



Understanding Infant Adoption 7

Virginia 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 Virginia 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 Virginia are licensed by the Virginia 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. Virginia does not permit unlicensed adoption facilitators. Only Virginia-licensed child placement agencies may provide adoption services. See [Virginia 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 Virginia. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a Virginia-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 Virginia-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.

Virginia 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 Virginia's adoption laws.

Does Virginia allow independent (non-agency) adoptions?

Yes. Virginia 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 Virginia allow unlicensed adoption facilitators?

No. Virginia does not permit unlicensed adoption facilitators. Only Virginia-licensed child placement agencies may provide adoption services. [Va. Code Ann. § 63.2-1218 \(2024\)](#)

Does Virginia require that placing parents have separate legal representation?

No. However, when the placing parent resides in Virginia and is placing their child for adoption with adoptive parents in another state and the laws of that state will govern the adoption proceeding, the placing parent may not waive Virginia jurisdiction unless they have separate legal representation. [Va. Code Ann. § 63.2-1232\(c\) \(2024\)](#)

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

Yes, adoptive parents may pay an expectant mother's living expenses only if she obtains a doctor's note indicating that she is not able to work due to the pregnancy or post-birth recovery period. They may also pay towards adoption services including counseling, medical expenses, legal expenses, and transportation to court or to any medical, legal or other adoption services. [Va. Code Ann. § 63.2-1218 \(2024\)](#)

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

In an independent adoption, the consent may not be executed until the adoptive child is at least in the third calendar day of life. A birth father may consent to the adoption prior to the birth of the child. An agency relinquishment may be executed immediately after birth, but the revocation period described below does not begin running until the third calendar day of life. [Va. Code § 63.2-1233](#)

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

It depends. Consent is irrevocable if the child who was relinquished was at least 10 days old and if the birth parent(s) were represented by independent legal counsel. Otherwise, there is an automatic seven-day revocation period. [Va. Code § 63.2-1234](#)

Are post-adoption contact agreements legally binding in Virginia?

Yes, subject to the child's best interest. [Va. Code Ann. § 63.2-1220.2, 63.2-1220.3, 63.2-1220.4 \(2020\)](#)

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

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

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

If you witness violations of Virginia 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 | Department of Social Services | https://www.dss.virginia.gov/about/email_licensing_complaint.cgi |
| Licensed Adoption Attorney | Virginia State Bar, agency of the Supreme Court of Virginia | https://www.vsb.org/Site/legal-help/misconduct-claim.aspx |
| Unlicensed Adoption Facilitator Unlicensed Adoption Advertising | Department of Social Services | https://www.dss.virginia.gov/about/email_licensing_complaint.cgi |

Child Protection in Virginia

Child Protective Services Referrals

Among mandated reporters in Virginia are the following:

- Persons licensed to practice medicine or any of the healing arts
- Hospital residents or interns and nurses
- Social workers, family-services specialists, or probation officers
- Professional staff employed by private or state-operated hospitals, institutions, or facilities to which children have been placed for care and treatment
- Emergency medical services providers, unless such providers immediately report the matter directly to the attending physician at the hospital to which the child is transported.

[Va. Code Ann. § 63.2-1509](#)

Child Abuse, Neglect, and Exploitation Definitions under Virginia Law

Under Virginia law, a child is any person under the age of 18.

- **Abused or neglected child** means any child whose parents or other person responsible for their care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon the child a physical or mental injury by other than accidental means or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions; neglects or refuses to provide care necessary for the child's health; abandons the child; commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law; who is unreasonably absent or incapacitated; or who knowingly leaves the child alone in the same dwelling with an unrelated Tier III offender.

[Va. Code Ann. §§ 63.2-100, 16.1-228](#)

Virginia Department of Social Services Contact Information

To report concerns about child abuse, neglect or sexual abuse, contact the Virginia Department of Social Services.

- **VaCPS Portal:** <https://vacps.dss.virginia.gov/VACPSWeb/faces/landingPage.xhtml>
- **CPS Hotline:** (804) 786-8536

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)
- **Virginia Safe Haven Information:** https://www.dss.virginia.gov/community/safe_haven.cgi

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

An infant who is 30 days old or younger may be relinquished.

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

The infant may be relinquished by his or her parent.

Who are the designated Safe Haven/Safe Surrender providers?

A hospital that provides 24-hour emergency services; an attended Emergency Medical Services (EMS) agency that employs emergency medical personnel, such as some fire stations or rescue squads; or a newborn safety device located at and operated by such hospital or emergency medical services agency.

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.

- **Learn more about Virginia's Birth Father Registry:** <https://www.dss.virginia.gov/family/ap/vbfr.cgi>

Virginia Adoption Service Providers

Private Adoption Agencies

The Virginia Department for Children and Families licenses private adoption agencies. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents. A full listing of child placing agencies licensed in Virginia is available online at

<https://www.dss.virginia.gov/facility/search/cpa.cgi>. Some agencies are licensed in multiple states.

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

- **Adoptions From the Heart**
1403 Greenbrier Pkwy Ste 560
Chesapeake, VA 23320
Phone: (757) 361-0008
Contact Form: <https://afth.org/request-information-landing/>
<https://afth.org/>

- Children's Adoption Services**
 10 E Church St Ste 401
 Martinsville, VA 24112
 Phone: (336) 275-9660
 Fax: (336) 273-9804
info@carolinaadoption.org
<https://childrensadoptionservices.org/>
- Adoption Services, Inc.**
 28 Central Blvd
 Camp Hill, PA 17011
 Phone: (800) 943-0400
vince@adoptionsservices.org
<https://www.adoptionsservices.org/>
- The Barker Adoption Foundation**
 7310 Arlington Blvd
 Falls Church, VA 22042
 Phone: (301) 664-9664
 Fax: (301) 664-9604
info@barkerfoundation.org
<https://www.barkeradoptionfoundation.org>
- Bethany Christian Services**
 8100 Three Chopt Rd Ste 110
 Henrico, VA 23229
 Phone: (804) 360-0466
 Contact Form: <https://bethany.org/locations/us/va/richmond/contact>
<https://bethany.org/>
- C2Adopt**
 8100 Three Chopt Road Ste 220
 Henrico, VA 23229
 Phone: (804) 354-1881
 Fax: (804) 355-1001
info@c2adopt.org
<https://c2adopt.org/>
- Catholic Charities of Eastern Virginia**
 1132 Pickett Rd
 Norfolk, VA 23502
 Phone: (757) 456-2366
 Fax: (757) 456-2367
 Contact Form: <https://cceva.org/contact-us/>
<https://cceva.org/>

- Catholic Charities of the Diocese of Arlington**
 3251 Blenheim Blvd Ste 402
 Fairfax, VA 22030
 Phone: (703) 425-0100
adoptinfo@ccda.net
<https://www.ccda.net/>
- Children's Home Society of Virginia**
 4200 Fitzhugh Ave
 Richmond, VA 23230
 Phone: (804) 489-7506
justina@chsva.org
<https://chsva.org>
- Commonwealth Catholic Charities**
 1601 Rolling Hills Dr
 Richmond, VA 23229
 Phone: (804) 285-5900
agency@cccovva.org
<https://www.cccovva.org/>
- Cradle of Hope Adoption Center**
 1934 Old Gallows Rd Ste 350
 Tysons Corner, VA 22182
 Phone: (703) 352-4806
 Contact Form: <https://cradlehope.org/contact-us/>
<https://cradlehope.org/>
- Family Life Services Adoption Agency**
 124 Liberty Mountain Dr
 Lynchburg, VA 24502
 Phone: (434) 845-5334
 Fax: (434) 845-3486
info@familylifeservices.org
- Jewish Family Services**
 6718 Patterson Ave
 Richmond, VA 23226
 Phone (804) 282-5644
 Fax: (804) 285-0006
information@jfsrichmond.org
<https://jfsrichmond.org/>
- Paths for Families**
 5250 Cherokee Ave Ste 203
 Alexandria, VA 22312
 Phone: (703) 689-0404
info@pathsforfamilies.org
<https://pathsforfamilies.org/>

- **Siena Adoption Services**
2776 S Arlington Mill Dr Ste 524
Arlington, VA 22206
Phone: (703) 477-0411
sienaadoptionsservices@gmail.com
<https://www.sienaadoptionsservices.com/>

Licensed Adoption Attorneys

Below is a list of Virginia licensed fellows of the [Academy of Adoption & Assisted Reproduction Attorneys](#). This list 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.

- **Cynthia L. Chaing**
1333 Laskin Rd
Virginia Beach, VA 23451
Phone: (757) 390-3331
Fax: (757) 390-3333
Contact Form: <https://www.chainganders.com/contact-us>
<https://www.chainganders.com/>
- **Barbara C. Jones**
7016 Balmoral Forest Rd
Clifton, VA 20124-1538
Phone: (703) 222-1101
Fax: (703) 222-3393
barbara_jones@cox.net
<https://www.joyfuladoptions.com/>
- **Karen S. Law**
43330 Junction Plz Ste 164 #803
Ashburn, VA 20147
Phone: (703) 723-4385
Fax: (703) 723-7710
<https://www.lawadoption.com/>
- **Janet Ours**
9306 Grant Ave
Manassas, VA 20110
Phone: (571) 292-5651
Fax: (703) 361-6400
info@oldtownadvocates.com
<http://www.oldtownadvocates.com/>
- **Stanton E. Phillips**
PO Box 11226
McLean, VA 22102
Phone: (703) 891-2400
Contact Form: <https://babylaw.us/contact/>
<https://babylaw.us/>

- **Rodney M. Poole**
4901 Dickens Rd Ste 108
Richmond, VA 23230
Phone: (804) 358-6669
Fax: (804) 358-5290
- **Colleen Marea Quinn**
4901 Dickens Rd Ste 101
Richmond, VA 23230
Phone: (804) 548-4563
Fax: (844) -516-0655
colleen@quinnlawcenters.com
<https://www.quinnlawcenters.com/contact>
- **Catelyn Slattery**
11140 Rockville Pike Ste 424
Rockville, MD 20852
Phone: (240) 245-7765
Fax: (240) 491-9551
Contact Form:
<https://modernfamilyformation.cliogrow.com/intake/c51f97e206e10d6b1c85d9dc53fbfbdf>
<https://www.modernfamilyformation.com/>
- **Elizabeth Vaughan**
21351 Gentry Dr Ste 235
Sterling, VA 20166
Phone: (703) 804-9796
Fax: (703) 563-6265
info@vaughanfirm.com
<https://vaughanfirm.com/>
- **Margaret “Maggy” Rose Vaughn**
4085 Chain Bridge Rd Ste 500
Fairfax, VA 22030
Phone: (703) 220-5436
Fax: (703) 821-8994

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Virginia Department of Social Services](#)
- [Virginia State Bar, agency of the Supreme Court of Virginia](#)
- [Virginia Legislature: Code of Virginia](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)

About the Adoption-Sensitive Clinical Care Project

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

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