



Understanding Infant Adoption 7

North Carolina 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 North Carolina 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 North Carolina are licensed by the North Carolina 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. In North Carolina, only licensed child placement agencies may receive any money or anything of value for the placement, relinquishment, or assistance in the placement of a child for adoption. See [North Carolina 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 North Carolina. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a North Carolina-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. A North Carolina-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.

North Carolina 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 North Carolina's adoption laws.

Does North Carolina allow independent (non-agency) adoptions?

Yes. North Carolina 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 North Carolina allow unlicensed adoption facilitators?

No. North Carolina does not permit unlicensed adoption facilitators. Only licensed child placement agencies may receive any money or anything of value for the placement, relinquishment, or assistance in the placement of a child for adoption [N.C. Gen. Stat. §§ 48-1-101\(3\), 48-3-201, 48-10-102, 48-10-103, \(2024\)](#)

Does North Carolina require that placing parents have separate legal representation?

The laws in North Carolina do not address this issue.

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

Yes, Adoptive parents may pay the birth mother or the providers for adoption services, medical expenses, counseling services, living expenses during the pregnancy and for six weeks after the birth, and legal services. [N.C. Gen. Stat. § 48-10-103 \(2024\)](#)

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

Consent can be executed any time after the child's birth. [N.C. Gen. Stat. § 48-3-604 \(2024\)](#)

Can placing parents who have consented to an adoption change their mind and revoke their consent?

Yes. Consent may be revoked for a period of seven (7) days after it is signed. [N.C. Gen. Stat. § 48-3-608 \(2023\)](#)

Are post-adoption contact agreements legally binding in North Carolina?

No, they are not. [N.C. Gen. Stat. § 48-3-610 \(2024\)](#)

What legal rights do birth fathers have in a North Carolina adoption?

In all states, including North Carolina, 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 North Carolina adoption attorney for guidance.

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

If you witness violations of North Carolina 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	County Department of Social Services (DSS)	<u>https://www.ncdhhs.gov/divisions/social-services/child-welfare-services/child-protective-services/about-child-abuse-and-child-neglect</u>
Licensed Attorney	North Carolina State	<u>https://www.ncbar.gov/about-us/contact-us/</u>
Unlicensed Adoption Facilitator	Local Law Enforcement	

Child Protection in North Carolina

Mandated Reporters

Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, or has died as the result of maltreatment, is considered a mandated reporter. [N.C. Gen. Stat. § 7B-301](#)

Child Abuse, Neglect, and Exploitation Definitions under North Carolina Law

Under North Carolina law, a juvenile is any person under the age of 18.

- **Abused juvenile** is defined as when any juvenile less than 18 years of age is found to be a minor victim of human trafficking or when the child's parent, guardian, custodian, or caretaker inflicts or allows to be inflicted upon the juvenile a serious physical injury by other than accidental means; creates or allows to be created a substantial risk of serious physical injury to the juvenile by other than accidental means; uses or allows to be used upon the juvenile cruel or grossly inappropriate procedures or cruel or grossly inappropriate devices to modify behavior; or creates or allows to be created serious emotional damage to the juvenile; encourages, directs, or approves of delinquent acts involving moral turpitude committed by the juvenile; or commits or allows to be committed an offense of human trafficking, involuntary servitude, or sexual servitude against the child.
- **Neglected juvenile** is defined as when any juvenile less than 18 years of age is found to be a minor victim of human trafficking or when a child's parent, guardian, custodian, or caretaker does not provide proper care, supervision, or discipline; has abandoned the juvenile; has not provided or arranged for the provision of necessary medical or remedial care; has refused to follow the recommendations of the Juvenile and Family Team; creates or allows to be created a living environment that is injurious to the juvenile's welfare; has participated or attempted to participate in the unlawful transfer of custody of the juvenile; or has placed the juvenile for care or adoption in violation of law.

[N.C. Gen. Stat. § 7B-101](#)

Where to Report

Contact the local county Department of Social Services (DSS) to report incidents of abuse, neglect, or exploitation to the proper state child protection agency. Contact information for your local county DSS can be found here: <https://www.ncdhhs.gov/localDSS>.

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 North Carolina?

The infant must reasonably be believed to be not more than 30 days of age. [N.C. Gen. Stat. § 7B-521](#)

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

A parent of the child may relinquish the infant. [N.C. Gen. Stat. § 7B-520](#)

Who are the designated Safe Haven/Safe Surrender providers?

In North Carolina, a parent may relinquish the infant for a Safe Haven/Safe Surrender through a healthcare provider who is on duty or at a hospital or at a local or district health department or at a nonprofit community health center; a first responder who is on duty, including a law enforcement officer, a certified emergency medical services worker, or a firefighter; or a social services worker who is on duty or at a local department of social services. [N.C. Gen. Stat. § 7B-521](#)

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.

North Carolina does not have a state registry. Paternity is established through identification by biological mother or verified written petition to declare the child legitimate. [*N.C. Gen. Stat. §§ 48-2-206, 401, 402, 404*](#)

Those seeking to establish parentage may learn more about options and procedures at <https://vitalrecords.nc.gov/paternity.htm>.

North Carolina Adoption Service Providers

Licensed Private Adoption Agencies

In North Carolina, adoption agencies are licensed by the state Department of Health and Human Services. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents. A full listing of state-licensed agencies is available from <https://www.ncdhhs.gov/divisions/social-services/agency-listings>. Some agencies are licensed in multiple states.

* Denotes a for-profit agency.

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

- **Amazing Grace Adoptions**
9203 Baileywick Rd Ste 101
Raleigh, NC 27615
Phone: (919) 301-8642
Fax: (919) 239-4737
info@agadoptions.org
<https://agadoptions.org/>
- **Carolina Adoption Services**
1107 Magnolia St Ste B
Greensboro, NC 27401
Phone: (336) 275-9660
Toll-Free: (800) 632-9312
Contact Form: <https://childrensadoptionservices.org/contact/>
Website: <https://childrensadoptionservices.org/domestic-adoption-choices/>
- **Catholic Social Services of the Diocese of Charlotte**
1123 S Church St
Charlotte, NC 28203-4003
Phone: (704) 370-3262
Fax: (704) 370-3290
ccdocr@ccdocr.org
<https://ccdocr.org/>

- Children At Heart Adoption Services, Inc.**
 254 N Front St Ste 200
 Wilmington, NC 28401
 Phone: (910) 763-4414
CAHadoptions@aol.com
<http://childrenatheart.com/>
- Children's Home Society of North Carolina, Inc.**
 PO Box 14608
 Greensboro, NC 27415
 Toll-Free: (800) 632-1400
 Contact Form: <https://chsnc.org/contact/>
 Website: <https://chsnc.org/programs-services/birth-parent-services/>
- A Child's Hope Adoption Services***
 434 Fayetteville St Ste 2135
 Raleigh, NC 27601
 Phone: (919) 971-4396
 Contact Form: <https://achildshope.com/contact/>
<https://achildshope.com/>
- Christian Adoption Services – A Ministry of Baptist Children's Homes of NC**
 7884 Idlewild Rd
 Indian Trail, NC 28079
 Phone: (704) 847-0038
cas@christianadopt.org
<https://www.christianadopt.org/>
- The Gladney Center for Adoption**
 235 Commerce St
 Greenville, NC 27858
 Phone: (252) 650-6850
 Contact Form: <https://adoptionsbygladney.com/contact>
<https://www.adoptionsbygladney.com/>
- International Christian Adoptions, Inc.**
 1800 Martin Luther King Pkwy Ste 200
 Durham, NC 27707
 Phone: (919) 797-9920
info@4achild.org
<https://icakids.org/adoptions/domestic/>
- Lifeline Children's Services**
 2500 Regency Pkwy Ste 243
 Cary, NC 27518
 Phone: (205) 967-0811
northcarolina@lifelinechild.org
<https://lifelinechild.org/states/north-carolina/>

Licensed Adoption Attorneys

This listing reflects the current North Carolina 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.

- **Christopher M. Craig**
149 S Lexington Ave
Asheville, NC 28801
Phone: (828) 258-2888
Fax: (855) 876-7580
info@chriscraiglaw.com
<http://www.chriscraiglaw.com/>
- **Kelly T. Dempsey**
101 S Tryon St Ste 1700
Charlotte, NC 28280
Phone: (704) 384-2622
Fax: (704) 384-2800
kdempsey@foxrothschild.com
<https://www.foxrothschild.com/>
- **Amy Wallas Fox**
4009 Corning Pl Ste E2-112
Charlotte NC 28216
Phone: (704) 702-0300
Amy@southernsurrogacy.com
<http://www.ncbabylaw.com/>
- **Angel S. Gillis**
PO Box 80464
Raleigh, NC 27623
Phone: (919) 907-8538
Contact Form: <https://www.asgadoption.com/contact/>
<https://www.asgadoption.com/>
- **Bobby D. Mills**
PO Box 445
Garner, NC 27529
Phone: (919) 822-5742
Contact Form: <https://millsadoptionlaw.com/contact-us/>
Website: <http://www.millsadoptionlaw.com/>
- **Meredith Nicholson**
113 Broadway St
Durham, NC 27701
Phone: (919) 883-4900
Contact Form: <https://nicholsonpham.com/contact/>
Website: <https://nicholsonpham.com/>

- **Milan T. Pham**
113 Broadway St
Durham, NC 27701
Phone: (919) 883-4900
Contact Form: <https://nicholsonpham.com/contact/>
Website: <https://nicholsonpham.com/>
- **Michele G. Smith**
301 N Elm St Ste 700
Greensboro, NC 27401
Phone: (336) 379-1390
msmith@hillevans.com
<https://hillevans.com/>
- **Thomas J. Thurman**
301 S McDowell St #608
Charlotte, NC 28204
Phone: (704) 377-4164
Fax: (704) 377-5503
thomas@twbglaw.com
<https://www.twbglaw.com/>
- **W. David Thurman**
301 S McDowell St #608
Charlotte, NC 28204
Phone: (704) 377-4164
Fax: (704) 377-5503
david@twbglaw.com
<https://www.twbglaw.com/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [North Carolina Department of Health and Human Services: Adoption and Foster Care](#)
- [North Carolina General Statutes](#)
- [North Carolina State Bar](#)

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.

