



Understanding Infant Adoption 7

Utah 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 Utah 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 Utah are licensed by the Utah 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 Utah, Only a Utah-licensed adoption agency may engage in or solicit money for adoption services. See [Utah 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 Utah. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a Utah-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 Utah-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.

Utah 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 Utah's adoption laws.

Does Utah allow independent (non-agency) adoptions?

Yes. Utah 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 Utah allow unlicensed adoption facilitators?

No. Only a Utah-licensed adoption agency may engage in or solicit money for adoption services. [Utah Code Ann. § 26B-2-127\(2\) \(2025\)](#)

Any person who violates this law is guilty of a third-degree felony. [Utah Code Ann. § 26B-2-127\(4\) \(2025\)](#)

Does Utah require that placing parents have separate legal representation?

The laws in Utah do not address this issue.

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

Yes. Adoptive parents may pay an expectant mother's legal expenses, maternity expenses, medical expenses, hospital expenses, counseling expenses, temporary living expenses, and lost wages during the pregnancy for up to eight weeks after delivery, and expenses for travel. Money from adoptive parents must be given as an act of charity. [Utah Code Ann. § 76-7-203 \(2024\)](#)

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

A birth mother may not consent to the adoption of her child or relinquish control or custody of her child until at least 24 hours after the child's birth. [Utah Code Ann. § 78B-6-124 \(2024\)](#)

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

No. A consent or relinquishment is effective when it is signed and may not be revoked. [Utah Code Ann. § 78B-6-125 \(2024\)](#)

Are post-adoption contact agreements legally binding in Utah?

No, unless the child is adopted from foster care. [Utah Code Ann. § 78B-6-146 \(2024\)](#)

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

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

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

If you witness violations of Utah 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	Utah Department of Human Services, Office of Licensing	https://dlbc.utah.gov/concerns-and-incidents/ (801) 538-4242
Licensed Adoption Attorney	Office of Professional Conduct, Utah Supreme Court	https://www.opcutah.org/file-a-complaint

Type of Entity	Where to Report	Contact Information
Unlicensed Adoption Facilitator Unlicensed Adoption Advertising	Utah Department of Human Services, Office of Licensing	https://dlbc.utah.gov/concerns-and-incidents/ (801) 538-4242

Child Protection in Utah

Child Protective Services Referrals

In Utah, any person, including any person licensed under the Medical Practice Act or the Nurse Practice Act, is required to report. [Utah Code Ann. § 80-2-602 \(2024\)](#)

Child Abuse, Neglect, and Exploitation Definitions under Utah Law

Under Utah law, a child means any individual who is younger than 18 years old. [Utah Code Ann. § 76-5-109 \(2025\)](#)

- **Child Abuse:** Abuse is defined as non-accidental harm or threatened harm of a child or sexual exploitation or sexual abuse. [Utah Code Ann. § 80-1-102 \(2025\)](#)
- **Neglect:** Neglect is defined as an action or inaction that causes abandonment of a child, except a safe relinquishment of a newborn child as provided for in [Utah Code 80-4-502](#); lack of proper parental care by reason of the fault or habits of the parent, guardian, or custodian; failure or refusal of a parent, guardian, or custodian to provide proper or necessary subsistence, education, or medical care, or any other care necessary for the child's health, safety, morals, or well-being; a child at risk of being neglected or abused because another child in the same home is neglected or abused. [Utah Code Ann. § 80-1-102 \(2025\)](#)

Utah Department of Child Protective Contact Information

To report concerns about child abuse, neglect or sexual abuse, contact the state Department of Child Protective Services.

- **Hotline:** (855) 323-3237
- **Online Reporting Form:** <https://dcfs.utah.gov/services/child-protective-services/>

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)
- **Utah Newborn Safe Haven**
(866) 458-0058
utahnewbornsafehaven@gmail.com
<https://utahsafehaven.org/>

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

A newborn child who is approximately 90 days or younger may be voluntarily relinquished. [Utah Code Ann. § 80-4-501 \(2025\)](#)

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

A parent or parent's designee may safely relinquish a newborn child. [Utah Code Ann. § 80-4-502 \(2025\)](#)

Who are the designated Safe Haven/Safe Surrender providers?

The child may be safely relinquished at a hospital. The term 'hospital' means a general acute hospital that meets the following criteria:

- Equipped with an emergency room
- Open 24 hours a day, 7 days a week
- Employs full-time healthcare professionals who have emergency medical services training

[Utah Code Ann. §§ 80-4-501, 80-4-502 \(2025\)](#)

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 Utah Putative Father Registry is operated by the Department of Health and Human Services, Vital Records Office. Information is available at <https://vitalrecords.utah.gov/putative-father-information>.

Utah Adoption Service Providers

Licensed Private Adoption Agencies

In Utah, 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 online at <https://ccl.utah.gov/ccl/#/facilities>. Some agencies are licensed in multiple states.

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

- **A Act of Love**
9561 S 700 E #101
Sandy, UT 84070
Phone: (801) 572-1696
adopt@aactofloveadoptions.com
<https://aactofloveadoptions.com/>
- **Adoption Life**
520 E 770 N
Orem, UT 84097
Phone: (801) 704-5400
Contact Form: <https://adoptionlifeagency.org/contact-us/>
<https://adoptionlifeagency.org/>

- **Children's Service Society Of Utah**
655 East 4500 South Ste 200
Salt Lake City, UT 84107
Phone: (801) 656-8527
Contact Form: <https://cssutah.org/contact-us>
<https://cssutah.org/>
- **Forever Bound Adoption**
4190 W 5800 N
Mountain Green, UT 84050
Phone: (801) 876-3819
info@foreverboundadoption.org
<https://www.foreverboundadoption.org/>
- **Heart To Heart Adoptions**
9669 South 700 East
Sandy, UT 84070
Phone: (801) 563-1000
Fax: (801) 563-9899
Contact Form: <https://hearttoheartadopt.com/contact-us/>
<https://hearttoheartadopt.com>
- **Premier Adoption Agency**
230 N 1680 E Ste D-1
Saint George, UT 84790
Phone: (702) 475-4910
info@premieradoption.org
<https://www.premieradoption.org/>
- **Wasatch International Adoptions**
1140 36th St Ste 204
Ogden, UT 84403
Phone: (801) 334-8683
info@wiaa.org
<https://wiaa.org/domestic-adoption/>

Licensed Adoption Attorneys

This listing reflects the current Utah 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.

- **Larry S. Jenkins**
50 E South Temple St
Salt Lake City, UT 84111
Phone: (801) 350-7632
Fax: (801) 321-4893
<http://www.kmclaw.com/>

- **Lance D. Rich**
50 E South Temple St
Salt Lake City, UT 84111
Phone: (801) 350-7621
Fax: (801) 321-4893
<http://www.kmclaw.com/>
- **Debra J. Wendtland**
2161 Coffeen Ave Ste 301
Sheridan, WY 82801
Phone: (307) 673-4696
<https://wendtlandlaw.com/>
- **Derek J. Williams**
3920 S 1100 E Ste 250
Millcreek, UT 84124
Phone: (801) 466-4266
<https://www.cwfnhlaw.com/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [Utah Department of Health and Human Services: Concerns and Incidents](#)
- [Office of Professional Conduct, Utah Supreme Court](#)
- [Utah Legislature: Code Index](#)

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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