



## CHECKLIST OF LEGAL ISSUES



- I understand the consent laws in my state.

*For example:* Relinquishment & time to revoke consent by birth mother

- I understand the eligibility requirements for being an adoptive parent (specific to country or state).

Adoption is a process in which children become full and permanent legal members of another family. Determining eligibility to adopt is based on a process of mutual assessment and preparation by the prospective adoptive parents and social worker or agency, called a home study. Most people are eligible to adopt regardless of marital status, age, income or sexual orientation. Having a disability does not automatically disqualify a prospective adoptive parent. Some foreign countries have specific requirements and restrictions for families who want to adopt from those countries. Faith-based agencies may also have specific requirements for families adopting through their agencies.

- I understand the difference between legally free\* and legal risk\*\* (specific to child welfare adoptions).

- I understand the process for a child to become legally adoptable in the country or state of the child's origin.

- I understand the birth father/birth relative rights in my state and that this may change according to the state/country I am adopting a child from.

- I understand that the laws governing the adoption of Native American children require special attention.

- I know what MEPA and IEPA are and I understand how it relates to my adoption.

- I understand that laws differ in different states and it is my responsibility to understand interstate compact laws and regulations.

- I know and understand enough about child trafficking laws that I am confident without a doubt that the child I am adopting is legally and legitimately available for adoption.



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- I understand open adoption laws in my state with regards to the creation and enforcement of open adoption agreements.
- I understand the Hague international adoption laws and more specifically, the laws within the country where I will be adopting a child.
- I understand domestic and international laws related to the LGBTQ community and I am aware that there are states and countries that do not allow people who are in the LGBTQ community to adopt as a couple.

Find links to more information  
about many of these issues on the  
irisEd.com website at  
<http://bit.ly/PIBj5z>



### \*Legally Free

When a child's parents or guardians have relinquished their parental rights or have had them terminated in a court of law. Once this has occurred a child is "legally free" to be adopted by another person or family member.

### \*\*Legal Risk Adoptions

Some states have an adoption program that allows prospective adoptive parents to first become foster parents to children before the children are legally available for adoption. This is considered a "Legal Risk Adoption" because there is still a legal risk that the child will return to their legal parent (usually a birth mother or birth father).