

# *Glossary of Adoption Terms*

## **Term List**

- Adoption\*
- Adoption Disruption
- Adoption Dissolution
- Adoption and Safe Families Act
- Adoption Home Study
- Amended Birth Certificate
- Confidential Adoption/Confidentiality (a.k.a Closed Adoption)\*
- Consent to Adoption\*
- Direct Placement Adoption\*
- Finalization of Adoption\*
- Foster Care vs. Temporary Home or Transition Family
- Fully Disclosed Adoption (a.k.a. Open Adoption)\*
- Guardianship
- The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption
- Independent Adoption\*
- Indian Child Welfare Act (ICWA)\*
- Interstate Compact on the Placement of Children (ICPC)
- Kinship Adoption
- Legal Risk Adoption\*
- Licensed Child Placing Agency\*
- Multi-Ethnic Placement Act (MEPA)\*
- Mutual Consent Registry\*
- Original Birth Certificate
- Putative Father\*
- Relinquishment of Parental Rights\*
- Safe Haven Laws
- Search and Consent System
- Semi-Open Adoption\*
- Service Members Civil Relief Act\*

- Temporary Home or Transition Family vs. Foster Care\*
- Termination of Parental Rights\*
- Transracial Adoption\*
- Uniform Adoption Act

*\*Key adoption terms covered in the training*

## Definitions

**Adoption** is a legal process in which all parental rights and responsibilities are transferred to an individual or couple who has agreed to assume them. Adoption is permanent and grants a child full membership into the new family as if he were born into it. Adoption terminates all rights and responsibilities of the biological parents.

**Adoption Disruption** refers to an adoption placement that does not work out for a variety of reasons before it has been finalized by a Court.

**Adoption Dissolution** refers to an adoption placement that is terminated by a Court after it has been finalized because of problems that arise.

**Adoption and Safe Families Act** is a federal law that places time frames and requirements on states to move children from foster care into adoption when appropriate in a timely manner.

**Adoption Home Study** is the process where a licensed agency or approved social worker screens a prospective adoptive family to assure their readiness and acceptability as adoptive parents.

**Amended Birth Certificate** is the birth certificate issued by the state to the adoptive parents that lists the adoptive parents as the adopted person's legal parents.

**Confidential Adoption (a.k.a. Closed Adoption)** describes an adoption where only non-identifying social and medical information is exchanged between parties to an adoption through the agency or intermediary. There is no direct, on-going relationship between the birthparents and adoptive parents.

**Consent to Adoption** is the legal process in which a biological parent consents to the adoption of a child by another person or couple.

**Direct Placement Adoption** is an adoption where the biological parent(s) of a child place the child for adoption directly with an adoptive couple without an adoption agency. The term Direct Placement is also used by some agencies to describe the practice of placing an infant directly from the hospital with an adoptive family.

**Finalization of Adoption** is the legal process in which a judge approves an adoption of a child by specific parents. At finalization, the adoptive parents become the parents of a child for all intents and purposes.

**Foster Care** is the temporary (although sometimes long-term) care of a child by individuals who have no legal or custodial rights to the child. Foster care is generally supervised by the state or a licensed child-placing agency that has legal custody of the child.

**Fully Disclosed Adoption (a.k.a Open Adoption)** is an adoption where identifying information has been exchanged between the birthparents and the adoptive parents and there is an agreement to establish a direct, on-going relationship, although the specific level of openness can vary among families.

**Guardianship** is a legal condition that provides custodial parents to a child without the full rights and responsibilities of legal parents. In some cases parental rights may be retained by biological parents.

**The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption** is a multilateral treaty that sets uniform international legal procedures to safeguard the interests of children, birthparents and adoptive parents.

**Independent Adoption** is an adoption arranged by an individual (usually an attorney) who is not licensed by the state as a child-placing agency.

**The Indian Child Welfare Act (ICWA)** stipulates conditions under which Native American children may be adopted. ICWA assures tribal involvement in all adoptions of children with Native American heritage. The legislation, passed in 1978, preserves tribal sovereignty in matters of relinquishment and adoption, requiring that the appropriate tribe be provided notice to determine if the child qualifies for tribal membership. If a child is eligible for membership and the tribe elects to intervene, the tribe must consent to the adoption. This legislation has significant implications for children born to parents of Native American heritage.

**The Interstate Compact on the Placement of Children (ICPC)** is an agreement binding every state to track the placement of children across state lines to ensure that the laws of all states involved in the transfer of children are met so children are protected.

**Kinship Adoption** describes a legal process in which the child is adopted by a relative, and usually involves a less stringent process to complete the adoption (not to be confused with informal family care).

**Legal Risk Adoption** is the placement of a child in a prospective adoptive home before the legal rights of both biological parents are terminated. If the rights of both parties are not terminated there is the risk that the prospective adoptive parents(s) will not be able to adopt the child.

**Licensed Child Placing Agency** is an agency licensed by a state to select parents and place children for the purpose of adoption.

**The Multi-Ethnic Placement Act (MEPA)** is a federal law that “prohibits a federally assisted agency from categorically denying the opportunity for any person to become an adoptive or foster parent solely on the basis of the race, color, or national origin of the adoptive parent or the child. This act was amended in 1996 by the Interethnic Provision (IEP). The capacity of the adoptive parents to meet the child’s needs based on the child’s background can still be considered in the framework of best interest of the child. Partly in response to this law, a number of States (e.g., Arizona, California,

Connecticut, Utah, and Washington) have enacted their own versions of MEPA/IEP.” (National Adoption Information Clearinghouse). Despite the increase in minority families fostering and adopting, there remains a disproportionate number of children of color in foster care.

**Mutual Consent Registry** is a process that allows the sharing of identifying information between parties of an adoption after the consent is received by all parties to the adoption.

**Original Birth Certificate** is the birth certificate issued by the state that lists the parents of the child at the time of birth.

**Putative Father** is the man who is alleged to be the father of a child although he may or may not acknowledge paternity.

**Relinquishment of Parental Rights** is the legal process in which a biological parent relinquishes his/her rights to a child so the child can be adopted by another family.

**Safe Haven** laws have been enacted in all 50 states to date and serve as an incentive for mothers in crisis to safely relinquish their newborn babies to a safe haven where the baby will be protected and provided with medical care until a permanent home can be found. Safe haven laws generally allow the parent, or an agent of the parent, to remain anonymous and to be shielded from prosecution for abandonment or neglect in exchange for safely surrendering the baby to a safe haven.

**Search and Consent System** is a system run by a state or an agency in which a party to adoption seeks identifying information about another party to the adoption and an intermediary who works for the state or an agency seeks the second party to ask permission to release information.

**Semi-Open Adoption** is a term often used to describe a range of practices that involve the exchange of information and contact between adoptive parents and biological parents. It usually includes all relationships shy of full disclosure of identifying information (full names and addresses) and direct continuing contact between the parties after the adoption. Contact may include anonymous meetings and the sharing of updated pictures and development information across time. The majority of adoptions that take place in the United States could be classified “semi-open.”

**Service Members Civil Relief Act** is an act to enable Service Members to devote their entire energy to the defense needs of the Nation, and to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of Service Members during their military service. For example, in the case of seeking to terminate parental rights of a putative or alleged father, if that person is active military, the case may be postponed until the Service member is no longer on active duty, or if the case is heard, there may be cause to overturn the Court’s decision if the appropriate criteria are not met.

**Temporary Home or Transition Family** is care provided by an approved family for a short period before the child is placed with an adopting family. This care is usually used in infant adoption when the rights of the biological parents are not yet terminated and therefore, the child is not yet legally free to be adopted.

**Termination of Parental Rights** is the legal process in which a Court terminates the rights of a parent either voluntarily with the signing of a relinquishment or consent to adoption or involuntarily with a finding of unfitness, abandonment, etc.

**Transracial Adoption** is an adoption in which a child of one race is adopted by a parent or parents of another race.

**Uniform Adoption Act** is a comprehensive law developed by the National Conference of Commissioners of Uniform State Laws to bring uniformity to adoption law nationally. The Uniform Adoption Act (UAA) was recommended as a replacement for current law but no state has adopted it in its entirety. Some states have considered provisions and have amended their laws when they felt the UAA's provisions were an improvement over their existing statutes.