	25%	14%
Placement including formal plan for ongoing contact after finalization between birth and adoptive families	14%	23%	29%	14%	20%

*Indicates the percentage of private agencies that consider the various practices more or less common. N = 36.

Twenty-six of the adoption agencies providing domestic adoption services stated that they facilitated post-finalization communication between birth parents and adoptive families. This typically takes the form of serving as an intermediary for letters and photographs to be exchanged without direct contact or identifying information. Fifteen

³ McRoy, R., Grotevant, H., & White, K. (1988). *Openness in adoption: New practices, new issues*. New York: Praeger Publishers.

agencies had formal requirements for adoptive families to provide updates, either for a set period of time (11) or allowing parties to negotiate their own terms (4).

International Adoption: Post-Finalization Updates. Agencies with their own international adoption programs require that post-finalization update information from the adoptive families be sent to authorities, orphanages or other official entities in the child's country of origin. Sending countries differ in their specific reporting requirements (see Table 2 for the number of years these reports are required). Noncompliance with reporting requirements can result in strained relationships between sending and receiving countries; for example, Ukraine had terminated adoptions to the U.S. and France because of less than full compliance with post-finalization reporting requirements. For additional information about international adoption and post-finalization requirements of sending countries, see the U.S. Department of State website.⁴

Table 2: Post-Finalization Update Requirements for International Adoptions

Country	Reporting Time*
Bulgaria (n=1)	2 years
China (n=13)	3 years
Ecuador (n=1)	5 years
India (n=2)	18 years
Russia (n=11)	3 years
Ukraine (n=5)	18 years
Colombia (n=3)	2 years
Guatemala (n=7)	2 years
Kazakhstan (n=7)	18 years
Vietnam (n=1)	1 year
Lebanon (n=1)	1 year
Nepal (n=1)	1 year
Poland (n=1)	1 year

*Annual updates are required; several countries require updates until the child reaches the age of 18 years.

Discussion

Practices related to communication between birth and adoptive families have changed dramatically in the past 30 years. Throughout most of the 20th century, domestic adoptions were confidential, meaning that little, if any, information was exchanged between the parties involved in the adoption process. Today the most common types of domestic adoption practices involve some level of communication between birth parents and adoptive families, and birth parents tend to have a role in selecting the adoptive family. The goal of open adoption is to maintain the child's connections with their birth family.⁵

⁴ http://travel.state.gov/family/adoption/country/country_369.html

⁵ Child Welfare Information Gateway (February, 2003). *Openness in adoption*. Washington, D.C.: Author. Downloaded from http://www.childwelfare.gov/pubs/f_openadopt.pdf

Along with the trend toward increased openness in adoption, some states are also changing laws to allow adults who were adopted easier access to their original birth certificates. There are currently 29 states that still require a court order to grant people who were adopted access to their original birth certificates.⁶ Massachusetts now allows people who were adopted access to original birth records if they were born before July, 17, 1974, or after January 1, 2008; individuals who were adopted born between those dates will still need to petition the court for permission to access their original birth records.⁷

In the case of international adoption, there is rarely contact between the birth parent(s) and the adoptive family, but there are post-finalization update requirements which vary based on the child's country of origin. It is important for adoptive parents to be compliant with annual updates, as some countries may limit future adoptions based on noncompliance.

⁶ http://www.childwelfare.gov/systemwide/laws_policies/statutes/infoaccessap.cfm

⁷ St.2007, c.109; see <http://www.mass.gov/legis/laws/seslaw07/sl070109.htm>

For more information, please
contact Jennifer Ellingwood at
(508) 856-8514.



222 Maple Avenue, Higgins Building, Shrewsbury, MA 01545-2732
Tel. (508) 856-7857 Fax. (508) 856-4456
www.umassmed.edu/healthpolicy healthpolicy@umassmed.edu