



Understanding Infant Adoption 7

California 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 the 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 California 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 California are licensed by the California 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. In California, only a licensed child-placing agency may place a minor for adoption or engage in the business of placing a minor for adoption. Refer to [California Adoption Laws](#), below, for additional 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 California. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a California-licensed adoption agency and attorney to ensure that the placing parents receive local support before, during, and after adoption. 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 California-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.

California Adoption Laws

Adoption is a complete 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 California's adoption laws.

Does California allow independent (non-agency) adoptions?

Yes. California does allow independent (non-agency) adoptions, often referred to as "private" or "independent" adoptions. However, the attorney cannot be paid to make a match between the birth parent and the prospective

adoptive parent. In these cases, the adoption is arranged directly between the birth parents and the adoptive parents, with the attorney providing legal services.

Does California allow unlicensed adoption facilitators?

No. California does not permit unlicensed adoption facilitators. Only a licensed child-placing agency is authorized to place a minor for adoption or to engage in the business of placing minors for adoption. Violators of this law are guilty of a misdemeanor. [Cal. Fam. Code § 8609](#)

Does California require that placing parents have separate legal representation?

No. Placing parents in California are not required to have separate legal representation. However, birth parents are required to be notified of their right to have an independent attorney advise and represent them in the adoption proceeding, and that the prospective adoptive parents may be required to pay the reasonable attorney's fees. [Cal. Fam. Code § 8800](#)

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

Yes. Adoptive parents are allowed to pay an expectant mother's attorney's fees, medical fees and expenses, counseling fees, or reasonable living expenses, provided that the request for payment of said expenses is made in writing. Further, the birth mother is required to provide receipts for expenses to the adoptive parents and the court. [Cal. Fam. Code. § 8812](#)

When can the birth mother sign the adoption consent or relinquishment?

Consent may not be signed until after the birth mother is discharged from the hospital. However, if the birth mother stays in the hospital longer than the child, consent may be signed when the child is discharged from the hospital. Consent must be signed in the presence of an adoption service provider. [Cal. Fam. Code. § 8801.3\(b\)](#)

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

Yes, she can. In an independent adoption, she may revoke her consent by way of a written statement within thirty days of signing. [Cal. Fam. Code. § 8814.5\(a\)\(1\)](#)

In an agency adoption, she may revoke her consent at any time before its acknowledgement by the State, which practically means no earlier than the end of the business day following the signing and no later than ten business days after receipt of the filing by the state. She may waive her revocation period, which would cause the relinquishment to become irrevocable at 5:00 p.m. the business day after signing. [Cal. Fam. Code § 8700](#)

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 California?

Yes, but the agreement must be filed with the Court at or before the adoption is finalized and must contain certain provisions contained in the code. [Cal. Fam. Code. § 8616.5\(b\)\(2\)-\(l\)](#)

What legal rights do birth fathers have in a California adoption?

In all states, including California, 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 a California adoption attorney for guidance.

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

If you witness violations of California 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 are witnessing repeated offenses, alert your healthcare administration office.

Type of Entity	Where to Report	Contact Information
Licensed Adoption Agency	California Department of Social Services, Community Care Licensing Division	https://www.cdss.ca.gov/inforesources/ccld-complaint-hotline (844) 538-8766 letusno@dss.ca.gov
Licensed Attorney	The State Bar of California	https://www.calbar.ca.gov/Public/Complaints-Claims
Unlicensed Adoption Facilitator (Unlicensed Adoption Advertising)	California Department Dept of Social Services, Community Care Licensing Division	https://www.cdss.ca.gov/inforesources/ccld-complaint-hotline (844) 538-8766 letusno@dss.ca.gov

Child Protection in California

Child Protective Services Referrals

Medical professionals, mental health and social workers, and clergy are among the 46 professionals defined as mandated reporters in the state of California. [Cal. Welf. & Inst. Code § 300](#); [Pen. Code § 11165.7](#)

Child Abuse, Neglect, and Exploitation Definitions under California Law

Under California law, a child is any person under the age of 18. [Cal. Fam. Code § 6500](#)

- **Child Abuse or Neglect** includes physical injury by other than accidental means, sexual abuse, neglect, willful harm or injury, endangerment of the child's person or health, and unlawful corporal punishment or injury. [Cal. Welf. & Inst. Code § 300](#); [Pen. Code § 11165.6](#)
- **Neglect** means negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare—such as negligent failure to protect the child from severe malnutrition and intentional failure to provide adequate food, clothing, shelter, or medical care. Includes both intentional acts as well as omissions on the part of the responsible person. [Cal. Welf. & Inst. Code § 300](#); [Pen. Code § 11165.2](#)

California Department of Social Services, Child Protective Services County Offices Contact Information

- **24-Hour Hotlines by County:** <https://www.cdss.ca.gov/reporting/report-abuse/child-protective-services/report-child-abuse>

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 California?

The infant must be 72 hours old or younger. [Cal. Penal Code § 271.5](#)

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

The child may be relinquished by his or her parent or other person having lawful custody. [Cal. Penal Code § 271.5](#)

Who are the designated Safe Haven/Safe Surrender providers?

A child may be left at a safe-surrender site that includes either:

- A location designated by the board of supervisors of a county or by a local fire agency, upon the approval of the appropriate local governing body of the agency, to be responsible for accepting physical custody of a child
- A location within a public or private hospital that is designated by that hospital to be a safe-surrender site

[Cal. Penal Code § 271.5](#); [Health & Safety Code § 1255.7](#)

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.

California does not have a state registry. However, the state does have a process for a Voluntary Declaration of Parentage (VDOP). More information is available at <https://selfhelp.courts.ca.gov/VDOP> and <https://parentage.dcss.ca.gov/>.

California Adoption Service Providers

Licensed Private Adoption Agencies

In California, adoption agencies are licensed by the state Community Care Licensing Division within the state Department of Social Services. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents; an online listing of all California-licensed agencies is available from <https://cdss.ca.gov/inforesources/adoptions/directory-of-public-and-licensed-california-adoption-agencies>. Some agencies are licensed in multiple states.

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

- **Adopt International & Domestic Services**
1000 Brannan St Ste 301
San Francisco, CA 94103
Phone: (415) 934-0300
adopt@adoptinter.org
<https://www.adoptinter.org>

- **Adoption Connection**
1710 Scott St
San Francisco, CA 94115
Phone: (415) 359-2494
families@adoptionconnection.org
<https://adoptionconnection.jfcs.org>
- **Adoptions Unlimited, Inc.**
4091 Riverside Dr Ste 115
Chino, CA 91710
(909) 902-1412
Adoption4U@aol.com
<https://www.adoptionsunlimited.org>
- **Chrysalis House Inc.**
7395 N Palm Bluffs Ave Ste 106
Fresno, CA 93711
Phone: (559) 229-9862
megan@chrysalishouse.com
<https://www.chrysalishouse.com>
- **Family Connections Christian Adoptions**
4101 Tully Rd Ste 501
Modesto, CA 95356
Phone: (209) 524-8844
info@fcadoptions.org
<https://www.fcadoptions.org>
- **Family Network Adoption Center**
7957 California Ave
Fair Oaks, CA 95628
Phone: (916) 480-1101
info@fnadopt.org
<https://www.fnadopt.org>
- **Heartsent Adoptions, Inc.**
1801 Oakland Blvd Ste 110
Walnut Creek, CA 94596
Phone: (925) 254-8883
adoptions@heartsent.org
<https://www.heartsent.org>
- **Holy Family Services Adoption and Foster Care**
840 Echo Park Ave
Los Angeles, CA 90026
Phone: (213) 202-3900
Toll-Free: (800) 646-2367
info@hfs.org
<https://www.hfs.org>

- **Hope 4 Kids Adoption**
34071 La Plaza Ste 200
Dana Point, CA 92692
Phone : (949) 496-9430
info@hope4kids.com
<https://www.hope4kids.com>
- **International Christian Adoptions**
41745 Rider Way Ste 2
Temecula, CA 92590
Phone: (951) 695-3336
info@4achild.org
<https://icakids.org>
- **Koinonia Family Services – Adoptions Administration**
3733 Taylor Rd
Loomis, CA 95650
Phone: (916) 577-7980
Toll-Free: (877) 223-6784
adoptionadmin@kfh.org
<https://kfh.org>
- **Korean American Family Services**
3727 W 6th St Ste 512
Los Angeles, CA 90020
Phone: (213) 389-6755
affi@kamla.org
<https://www.kfamla.org>
- **Life Adoption Services Inc.**
440 W Main St
Tustin, CA 92780
Phone: (714) 838-5433
info@lifeadoption.org
<http://www.lifeadoption.org>
- **Nightlight Christian Adoptions**
1528 Brookhollow Dr #100
Santa Ana, CA 92705
Phone: (714) 693-KIDS (5437)
info@nightlight.org
<https://nightlight.org>
- **Pact, An Adoption Alliance**
5515 Doyle Ave Ste 1
Emeryville, CA 94608
Phone: (510) 243-9460
Toll-Free: (800) 750-7590
adoptions@pactadopt.org
<https://pactadopt.org>

- **Vista Del Mar Child and Family Services**
3200 Motor Ave
Los Angeles, CA 90034
Phone: (310) 836-1223
geninfo@vistadelmar.org
<https://www.vistadelmar.org/>

Licensed Adoption Attorneys

This listing reflects the current California licensed 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.

- **Lauren Bates**
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Carlsbad, CA 92011
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- **Melissa Cianci**
3000 Lava Ridge Ct Ste 115
Roseville, CA 95661
Phone: (916) 797-1575
Fax: (916) 797-1399
Contact Form: <https://www.ciancilaw.com/contact-us/>
<http://www.ciancilaw.com/>
- **Kristine E. Colburn**
3033 Fifth Ave Ste 430
San Diego, CA 92103
Phone: (619) 231-2085
Fax: (619) 231-2024
Contact Form: <https://stockscolburn.com/contact/>
<https://stockscolburn.com/>
- **D. Durand Cook**
10170 Culver Blvd
Culver City, CA 90232
Phone: (323) 655-2601
Fax: (323) 852-0871
info@adoption-option.com
<http://adoption-option.com/>
- **Jill Cucullu**
140 S Lake Ave Ste 348
Pasadena, CA 91101
Phone: (626) 535-9350
jill@adoptionlawgroup.com
<https://www.adoptionlawgroup.com/>

- **Douglas R. Donnelly**
674 County Square Dr #103
Ventura, CA 93003
Phone: (805) 962-0988
Fax: (805) 966-2993
Contact Form: <https://adoptionlawfirm.com/contact/>
<https://adoptionlawfirm.com/>
- **Michelle B. Evans**
674 County Square Dr #103
Ventura, CA 93003
Phone: (805) 962-0988
Fax: (805) 966-2993
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<https://adoptionlawfirm.com/>
- **Allen C. Hultquist**
28581 Old Town Front St
Temecula, CA 92590-2724
Phone: (951) 302-7777
Fax: (951) 848-0961
- **Tabitha Lundberg Koh**
2722 NE 33rd Ave
Portland, OR 97212
Phone: (503) 238-9720
Fax: (503) 239-3989
Contact Form: <https://bckattorneys.com/contact-us/>
<http://www.bckattorneys.com/>
- **Karen Lane**
10940 Wilshire Blvd Ste 1600
Los Angeles, CA 90024
Phone: (424) 228-7727
karenrlane@sbcglobal.net
<https://www.klane-adopt.com/>
- **Celeste E. Liversidge**
140 S Lake Ave Ste 348
Pasadena, CA 91101
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<http://www.truadopt.org/>
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Phone: (858) 451-6269
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3033 Fifth Ave Ste 305
San Diego, CA 92103
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smatteson@stockscolburn.com
<https://stockscolburn.com/>
- **Meldie M. Moore**
361 Forest Ave Ste 201
Laguna Beach, CA 92651
Phone: (949) 336-7711
Fax: (949) 755-7511
Contact Form: <https://moorelawoc.com/lets-connect/>
<http://www.moorelawoc.com/>
- **Karin Stoeckenius**
73556 Malabata Dr
Palm Desert, CA 92260
Phone: (415) 643-4523
- **Stephanie A. Stout**
10400 Overland Rd #307
Boise, ID 83709
Phone: (208) 996-3710
Contact Form: <https://www.familybuilding.com/contact>
<https://www.familybuilding.com/>
- **Robert R. Walmsley**
PO Box 552
2901 Grand Ave Ste E
Los Olivos, CA 93441
Phone: (805) 697-7390
Fax: (805) 697-7410
<https://www.jarrettewalmsley.com/>
- **Ted R. Youmans**
155 N Riverview Dr Ste 204
Anaheim Hills, CA 92808
Phone: (714) 408-2900
Fax: (714) 333-4427
Contact Form: <https://www.familybuilding.com/contact>
<https://www.familybuilding.com/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [California Department of Social Services - Adoption](#)
- [California Legislative Information – Code Search](#)

- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [The State Bar of California](#)

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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