

Parents May Network To Find Child Available for Adoption

Q: We have a neighbor whose daughter would like us to adopt her baby when he or she is born. Can we adopt her child, or must we go through an agency to find a child?

A: Ohio law clearly allows you to adopt her child. Although you do not have to go through an agency to identify a child who is available for adoption, you must go through the court in order to make an adoption legal. It is wise to consult an adoption attorney when going through this process.

Q: Friends of ours want to advertise in the newspaper for a child. Can they do this?

A: No. No one who is not certified by the Department of Job and Family Services may buy advertising for adoption purposes, nor may a person offer money or other inducements to parents to part with their children, or in any way knowingly become a party to the separation of a child from its parents or guardians, except through a juvenile court or probate court commitment under Ohio law. Whoever violates this law may be found guilty of a first-degree misdemeanor, which is a criminal offense. However, some other states do allow for advertising. To see which states do, go to the U.S. Department of Health & Human Services site at:

www.childwelfare.gov/systemwide/laws_policies/statutes/advertising.cfm.

Q: What are prospective adoptive parents allowed to do to find potential birth parents?

A: Ohio law allows “targeted” or “identified” adoption referrals. For example, you may know a doctor, lawyer, clergy , counselor, or other person who has learned about a birth mother seeking to place a child for adoption.

Another option is to network for adoption possibilities. For example, you may call or send letters, post-cards or e-mails to family, friends and co-workers, letting them know of your interest in adoption, and asking informally for referrals, and encouraging them to pass the word. You also may want to consider using social networks such as Facebook, Twitter or YouTube, which can be extremely effective.

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This "Law You Can Use" consumer legal information column was provided by the Ohio State Bar Association. It was prepared by Columbus attorney Thomas Taneff, who concentrates on probate and adoption law and has served on the Ohio Adoption Commission.

Articles appearing in this column are intended to provide broad, general information about the law. Before applying this information to a specific legal problem, readers are urged to seek advice from an attorney.