



Understanding Infant Adoption 7

Alaska Adoption Guide for Healthcare Providers & Staff

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Disclaimer: This resource guide is intended for informational purposes only and does not constitute legal advice. It is not a substitute for consultation with hospital legal counsel or a licensed adoption attorney. Adoption laws and procedures vary by jurisdiction and are subject to change. Healthcare providers and staff are strongly encouraged to seek professional legal guidance to ensure compliance with applicable laws and regulations.

Introduction to Adoption

What is Adoption?

Adoption is a legal process where biological parents (also referred to herein as “placing parents” or “birth parents” relinquish their parental rights to their child, allowing the child to be placed in the care of adoptive parents. However, adoption is more than just a legal agreement; it is a life-altering experience that reflects a commitment to a child's love, care, and well-being.

Healthcare providers should have a basic understanding of the three main types of adoption to offer informed support for their patients:

- **Private Adoption:** This is a direct arrangement between birth parents and adoptive parents, often through a licensed adoption agency or attorney. In a private adoption, the birth parents have voluntarily relinquished their parental rights to the child, and the child is placed directly into the legal and physical custody of the adoptive parents. Most private adoptions are “open adoptions,” meaning there will be ongoing contact between the birth parents and adoptive parents. Private adoption is the most common type of adoption that healthcare providers encounter when working in mother-baby and neonatal units.
- **Adoption from Foster Care:** This occurs when a child in state foster care is legally available for adoption after a court has terminated the parental rights of the birth parents. Foster care adoptions often involve older children. Every state has laws and regulations governing foster care and adoption, which are managed by the state's public child welfare agency. If the child is placed for adoption in another state, compliance with the Interstate Compact on the Placement of Children (ICPC) is required.

- **Intercountry Adoption:** The process by which a child born in one country is adopted by a family in another country. The State Department serves as the oversight authority for intercountry adoption in the United States.

For expectant mothers, the adoption journey is filled with complex emotions and culminates in a life-changing decision. The private adoption process allows mothers to create an adoption plan at any point during their pregnancy or after giving birth. In this journey, healthcare providers play a crucial role, providing neutral care and support, facilitating fully informed decision-making, and making ethical referrals to adoption providers. Your role in this process is integral in ensuring the well-being of all patients considering this option.

Important Terminology

The biological parent signs adoption consent or relinquishment, authorizing the court to terminate her parental rights:

- Before adoption consents are signed, refer to the biological parent as an **“expectant parent”** or **“parent”**
- A parent making an adoption plan for their child is called a **“placing parent”**
- After adoption consents are signed, refer to the biological parent as a **“birth parent.”**

Support for Patients Considering Adoption

Expectant parents should have access to a variety of support resources from the moment they begin considering adoption through the completion of the process and beyond. Below is a summary of the services and providers that can assist patients in finding the appropriate support.

Pregnancy Options Counseling

Many non-profit organizations in Alaska offer pregnancy options counseling for expectant mothers. The purpose of this counseling is to help women consider their available options during pregnancy. It is important to note that not all pregnancy centers provide the same services. For instance, some pregnancy resource centers do not offer information or referrals for abortion. However, most centers typically provide services such as pregnancy testing, ultrasounds, maternity clothes, parenting assistance, resource referrals, parenting classes, and counseling. Generally, these organizations do not charge fees unless they also operate a licensed medical clinic on site.

Ethical & Effective Referrals

Empowering patients in their decision-making process is key. When making a referral to an adoption provider, it's important to present at least three options. This allows the patient to understand the range of services available and choose the one that best suits her needs. See the Understanding Infant Adoption curriculum handouts [Questions for Healthcare Practitioners to Ask Adoption Agencies and/or Attorneys](#) and [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

Choosing an Adoption Provider

The internet is full of adoption providers offering help to expectant parents, but not all of these entities have your patients' best interests at heart. It's essential to understand the different types of adoption professionals available:

- **Licensed Adoption Agencies:** Adoption agencies are licensed by the state to provide adoption services to expectant/birth parents and adoptive families. These services can include social work, home studies, adoption education, pregnancy counseling, adoption matching, and post-placement care. Agencies work to ensure that social and emotional challenges are addressed through social work and counseling, while also ensuring compliance with adoption rules and regulations.

- **Licensed Adoption Attorneys:** Attorneys play a vital role in the adoption process. Ideally, the adoptive parents should have their own attorney, and the expectant or birth parents should be represented by a separate attorney. This ensures that everyone's rights are protected and that there are no conflicts of interest. Attorneys in Alaska are licensed by the Alaska State Bar Association.
- **Unlicensed Adoption Intermediaries:** Some adoption providers are not licensed to offer adoption services. Unlicensed adoption intermediaries are also referred to as “advertisers,” matchmakers, “brokers,” or “marketers.” They solicit expectant and adoptive parents for their services through online ads and other marketing tactics and collect substantial matching fees from hopeful adoptive parents. Working with an unlicensed adoption provider can complicate the process for expectant mothers trying to find suitable adoptive parents for their children and can prevent them from getting adequate support and guidance.

More than half of the states in the U.S. have laws prohibiting the use of unlicensed adoption intermediaries, but such laws are frequently overlooked. In Alaska, only a licensed child-placing agency may place a minor for adoption or engage in the business of placing a minor for adoption. See [Alaska Adoption Laws](#) below for further information.

- **Out-of-State Adoption Providers:** With the increasing use of the Internet in the adoption process, patients may choose to work with adoption providers located outside of Alaska. It's crucial to ensure these out-of-state providers are licensed and collaborate with an Alaska-licensed adoption agency and attorney. This not only ensures legal compliance but also the safety and well-being of the patient and the child.

Choosing Prospective Adoptive Parents

The process of selecting adoptive parents requires careful consideration. Expectant parents often have a specific vision of the type of family they wish to find for their child. An Alaska-licensed child-placing agency or attorney can assist expectant parents in identifying potential adoptive families that align with their desired characteristics. Once the expectant parent has reviewed profiles of suitable prospective adoptive parents, she should have the opportunity to meet with them in person whenever possible before making a final decision.

Expectant parents should create a list of questions to ask prospective adoptive parents to ensure they find the right family for their child. However, compiling this list can be overwhelming. See the handout [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

Support After Adoption

Birth parents often experience grief and a range of intense emotional and psychological effects after placing a child for adoption. It is important to provide them with mental health support during this time. Support following adoption can take various forms, including individual counseling, group therapy, and support groups.

Alaska Adoption Laws

Adoption is a complex legal process. Violating state laws can jeopardize the safety of all parties involved, as well as the child's permanency. Below are frequently asked questions regarding Alaska's adoption laws.

Does Alaska allow independent (non-agency) adoptions?

Yes. Alaska does allow independent (non-agency) adoptions, often referred to as "private" or "independent" adoptions. In these cases, the adoption is arranged directly between the birth parents and the adoptive parents, typically with the assistance of an attorney rather than a licensed adoption agency.

Does Alaska allow unlicensed adoption facilitators?

The laws in Alaska do not address this issue.

Does Alaska require that placing parents have separate legal representation?

No, representation is not required, but the birth mother has a right to legal representation if she chooses. However, the law states that counsel is provided at the birth parents' own expense. [Alaska Court Adoption Rules 8 and 9](#)

Are adoptive parents allowed to pay an expectant mother's living expenses?

Yes, adoptive parents may pay for the birth mother's medical or hospital care during prenatal and confinement, and services for the mother relating to the adoption. The court has discretion to determine what level of expenditures is acceptable. [Alaska Stat. § 25.23.090](#)

When can the placing parents sign the adoption consent or relinquishment?

Placing parents are allowed to sign adoption consents at any time after the birth. The consents must be signed in the presence of the court or other persons authorized to take consent. [Alaska Stat. § 25.23.060](#)

If the placing parents are working with an adoption agency, they are allowed to sign adoption consents no sooner than 48 hours after birth. If adoption is facilitated by an attorney but no adoption agency, placing parents are allowed to sign adoption consents at any time after the birth. The consents must be signed in the presence of the court or other persons authorized to take consent. [Alaska Stat. § 25.23.060 \(2024\)](#), [Alaska Admin. Code 7 AAC § 56.330](#)

Can a birth mother who has consented to an adoption change her mind and revoke her consent?

Yes, she can. She may withdraw her consent within 10 days after the consent is signed, or, after the 10-day period has elapsed, if the court finds that revocation is in the best interest of the child. She may do this by delivering written notice to the person who obtained the consent. [Alaska Stat. § 25.23.070](#)

For information on birth fathers' right to revoke their consent, please see below guidance regarding birth fathers.

Are post-adoption contact agreements legally binding in Alaska?

Yes. Alaska requires that the contact agreement be stated in writing with specificity regarding future contact, communication, and visitation with the child. [Alaska Stat. §25.23.180\(j\)](#)

What legal rights do birth fathers have in an Alaska adoption?

In all states, including Alaska, birth fathers' legal rights in adoption depend on various factors, such as their legal relationship with the child's mother and their actions before and after being notified of the adoption proceedings. Birth fathers who wish to understand and enforce their legal rights should consult with an Alaska adoption attorney for guidance.

What to do when you suspect a violation in your hospital?

If you witness violations of Alaska law in your hospital or healthcare clinic, you should immediately file a report. Where you file the report will depend on the type of entity or individual who has committed the offense. If you witness repeated offenses, please alert your healthcare administration office.

Type of Entity	Where to Report	Contact Information
Licensed Adoption Agency	Alaska Department of Health and Social Services, Office of Children's Issues, Community Care Licensing Managers	https://dfcs.alaska.gov/ocs/
Licensed Attorney	Alaska Bar Association	https://alaskabar.org/for-our-community/complaints-against-attorneys/

Child Protection in Alaska

Child Protective Services Referrals

All hospitals, clinics, doctors, physicians, surgeons, medical examiners, nurses, social workers, and mental health professionals are considered mandated reporters. [Alaska Stat. §§ 47.17.020, 47.17.023, and 47.17.024](#)

Child Abuse, Neglect, and Exploitation Definitions under Alaska Law

Under Alaska law, a child is any person under the age of 18. [Alaska Stat. § 25.20.010](#)

- **Child Abuse or Neglect** means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under age 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened. [Alaska Stat. § 47.17.290](#)
- **Maltreatment** means an act or omission that results in circumstances in which there is reasonable cause to suspect that a child may be a child in need of aid, as described in [§ 47.10.011](#), except that for purposes of this chapter, the act or omission need not have been committed by the child's parent, custodian, or guardian. [Alaska Stat. § 47.17.290](#)
- **Neglect** means the failure of the person responsible for the child's welfare to provide the child necessary food, care, clothing, shelter, or medical attention. [Alaska Stat. §§ 47.17.290, 47.10.011, and 47.10.014](#)

Alaska Department of Health and Social Services, Office of Children's Issues Contact Information

Contact the Alaska Department of Health and Social Services, Office of Children's Issues to report incidents of abuse, neglect, or exploitation.

- **Phone Number:** (800) 478-4444
- **Email:** ReportChildAbuse@alaska.gov

*If you suspect sexual abuse, you must report it to both local law enforcement and the Office of Children's Issues. Use the interactive map on the OCI website to locate the appropriate local law enforcement office (<https://dfcs.alaska.gov/ocs/Pages/Report-Child-Abuse.aspx>) or search the online list (<https://dfcs.alaska.gov/ocs/Documents/AK-LawEnforcement.pdf>).

Safe Haven/Safe Surrender Laws and Process

Safe Haven/Safe Surrender laws are designed to prevent the abandonment and endangerment of infants by providing a safe and legal way for parents to relinquish unharmed newborns. These laws allow parents to safely surrender their infant directly to a designated provider, while generally protecting them from criminal liability and prosecution. Additionally, these laws ensure that the relinquishing parent can remain anonymous. It is important to note that Safe Haven/Safe Surrender laws are intended for use in extreme circumstances and are not a substitute for the resources provided in the public child welfare system or private adoption processes.

- **For Immediate Assistance:** Call or text the 24/7 Safe Haven Crisis Helpline at 1-888-510-BABY (2229)

What are the age restrictions for a Safe Haven/Safe Surrender relinquishment in Alaska?

The infant must be less than 21 days old. [*Alaska Stat. §§ 11.81.500 and 47.10.013*](#)

Who can relinquish the infant under Safe Haven/Safe Surrender laws?

The parent of the child may relinquish the infant. [*Alaska Stat. § 47.10.013*](#)

Who are the designated Safe Haven/Safe Surrender providers?

In Alaska, a parent may relinquish the infant for a Safe Haven/Safe Surrender to Peace officers, other medically trained individuals including doctors, nurses, or health aides; a person who is employed by or is a volunteer for a fire department or emergency medical service, if the person is acting within the scope of the person's fire department or emergency medical service duties; or any person the parent reasonably believes would keep the infant safe and provide appropriate care. [*Alaska Stat. § 47.10.013*](#)

Putative Father Registry

A putative father is a person who claims to be the father of a child and wants to establish paternity. The A putative father is a person who claims to be the father of a child and wants to establish paternity. The purpose of a registry is to allow an unmarried father of a born or unborn child to register his name so he will be notified before the child is placed for adoption. The father does not have to be listed on the birth certificate to register.

Alaska does not have a putative father registry. More information about paternity procedures is available at <https://courts.alaska.gov/shc/family/shcpaternity.htm>.

Alaska Adoption Service Providers

Licensed Private Adoption Agencies

In Alaska, adoption agencies are licensed by the state Office of Children's Issues. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents. Some agencies are licensed in multiple states.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **Agape Adoptions**
15605 Main St E
Sumner, WA 98390
Phone: (253) 987-5804
agape@agapeadoptions.org
<https://agapeadoptions.org/>
- **Alaska Adoption Services**
471 W 36th Ave Ste 201
Anchorage, AK 99503
Phone: (907) 302-6332
Fax: (907) 302-6393
info@alaskaadoptionsservices.org
<https://www.alaskaadoptionsservices.org>

Licensed Adoption Attorneys

This listing reflects the current Alaska fellows of the [American Academy of Adoption & Assisted Reproduction Attorneys](#) and may not be representative of all attorneys in the state working in the field of adoption law. Some attorneys hold licensure in more than one state.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **J. Stefan Otterson**
8240 Sandlewood Pl Ste 102
Anchorage, AK 99507
Phone: (907) 868-5050
Fax: (907) 868-5060
<http://www.aklaw.pro/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Alaska Bar Association](#)
- [Alaska Office of Children's Issues](#)
- [Alaska Statutes](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)

About the Adoption-Sensitive Clinical Care Project

It is critical that expectant parents who may wish to place a child for adoption have access to appropriately trained staff and comprehensive supports throughout the adoption process. The federally-funded Adoption-Sensitive Clinical Care Project and the Understanding Infant Adoption curriculum are being administered by [National Council For Adoption](#) (NCFA), [The Adoption & Foster Care Clinic](#), [Spaulding for Children](#), and [University of Washington School of Social Work](#) for the project period 2024-2026.

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