



Understanding Infant Adoption 7

Arizona 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 some of the available services and providers that patients can access to find appropriate support.

Pregnancy Options Counseling

Many non-profit organizations in Arizona 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 Arizona are licensed by the Arizona 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. It is very appropriate to ask an agency to see a copy of their state-issued child-placing agency license.

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. 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 Arizona, only a licensed child-placing agency may place a minor for adoption or engage in the business of placing a minor for adoption. See [Arizona 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 Arizona. It's crucial to ensure these out-of-state providers are licensed and collaborate with an Arizona-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 Arizona-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.

Arizona 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 Arizona's adoption laws.

Does Arizona allow independent (non-agency) adoptions?

Yes. Arizona 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 Arizona allow unlicensed adoption facilitators?

No, Arizona does not permit unlicensed adoption facilitators. Only a licensed child-placing agency or attorney is authorized to place a minor for adoption or to engage in the business of placing minors for adoption. Violating this law is classified as a Class A misdemeanor for the first offense and a Class 6 felony for any subsequent offenses. [Ariz. Rev. Stat. Ann. § 8-128](#); [Ariz. Rev. Stat. Ann. § 8-130](#)

Does Arizona require that placing parents have separate legal representation?

The laws in Arizona do not address this issue.

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

Yes, adoptive parents may pay for the birth mother's medical, counseling, and legal expenses. Living expenses are permitted during pregnancy and a six-week recovery period, or eight weeks if she has had a c-section delivery. Living expenses in excess of \$1,000 must be pre-approved by the court. [Ariz. Rev. Stat. Ann. § 8-114](#)

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

Placing parents are allowed to sign adoption consents 72 hours after the child's birth. These consents must take place in the presence of two or more credible witnesses who are at least 18 years of age or a notary public. [Ariz. Rev. Stat. Ann. § 8-107\(A\)](#)

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

No, she cannot. A consent is irrevocable upon signature unless it was obtained through fraud, duress, or undue influence. [Ariz. Rev. Stat. Ann. § 8-106\(D\)](#)

Are post-adoption contact agreements legally binding in Arizona?

Yes, they are. The agreement must be in writing and approved by the court. While Arizona law does allow for these agreements to be enforced, the law also states that adoptive parents may terminate contact between the birth parent and adoptive child at any time if the adoptive parent believes that this contact is not in the child's best interests. [Ariz. Rev. Stat. Ann. § 8-116.01](#)

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

In all states, including Arizona, 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 Arizona adoption attorney for guidance.

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

If you witness violations of Arizona 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	Arizona Department of Child Safety, Office of Licensing and Regulation	https://dcs.az.gov/olr CWL@azdcs.gov

Type of Entity	Where to Report	Contact Information
Licensed Attorney	State Bar of Arizona	https://www.azbar.org/for-the-public/concerns-about-your-legal-professional/
Unlicensed Adoption Facilitator	Local Law Enforcement Arizona Department of Child Safety	DCS: (602) 255-2500

Child Protection in Arizona

Child Protective Services Referrals

Physicians, physician's assistants, optometrists, dentists, osteopathic physicians, behavioral health professionals, nurses, psychologists, counselors, and social workers are considered mandated reporters. [Ariz. Rev. Stat. Ann. § 13-3620.A](#)

Child Abuse, Neglect, and Exploitation Definitions under Arizona Law

Under Arizona law, a child is any person under the age of 18. [Ariz. Rev. Stat. Ann. § 1-215](#)

- **Child Abuse:** A person presently under the age of 18 is the subject of physical, sexual or emotional abuse, neglect, abandonment or exploitation which a parent, guardian or custodian has inflicted, may inflict, permitted another person to inflict or had reason to know another person may inflict AND contains sufficient information to locate the child. [Ariz. Rev. Stat. Ann. § 8-802](#)
- **Child Neglect:** The inability or unwillingness of a parent, guardian or custodian of a child to provide that child with supervision, food, clothing, shelter or medical care if that inability or unwillingness causes substantial risk of harm to the child's health or welfare, except if the inability of a parent or guardian to provide services to meet the needs of a child with a disability or chronic illness is solely the result of the unavailability of reasonable services.

Also includes **Prenatal Substance Exposure** to Newborn Infant (under 30 days of age) or Infant (from birth up to one year of age):

- Newborn Infant (under 30 days of age) - Determination by a health professional that a newborn infant (under 30 days of age) was exposed prenatally to a drug or substance listed in section 13-3401 and that this exposure was not the result of a medical treatment administered to the mother or the newborn infant by a health professional
- Infant (from birth up to one year of age) - A substance exposed infant, from birth up to one year of age, who is demonstrably adversely affected by the mother's use of a dangerous drug, a narcotic drug or alcohol during pregnancy. A dangerous drug or narcotic drug has the same meaning as defined in Ariz. Rev. Stat. Ann. § 13-3401
- Diagnosis by a health professional of an infant under one year of age with clinical findings consistent with) fetal alcohol syndrome (FAS) or fetal alcohol effects (FAE).

[Ariz. Rev. Stat. Ann. § 8-201 \(22\)](#)

Arizona Department of Child Safety Contact Information

Contact the Arizona Department of Child Safety to report incidents of abuse, neglect, or exploitation. except if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a peace officer only.

- **Phone Number:** 1-888-SOS-CHILD (1-888-767-2445)
- **Guardian Portal**, a secure website for mandated reporters of child abuse and neglect to report *non-emergency* concerns, as authorized by Ariz. Rev. Stat. § 13-3620:
<https://guardian.dynamics365portals.us/>

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 essential to note that Safe Haven/Safe Surrender laws are intended for use in extreme circumstances and should not be considered a substitute for the resources available 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) or call the Arizona Safe Baby Haven Foundation Hotline at 1-866-707-2229.

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

The infant must be 30 days old or younger. [Ariz. Rev. Stat. Ann. § 13-3623.01](#)

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

The parent of the child, or an agent of the parent, may relinquish the infant. [Ariz. Rev. Stat. Ann. § 13-3623.01](#)

Who are the designated Safe Haven/Safe Surrender providers?

In Arizona, a parent may relinquish the infant for a Safe Haven/Safe Surrender to: a firefighter on duty, an emergency medical technician on duty, a medical staff person at a general hospital or a rural general hospital on duty, a staff member or volunteer at a licensed private child welfare agency which posts a public notice that it is willing to accept a newborn infant, a staff member or volunteer at a licensed private adoption agency which posts a public notice that it is willing to accept a newborn infant, and a staff member or volunteer at a church which posts a public notice that it is willing to accept a newborn infant. [Ariz. Rev. Stat. Ann. § 13-3623.01](#)

Putative Father Registry

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.

The Putative Father Registry was established by [Ariz. Rev. Stat. § 8-106.01](#) and is maintained by the Arizona Department of Health Services, Bureau of Vital Records. Information about the Arizona Putative Father Registry is available at <https://www.azdhs.gov/documents/licensing/vital-records/correction-paternity-claim.pdf>.

Arizona Adoption Service Providers

Licensed Private Adoption Agencies

In Arizona, adoption agencies are licensed by the state Department of Child Safety, Office of Licensing and Regulation. 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.

* Denotes a for-profit agency.

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

- **A Child's Dream***
19491 Front St NE
Poulsbo, WA 98370
Phone: (800) 247-8280
adoption@achildsdream.org
<https://www.achildsdream.org/>
- **Adoption Choices of Arizona***
2516 E University Dr Ste 208
Phoenix, AZ 85034
Phone: (602) 396-5205
Contact Form: <https://www.adoptionchoicesofarizona.org/contact-us/>
<https://www.adoptionchoicesofarizona.org/>
- **Adoption Solutions of Arizona**
1200 N. El Dorado Pl Ste B-260
Tucson AZ 85715
Phone: (520) 400-4775
Fax: (833) 233-3161
jackiemkomar@gmail.com
<https://adoptionsolutionsofaz.org/>
- **Agape Adoption Agency of Arizona**
4302 E Broadway Rd
Phoenix, AZ 85040
Phone : (480) 272-7994
Fax: (480) 323-2064
a.long@agapeaz.org
<https://www.agapeaz.org/>
- **American Adoptions**
3180 E Grant Rd Ste B
Tuscon, AZ 85716
Phone: (800) 236-7846
<https://www.americanadoptions.com/>
- **Building Arizona Families**
8433 North Black Canyon Hwy Bldg 6 Ste 152
Phoenix, AZ 85021
Phone: (623) 936-4729
info@buildingarizonafamilies.com
<https://www.buildingarizonafamilies.com/>
- **Christian Family Care**
2346 N Central Ave
Phoenix, AZ 85004
Phone: (602) 234-1935
Fax: (602) 562-0435
Contact Form: <https://cfcare.org/counseling-support/pregnancy-counseling-1/>
<https://cfcare.org/>

- Courageous Hearts Adoptions, Inc.**
 3180 E Grant Rd
 Tucson, AZ 85716
 Phone: (520) 649-9994
info@chadoptions.org
<https://chadoptions.org/>
- Gift of Life Adoptions***
 2266 S Dobson Rd Ste 200
 Mesa, AZ 85202
 Phone: (800) 216-5433
 Contact Form: <https://giftoflifeadoptions.com/contact-us/>
<https://giftoflifeadoptions.com/>
- Infant & International Adoption Options (Nightlight Christian Adoptions)**
 Phone: (623) 680-8244
info@nightlight.org
<https://azadoptionoptions.com/>
- Joining Hearts**
 5151 N 19th Ave
 Phoenix, AZ 85015
 Phone: (888) 818-4445
here4u@joiningheartsaz.org
<https://joiningheartsaz.org/>
- Mother Goose Adoptions**
 11602 N 88th Pl
 Scottsdale, AZ 85260
 Phone: (855) 571-2229
info@mothergooseadoptions.com
<https://www.mothergooseadoptions.com/>
- Open Arms Adoption Agency**
 8573 W Malapai Dr
 Peoria, AZ 85345
 Phone: (206) 492-4196
info@openarmsadoptionagency.com
<https://openarmsadoptionagency.com/>
- Premier Adoption Agency**
 840 Pinnacle Ct Ste 9-A
 Mesquite, NV 89027
 Phone: (702) 346-4922
info@premieradoption.org
<https://www.premieradoption.org/>

- **Spence-Chapin**
120 E 16th St 11th Fl
New York, NY 10003
Phone: (480) 207-5050
azinfo@spence-chapin.org
<https://spence-chapin.org/>

Licensed Adoption Attorneys

This listing reflects the current Arizona fellows of the [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.

- **Kristy Blackwell**
3920 South Alma School Rd Ste 5
Chandler, AZ 85286
Phone: (480) 420-2900
Fax: (480) 420-2911
Contact Form: <https://stuartandblackwell.com/contact/>
<https://www.stuartandblackwell.com>
- **Tiffany D. Hill**
4742 N 24th St Ste 300
Phoenix, AZ 85016
Phone: (602) 522-8700
Fax: (602) 522-8706
thill@adoptaz.com
<https://www.adoptaz.com>
- **Phillip “Jay” McCarthy, Jr.**
112 N Elden St
Flagstaff, AZ 86001
Phone: (928) 779-6951
Fax: (928) 773-1312
Contact Form: <https://www.mangumwall.com/contact-us>
<https://www.mangumwall.com>
- **Kathryn Pidgeon**
4742 N 24th St Ste 300
Phoenix, AZ 85016
Phone: (602) 522-8700
Fax: (602) 522-8706
kpidgeon@adoptaz.com
<https://www.adoptaz.com>

- **Shawna Riggers**
3225 N Central Ave Ste 100
Phoenix, AZ 85012
Phone: (480) 448-0608
Fax: (480) 247-4780
Contact Form: <https://www.azfamilylawattorneys.com/contact/>
<https://www.azfamilylawattorneys.com>
- **Heather Strickland**
3180 E Grant Rd
Tucson, AZ 85716
Phone: (520) 327-6041
Fax: (520) 326-9097
info@MyersStrickland.com
<https://www.arizonaadoptionlaw.com>
- **Cory Stuart**
3920 S Alma School Rd Ste 5
Chandler, AZ 85286
Phone: (480) 420-2900
Fax: (480) 420-2911
Contact Form: <https://stuartandblackwell.com/contact/>
<https://www.stuartandblackwell.com>
- **Daniel Ziskin**
PO Box 7447
Phoenix, AZ 85011-7447
Phone: (602) 234-2280
Fax: (602) 274-9297

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Arizona Department of Child Safety](#)
- [Arizona Revised Statutes](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [State Bar of Arizona](#)

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.

The project is supported by the Administration for Children and Families (ACF) of the United States (U.S.) Department of Health and Human Services (HHS) as part of a financial assistance award (award #90CO1147-01-00) totaling \$1,000,000 with 100 percent funded by ACF/HHS. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement, by ACF/HHS, or the U.S. Government. For more information, please visit the ACF website, [Administrative and National Policy Requirements](#). This information is in the public domain.

