

Eligibility Requirements for Domestic Adoptions

Nightlight Christian Adoptions is licensed by the states of California, Colorado, Florida, Georgia, Indiana, Kentucky, Missouri, North Carolina, Oklahoma, South Carolina, Texas, and Utah to select suitable families for children in need of adoption. The selection of adoptive parents is based on their eligibility to meet state and agency requirements, their capacity for adoptive parenthood, and the availability of children whose needs they can meet.

RESIDENCE	Nightlight can perform Agency Adoptions for families living in the United States. At least one parent must be a United States citizen. Please refer to the <i>Domestic Adoption Service Agreement</i> for details regarding the types of domestic services available.
HEALTH	Adoptive applicants must give evidence of good health, both physical and mental, which will be verified during the application process by medical examinations and, if recommended, psychological evaluations.
AGE	Applicants must be a minimum of 25 years and younger than 45 years of age at the time of application.*
MARRIAGE & FAMILY	Adoptive applicants are encouraged to have been married long enough to provide the couple sufficient time to establish a home, financial security, and to adjust to the marriage. Married applicants must have a satisfying and secure marriage and be married a minimum of 2 years.
ADOPTION EDUCATION REQUIREMENTS	Education requirements vary depending upon the adoptive couple's state of residence and, in some cases, the regulations of the state from which the family is adopting (child's birth state). Our goal is to prepare you to be the best parents possible for your child. Therefore, we require classes and reading on parenting skills and adoption issues.
FINANCES	Adoptive applicants must be able to provide a financially stable home, demonstrated by solid credit history and ability to live within their means.
PREGNANCY	Before you begin the adoption process, you need to complete any infertility treatments so you can truly be ready to be the best parent for your adopted child. <u>If you become pregnant while in the adoption process, notify our office immediately.</u> We will then place your file on hold. When you are ready to consider adoption again, generally no sooner than when your child is nearing their first birthday, call us to discuss reactivating your file.
ADOPTION OF SUBSEQUENT CHILDREN	To have adequate time for attachment and bonding, it is important to have a minimum of one year with the child/ren in the home before beginning another adoption.
CHILD & BIRTH PARENT PREFERENCES:	<p>Families must be open to the following:</p> <ul style="list-style-type: none"> ✓ A minimum of yearly face to face visits (the exception to this would be if a family moved overseas and a face to face visit was not realistically feasible- i.e., military families who will likely return to the U.S and be able to resume visits if requested) ✓ A child of either gender ✓ A birth mother with some mental health history, to include anxiety and/or depression ✓ Some prenatal exposure to drugs and/or alcohol to include a minimum of social drinking before the pregnancy was known to the birth mom, marijuana use, and some opiate and /or other substance use during the pregnancy.

* Texas families are exempt from the maximum age requirement in accordance with Texas law (H.B. No. 2969) and should contact one of our inquiry specialists to discuss eligibility

* North Carolina families might be exempt from the maximum age requirement in accordance with NC regulation 10A NCAC 70H.0404 and should contact one of our inquiry specialists to discuss eligibility

Frequently Asked Questions about Domestic Adoption

GENERAL QUESTIONS

What services does Nightlight Christian Adoptions (Nightlight) offer?

Nightlight is licensed to provide the following services:

- Domestic Adoptions: Agency Adoptions, Independent, or Designated Adoptions (more information below)
- International Adoptions: Direct programs in Albania, Bulgaria, Burkina Faso, China, Colombia, Dominican Republic, Ecuador, Haiti, Honduras, Hong Kong, India, Malawi, Mexico, Nigeria, Portugal, Taiwan, Samoa, Uganda, and Ukraine.
- Snowflakes® Embryo Adoptions
- Domestic and International Adoption Home Studies, Post Placement/Adoption Supervision and Reports, and Snowflakes Family Evaluations
- Birth parent counseling

Is Nightlight a non-profit agency?

Yes, Nightlight is a private 501(c)(3) non-profit agency. Fees paid by adoptive parents, as well as fundraising efforts throughout the year, cover all agency expenses.

What is your licensure information?

Nightlight has been licensed by the California State Department of Social Services since 1959 and is also licensed in Colorado, Florida, Georgia, Indiana, Kentucky, Missouri, North Carolina, Oklahoma, South Carolina, Texas, and Utah. We are also Hague accredited.

Does Nightlight assist with out-of-state adoptions?

We can assist you with an interstate adoption. If you live in one of our licensed areas, you must use Nightlight for your home study. You may also engage Nightlight's services for birth mother screening and matching. Nightlight can also assist out-of-state families in completing an international or embryo adoption. Please contact our office to discuss the specific details of your situation.

What if we are not U.S. citizens?

If your family resides in the U.S., then one of the prospective adoptive parents must be a U.S. citizen, the other parent can be a non-U.S. citizen if living in the U.S. legally. If your family resides outside of the U.S., then both prospective adoptive parents must be U.S. citizens.

What is domestic adoption?

Domestic adoption is the permanent, legal transfer of parental rights and responsibilities for control and custody of a child from the birth parents to the adoptive parents within the United States.

What are the different types of domestic adoption?

There are three different types of domestic adoption:

- **Agency** – Nightlight matches a family with an expectant/birth mother, provides counseling to the expectant/birth parents, case management to the adoptive family, assists with expectant/birth parent living expenses, coordinates the relinquishments of parental rights for

the birth parents, places the child in the home, provides post placement supervision, and prepares the court report.

- **Designated Adoption** – In a designated adoption, the same services as an Agency adoption are provided except for matching services and paying expectant/birth parent living expenses. In a designated adoption case, an adoptive family engages the services of Nightlight after they become matched with an expectant/birth mother through a different source, such as an attorney, church member, or friend.
- **Independent Adoption** – describes an adoption situation where a family is matched through another resource and does not need full agency services to complete their adoption. In an independent adoption, Nightlight only prepares the home study; works with the placing agency to coordinate ICPC, provides post placement support and supervision, and prepares the court report to finalize the adoption if necessary. In some states, this service also includes a birth parent background report prepared for the court.

***Note: If you are seeking services for a designated or independent adoption, you will need to sign a different agreement. Please contact our Domestic Family Team to obtain the correct agreement.**

Special Note: The fastest way for a family to adopt baby is through our Snowflakes Embryo Adoption Program. One of our team experts can answer your questions about embryo adoption. Nightlight is committed to helping families find the adoption program that is right for them. If you begin the Snowflakes program and decide it is not the right program for you, you may switch to the Nightlight domestic infant program and have some of your Snowflakes fees applied to your domestic program fees. You must make the decision to switch before you have finalized your Snowflakes contract.

What is the benefit of an agency adoption versus a designated or independent adoption?

In an agency adoption, Nightlight is working to match you with an expectant/ birth mother, while in a designated or independent adoption, you are matched before engaging the services of the agency. Nightlight Christian Adoptions' pregnancy counselors also provide support to birth parents as needed throughout the pregnancy and the adoption process.

Approximately how long does it usually take to adopt domestically?

You can be matched with a birth mother anywhere from a few months to a few years after the completion of your home study. The wait time depends on the criteria an adoptive family has established for a birth family, as well as the criteria the expectant mothers we are currently working with have established for an adoptive family. Your wait time may be decreased significantly if you are open to a child of any race, prenatal exposure, and the possibility of special medical needs.

What is the adoption process?

Domestic adoption consists of six parts:

- **Application/Orientation** – The domestic adoption process begins with your application and orientation to Nightlight's Domestic Program. You will participate in orientation with your domestic family coordinator either in person or via Microsoft Teams, depending on your location.
- **Home Study** - The adoption home study is an evaluation and education process required by the state to determine your preparedness to parent through adoption. A home study consists of three components: paperwork, education, and interviews with a home study provider. If you live in a Nightlight licensed area, your home study will be completed by one of Nightlight's home

study providers. If you live in another state, we can assist you in finding a home study provider in your home state.

- **Match/Identification of Birth Mother** - Once your home study is complete and you have been approved to adopt; your profile will be placed on our website as well as shown to expectant/birth mothers in person. Nightlight's domestic team works with both the expectant/birth parents and the prospective adoptive parents to find the best possible match for everyone involved. Once you are selected, you will meet and get to know your expectant/birth mother for the remainder of the pregnancy.

Because Nightlight has offices in multiple states, below is a summary of the process in each state:

California

- **Relinquishment and Placement** – In California, the relinquishment (the documents that voluntarily terminates parental rights) cannot be signed by a birth parent until the mother has been medically discharged from the hospital. Most birth mothers in California choose to sign the relinquishment on the day they are discharged or within a few days. Once the California relinquishment has been signed, it gives custody of the child to Nightlight Christian Adoptions but also names the family the birth mother has chosen for her child. Typically, the child is placed directly with the prospective adoptive parents once the baby is discharged from the hospital even though Nightlight is in the process of having the relinquishment acknowledged by the California Department of Social Services (CDSS). The birth mother has three options for having the relinquishment documents sent and thus acknowledged by the CDSS. The first option is to send the form immediately (which still may take up to 10 business days for CDSS to acknowledge it and make it irrevocable). The second option is to have the relinquishment documents held for up to 30 days before submitting them to CDSS and making them irrevocable. Thirdly, the birth mother may agree with the adoption agency to hold the relinquishment documents for more than 30 days if the child must be freed for adoption from any other parent(s).
- **Post Placement** – California requires four post placement visits to occur within the first six months after placement. If you are finalizing in your state of residence, you will follow the post placement requirements of your state of residence as well.
- **Finalization** – Should you choose to finalize your adoption in CA, an attorney is not required to finalize the adoption, however, it is highly recommended. Families who choose to hire an attorney are able to process through the legal system more quickly than those who opt to finalize on their own. It is also important to note that post placement visits are required by Nightlight until the adoption has finalized.

Colorado

- **Relinquishment and Placement** – Before leaving the hospital, the birth mother will sign a document transferring custody of the child to Nightlight Christian Adoptions, and the baby will be placed in your care upon discharge. This is known as physical custody. In a **expedited relinquishment**, four days after the baby is born, the birth mother will sign a voluntary consent to the adoption/termination of parental rights. This document is then filed with the judge but does not become permanent until the judge has reviewed and signed off. In a **traditional relinquishment**, the birth mother does not relinquish her rights until the day of the court hearing. At this time, she must testify in court, and relinquishment documents are signed that day. Typically, it can take 30 to 60 days to obtain a court date in CO, at which time the birth parents' rights are officially terminated. Whether or not you will have an expedited

relinquishment or a traditional relinquishment is decided by the birth mother. Most birth mothers choose to do an expedited relinquishment. However, if the birth mother is wavering on her decision, she can choose to do a traditional relinquishment allowing her more time to decide. In that case, the baby may be placed in a cradle care home approved by Nightlight until parental rights are terminated. This is to protect both the birth mother and the adoptive family in case the birth mother decides to parent.

- **Post Placement** – Colorado requires three post placements at the following intervals after placement, two weeks, three months, and six months. Post placements are preferred to occur one time per month until the adoption is finalized. If you are finalizing in another state, you will be required to follow that state's post placement requirements and the requirements of your home study/post-placement agency.
- **Finalization** – For Colorado residents, the adoption can be finalized no earlier than six months after placement. Colorado also requires that your home study be current at the time of finalization. If you are choosing to finalize in your state of residence, you will need to confirm with your attorney when this can be done.

Florida

- **Relinquishment and Placement** – A valid consent for adoption may not be signed by the birth mother until 48 hours after the birth of the child, or the day the birth mother is notified, in writing, that she is fit for discharge from the licensed hospital or birth center. Any man may sign a valid consent for adoption at any time after the birth of the child. A consent for adoption signed before the child attains the age of six months is binding and irrevocable from the moment it is signed unless it can be proven in court that the consent was obtained by fraud or duress. A consent for adoption signed after the child attains the age of six months is valid from the moment it is signed; however, it may be revoked up to three business days after it was signed. A consent for adoption is not valid if the signature of the person who signed the consent was obtained by fraud or duress. An unmarried biological father must act immediately to protect his parental rights. Section 63.062, Florida Statutes, prescribes that any father seeking to establish his right to consent to the adoption of his child must file a claim of paternity with the Florida Putative Father Registry maintained by the Office of Vital Statistics of the Department of Health by the date a petition to terminate parental rights is filed with the court, or within 30 days after receiving service of a Notice of Intended Adoption Plan. If he receives a Notice of Intended Adoption Plan, he must file a claim of paternity with the Florida Putative Father Registry, file a parenting plan with the court, and provide financial support to the mother or child within 30 days following service. An unmarried biological father's failure to timely respond to a Notice of Intended Adoption Plan constitutes an irrevocable legal waiver of any and all rights that the father may have to the child.
- **Post Placement** – The post placement period is a minimum of 90 days from the date the child was placed in the physical custody of the adoptive parent(s). There shall be a minimum of three post placement visits required in the adoptive family's home with the child and adoptive parents present. Post placement visits are required once a calendar month for at least 90 days and until the finalization of the adoption. These required visits enable the adoption worker to observe how the child is growing, developing, and interacting with family members.
- **Finalization** – Finalization can take place after a minimum of 90 days from the date the child was placed in the physical custody of the adoptive parents, but no sooner than 30 days after Termination of Parental Rights (TPR). Three post placement home visits must have also been completed, at a minimum. Out-of-state adoptive parents may finalize the adoption in Florida, though this is not required. Out-of-state adoptive parents may appear in court by telephone with a notary present. You will need an attorney to handle the finalization in Florida. Nightlight will provide a court report to the court where you are finalizing your adoption.

Georgia

- **Relinquishment and Placement** – The birth mother may sign the surrender paperwork as soon as 24 hours after the baby is born. Although the law states that the birth mother can sign the surrender paperwork 24 hours after the baby is born, it is best practice to wait until the day of hospital discharge to ensure that the birth mother is certain of her decision and that no pain medication is in her system. Therefore, the relinquishment may not occur until 72 hours after birth, as may be the case with a C-section. The surrender documents will place the baby into the custody of Nightlight Christian Adoptions, and the baby will then be placed in the care of the adoptive family, which is known as a physical placement. The birth mother will have four days beginning with the day after she signs the paperwork to revoke her surrender in writing by notifying the agency. The birth father, if he signs, has the same revocation period.
- **Post Placement** – Georgia requires two post placement visits prior to the filing of the Petition for Adoption. The first visit may occur any time after placement, but there must be a minimum of two weeks between visits for a child age 12 months or younger and a minimum of 30 days between required home visits for a child over the age of 12 months. Home visits shall be made at least once a month prior to the filing of the petition for adoption and will continue quarterly after the filing of the petition if the adoption is not finalized within 90 days. If you live in another state and are adopting a child born in Georgia, the requirements for post placement services are governed by your state policies unless you are finalizing the adoption in Georgia. These required visits enable the adoption worker to observe how the child is growing, developing, and interacting with family members.
- **Finalization** – Both out of state and Georgia residents may finalize their adoption in Georgia. You will need an attorney to handle the finalization in Georgia. Nightlight will provide a court report to the court where you are finalizing your adoption.

Indiana

- **Relinquishment and Placement:** In the State of Indiana, the consent to an adoption must be executed by birth mother post-birth, typically 24-48 hours after birth. Most birth mothers choose to sign the consent on the day they are discharged from the hospital. Once the consent has been signed, custody of the child is given to Nightlight Christian Adoptions but also names the family the birth mother has chosen for her child. The consent is considered irrevocable upon execution unless the birth mother, through a court proceeding, establishes that she signed the consent under fraud, duress, or coercion within 30 days of executing the consent. Indiana also provides the option for a birth mother to execute the consent in the presence of a judge, which waives the 30-day time frame (often her executing the consent in front of a judge is not as practical but can be discussed in the process).
- **Post Placement:** Indiana requires one post placement visit prior to the finalization of the adoption. Nightlight Christian Adoptions will provide a report to the court recommending the finalization of the adoption after the post placement visit.
- **Finalization:** In Indiana, if the home study and post placement report are completed and approved, adoptive parents typically finalize two and four months after placement. Adoptive parents and their attorney will appear (in person or telephonically) in court for the finalization hearing.

Kentucky

- **Relinquishment and Placement** – The birth mother will sign a consent allowing the baby to be taken home from the hospital by someone other than herself, as well as a document that transfers custody of the child to Nightlight Christian Adoptions. She will release her baby into the care of the adoptive family, which is known as a physical placement. 72 hours after the baby is born, the birth mother will sign legal paperwork petitioning the courts to terminate parental

rights. She then has 72 hours to revoke her decision. Due to the parent education training requirements of KY, your home will be approved legally as a foster home, which covers the time between when the baby is released from the hospital and when the birth parents' rights are terminated by a court order at a termination hearing.

- **Post Placement** – Kentucky requires monthly post placement supervision reports during the foster placement period, which is until the birth parents' rights are terminated – typically one to two months; and, at least two post placement visits before finalization of the adoption during the adoptive placement period, at least one of these must be in the home. If the birth parents' rights have not been terminated within two months, additional post placement visits by the home study provider are required each month until those rights are terminated. These required visits enable the home study provider to observe how the child is growing, developing, and interacting with family members. If you are finalizing in another state, you will be required to follow that state's post placement requirements and the requirements of your home study/post placement agency.
- **Finalization** – Once birth parents' parental rights have been terminated, an adoption petition has been filed by your attorney and post placement supervision is completed, we (or your post placement supervision agency if you are in another state) will submit a court report to the court in your county of residence. Your attorney will then arrange for a court date for the finalization of your adoption.

Missouri

- **Relinquishment and Placement** – The birth mother will sign a Power of Attorney while in the hospital, which allows Nightlight Christian Adoptions to discharge the baby from the hospital and place him/her with the prospective adoptive family. When the baby is at least 48 hours old, the birth parents sign Consent to Termination of Parental Rights and Consent to Adoption documents, which are final under Missouri state law at the time of signature. A court hearing in which the birth parents' rights are terminated, and custody of the child is transferred to the adoptive parents usually occurs within a couple of weeks of those documents being signed.
- **Post Placement** – Missouri requires monthly contact with the adoptive family during the post placement period, including quarterly home visits until the adoption is finalized. Missouri regulations also require that families living in Missouri provide Nightlight with reports from the child's pediatrician regarding his/her health and development. If you are finalizing in another state, you will be required to follow that state's post placement requirements, as well as the requirements of the licensed agency providing post placement services.
- **Finalization** – Once the child has been placed in the adoptive home for a minimum of six months, the adoptive family may petition the court to finalize the adoption, with the assistance of their attorney. Nightlight will prepare a report for the court documenting the post placement period and recommending that the adoption be finalized. A second hearing will be held in which the court officially grants an adoption of the child by the adoptive parents.

North Carolina

- **Relinquishment and Placement** – Approximately 24-48 hours after the baby is born, the birth mother will sign a voluntary consent to the adoption and relinquishment of her parental rights. Although there is no stated law as to how many days after the birth this paperwork can be signed, it is best practice to wait until the day of hospital discharge to ensure that the birth mother is certain of her decision and that no pain medication is in her system. The birth mother will release her baby into the custody of Nightlight Christian Adoptions, and the baby will then be placed in the care of the prospective adoptive family, which is known as the physical placement. The birth mother will have seven days beginning with the day after she signs the paperwork to revoke her surrender in writing by notifying the agency. The birth father, if he

signs, has the same revocation period. If the seventh day falls on a Saturday, Sunday, or a federally recognized holiday in which state offices are closed, the revocation period is extended to the next business day.

- **Post Placement** – North Carolina requires a minimum of two post placement visit to be completed prior to the adoption being finalized, with the first visit occurring within two weeks of the child being placed in the adoptive home. Post placements visits enable the adoption worker to observe how the child is growing, developing, and interacting with family members.
- **Finalization** – After the birth mother relinquishes her rights, the adoptive parents' attorney will file a petition for adoption on their behalf. The petition for adoption may be filed either in North Carolina or in the state where the adoptive parents reside. At the end of the post placement supervision period (typically six months), Nightlight will submit the required documentation to the Court or to the family's attorney, including the home study, placement documents, the supervision reports, and the agency's legal consent. The family's attorney will obtain a court date for finalization.

Oklahoma

- **Relinquishment and Placement** – The birth mother signs a voluntary consent while in the hospital, giving permission for the child to be discharged to Nightlight Christian Adoptions. She also signs a placement agreement stating her intention to complete the legal requirements for adoption. Nightlight then places physical custody of the child with the prospective adoptive family upon discharge from the hospital. Oklahoma law requires the birth mother to appear in front of a judge to give her formal consent or to relinquish her parental rights. This court appearance typically occurs two to four days after discharge from the hospital. When the birth mother signs her relinquishment, it becomes irrevocable at that time if the child is not considered an Indian child. Oklahoma has a large population of Native American individuals, and there are additional state and federal laws that govern the adoption of Indian children. If the child is determined to be an "Indian child," then the birth parents must wait ten days before giving consent to the adoption in court. A parent of an Indian child has a longer period during which they may change their mind. Nightlight works cooperatively with the Indian child's tribe regarding the adoption and for any services that the birth parents might need, including tribal medical or housing services. Some tribes provide tribal adoptive families for the birth parents to consider.
- **Post Placement** – Oklahoma licensing requires three post placement contacts and reports in the six months following the placement. Those are normally conducted in the adoptive family's home, typically at one, three, and five months. The family will be able to finalize the adoption after six months. For out-of-state families receiving a child from Oklahoma, they will be required to have the post placement visits conducted by their home study agency.
- **Finalization** – After the birth mother relinquishes her rights, the adoptive parents' attorney will file a petition for adoption on their behalf. The petition for adoption may be filed either in Oklahoma or in the state where the adoptive parents reside. If the birth father has not already signed a voluntary consent, Nightlight will work with your attorney to undertake the legal process for the involuntary termination of his rights. At the end of the six-month post placement supervision period, Nightlight will submit the required documentation to the Court or to the family's attorney, including the home study, placement documents, the supervision reports, and the agency's legal consent. The family's attorney will obtain a court date for finalization.

South Carolina

- **Relinquishment and Placement** – Approximately 24-48 hours after the baby is born, the birth mother will sign a voluntary consent to the adoption and relinquishment of her parental

rights. Although there is no stated law as to how many days after the birth this paperwork can be signed, it is best practice to wait until the day of hospital discharge to ensure that the birth mother is certain of her decision and that no pain medication is in her system. The birth mother will release her baby into the custody of Nightlight Christian Adoptions, and the baby will then be placed in the care of the prospective adoptive family, which is known as the physical placement. Once the birth mother signs this paperwork, her consent is irrevocable.

- **Post Placement** – South Carolina requires a minimum of one post placement visit to be completed prior to the adoption being finalized. Post placements visits enable the adoption worker to observe how the child is growing, developing, and interacting with family members.
- **Finalization** – South Carolina law requires all adoptions of children born in South Carolina to be finalized in South Carolina. If you live in another state, you will be required to finalize your adoption in your child's birth state of South Carolina. You will need a South Carolina attorney to finalize the adoption, which cannot happen sooner than 90 days after placement unless an exception is granted by the courts. Finalization typically occurs between 4-5 months after placement.

Texas

- **Relinquishment and Placement** – The birth mother may place the child for adoption by executing an affidavit of relinquishment of parental rights. The affidavit may be executed no sooner than 48 hours following the child's birth. Although the law does not permit the birth mother to revoke her affidavit of relinquishment of parental rights, she may allege that the affidavit of relinquishment of parental rights was procured by fraud, duress, misrepresentation, or over-reaching prior to or following the entry of the termination of judgment. She will release her baby into the custody of Nightlight Christian Adoptions, and the baby will then be placed in the care of the prospective adoptive family, which is known as the physical placement.
- **Post Placement** – Texas requires five post placement visits following the placement of the child with the prospective adoptive parents. Two of the visits must be in the home with all family members present. The other three visits can be with one parent and the child in the home or in another location. For out-of-state families receiving a child from Texas, they will be required to have the post placement visits conducted by their home study agency.
- **Finalization** – The adoption of the child can be finalized six months following placement. If you are choosing to finalize in your state of residence, you will need to confirm with your attorney when this can be done.

Utah

- **Relinquishment and Placement** – Approximately 24-48 hours after the baby is born, the birth mother will sign a voluntary consent to the adoption and relinquishment of her parental rights. This consent cannot be signed sooner than 24 hours after the child's birth. The birth mother will release her baby into the custody of Nightlight Christian Adoptions, and the baby will then be placed in the care of the prospective adoptive family, which is known as the physical placement. Once the birth mother signs this paperwork, her consent is irrevocable.
- **Post Placement** – Utah requires contact with the prospective adoptive family within two weeks of the child's placement into their home. Additionally, a minimum of one post placement visit to the home must be completed prior to the adoption being finalized. Post placements visits enable the adoption worker to observe how the child is growing, developing, and interacting with family members.
- **Finalization** – In Utah, the adoption of the child can be finalized in court three months following placement. Utah courts typically allow families to finalize virtually and do not require the family to travel to Utah to attend in person. A representative from Nightlight will be present at the

finalization hearing. If you are choosing to finalize in your state of residence, you will need to confirm with your attorney when this can be done.

If we are matched with a birth mother from out of state, how many times will we be required to travel to our child's birth state?

If you are matched with an expectant/birth mother who is living in another state, you may not be required to travel to the expectant/birth mother's state prior to the birth. However, some expectant/birth mothers request a face-to-face meeting with the prospective adoptive parents prior to placement, if possible. We believe, when possible, that it is best practice for the prospective adoptive family and the birth family to meet prior to birth to build a bond and provide the expectant/birth mother with reassurance that she has made the right choice. You will be required to travel to your child's birth state for the placement and must remain in your child's birth state until the interstate compact coordinators in both your state of residence and your child's birth state have approved the placement (**usually up to 14 business days**). After approval, you will then be allowed to take your child home with you.

In South Carolina, families will be required to travel to South Carolina a minimum of two times, possibly three. The first trip might be to meet the expectant/birth mother and possibly to attend a court hearing. South Carolina law requires that a judge approve all out of state families prior to them receiving placement of a child born in South Carolina. This is usually a formality as an expectant/birth mother has the right to choose the family with whom she wishes to place her child for adoption. The court will generally accept an affidavit signed by the expectant/birth mother stating she has selected a family who resides out of state and will not require the presence of the prospective adoptive family. The judge will then sign a court order granting the unusual and exceptional circumstance (child being placed out of state). This hearing can occur before or after the child's birth, depending on the court that has jurisdiction over the case. You will be required to travel to South Carolina for the birth and placement of your child. Your final required trip to South Carolina will be for the finalization hearing. South Carolina law states that all finalizations of South Carolina children must occur in South Carolina.

Can we be undergoing fertility treatments while in the adoption process?

No. To be healthy adoptive parents, you need to have completed all your infertility treatments and given yourself the time necessary to grieve for the biological children you have dreamed of having. Only after this important step can you be truly ready to begin the adoption process. Please talk to your domestic family coordinator if you have any concerns about meeting this requirement.

What if we become pregnant during the adoption process?

Notify our office and your home study provider as soon as possible if you become pregnant during the adoption process. We will place your file on hold. Once your baby is nearing their first birthday, you may contact our office to discuss continuing your adoption plans.

Can we pursue a domestic and international adoption at the same time?

We would advise you to only pursue one program at a time; however, we do allow families to pursue simultaneous family building in certain situations. Please speak to your domestic family coordinator to learn more about the possibility of pursuing multiple programs concurrently.

HOME STUDY QUESTIONS

What is a home study?

A home study is a document verifying that you qualify to adopt a child. A home study provider meets

with you in your home to discuss, among other things, your background and values, the strengths of your marriage, your finances, and your reasons for adopting. It is not a "white glove" inspection.

As part of our overall services, Nightlight conducts home studies for those adopting here in the United States as well as for families interested in embryo and international adoption. (Please refer to the agency's home study documents for more details regarding the home study process). If you live in one of Nightlight's licensed areas, we will complete your home study.

How long does a home study take to complete?

A home study typically takes 8 to 16 weeks to complete, depending on how quickly a family submits their paperwork, completes their education, and on the timing of their visits with the home study provider. If you live outside of Nightlight's licensed area and are working with another provider, you will need to check with your home study agency in your state regarding exact time frames, which can vary from state to state.

Families living in Nightlight licensed areas are expected to begin the home study process (sign the necessary home study agreements) within two weeks of their orientation date and complete the home study within three to six months. Families living outside of Nightlight's licensed area are expected to complete the home study process and move to the next phase within eight to twelve months of their orientation date. To keep the adoption process moving forward, if these expectations are not met, Nightlight will close the family's case and reopen it when the family is ready to move forward. Families will have to meet the current eligibility requirements at the time the case is reopened.

What is an "expedited" home study?

If you need your home study completed quickly, we may be able to expedite your home study for an additional fee. This is generally needed when you come to our office matched with an expectant/birth mother who is due within the next two months. We will ask for your cooperation in completing the paperwork in a rapid manner and for your flexibility when it comes time for the home study provider to schedule your visits. This cooperation and flexibility will allow us to complete your home study within the timeframe specified. Due to obtaining criminal background checks and child abuse clearances, ***it is not possible to complete an expedited home study in less than eight weeks.***

How long is a home study valid?

Nightlight requires that all families in the domestic program update their home study annually, even if you live in a state where your home study may be valid longer.

- In California, a home study is valid for two years as long as all your information remains current.*
- In Colorado, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid. Additionally, Colorado requires a prospective adoptive family to maintain a current home study until the adoption has finalized.
- In Florida, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider to keep your home study current and valid.
- In Georgia, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.

- In Missouri, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- In North Carolina, a home study is valid for 18 months as long as all your information remains current.*
- In Oklahoma, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- In Indiana, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- In Kentucky, a home study is valid for three years as long as all your information remains current.*
- In South Carolina, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- In Texas, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- In Utah, a home study is valid for one year. Before the end of that year, it is advisable to begin working on a home study update with your home study provider, to keep your home study current and valid.
- If you live in another state, you will need to talk with your home study provider to find out how long your state allows your home study to be valid.

*When adopting out of state, your home study must be valid according to the child's birth state. Therefore, Nightlight **requires that all families in the domestic program update their home study annually**, even if you live in a state where your home study may be valid longer.

Is a psychological evaluation required?

In general, we do not require psychological testing; however, it may be required based on your home study provider's discretion. It is important to keep in mind that in most instances in which further testing is required, the purpose is to strengthen your home study.

Do expectant/birth parents see the home study?

In general, we do not share your home study with the expectant or birth parent. However, some states have laws requiring an agency to make a redacted copy of the perspective adoptive family's home study available to the expectant/birth parent. If we are required to share a redacted copy of your home study with the expectant/birth parent, you will be notified, and unless indicated by state law, your permission is required before the home study is released to the expectant/birth parent.

QUESTIONS ABOUT OPEN ADOPTION

What varying degrees of contact are available in open adoptions?

The term open adoption encompasses a broad spectrum of contact between the birth and adoptive family. The spectrum ranges from sending pictures and updates to having regular face-to-face visits.

Why choose open adoption?

There are many benefits to an open adoption. One is to offer comfort and encouragement to the birth

mother by providing her with the knowledge of her child's well-being. Another benefit of an open adoption is that it provides answers for your child. Therefore, minimizing their loss by maintaining and celebrating the child's connections with *all* the important people in his or her life. Open adoption also empowers you in raising your child, by providing knowledge about your child's birth family and their family medical history. During the home study, you will learn of the many positive aspects of open adoption. Your adoption advisor will discuss with you the contact arrangement that you are most comfortable with moving forward. It is very important that you be open and honest with your adoption advisor about the type of relationship you envision with your child's birth parents before birth, after you bring your child home, and throughout your child's life.

What is your agency's philosophy about open and closed adoptions?

Our agency will only complete adoptions for prospective adoptive families who are open to openness in adoption, as we believe it offers the healthiest situation for all members of the adoption triad (birth parents, adoptee, and adoptive parents). We are open to creating a dialog and educating families who are apprehensive about open adoption. Nightlight requires all prospective adoptive families to be open to a minimum of one face to face visit with the birth mother annually. However, we recognize that not every birth mother is interested in an open relationship, and we ask that prospective adoptive families respect the birth mother's wishes when it comes to openness.

If, after discussing the possibility of having an open adoption, you feel strongly that you would like to have a closed adoption, you will want to work with another agency.

THE MATCHING PROCESS

How do we create an adoption profile book?

Nightlight has partnered with a professional profile book company to design profile books for all families adopting through our domestic program. By working with a single provider, we ensure each family has the best chance to make a strong and positive first impression on expectant and birth mothers. When you reach the appropriate stage in the adoption process, your domestic family coordinator will email you with detailed instructions on how to begin creating your profile book. The cost of the initial profile book is already included in your program fees; your only responsibility will be covering the shipping costs to the individual Nightlight offices. To save on shipping, we recommend using Media Mail through your local post office, which is typically the most affordable option.

When does Nightlight begin matching us with an expectant/birth mother?

Once all your paperwork has been received, your home study is completed and approved, we have approved and received your profile book, you have completed your Adoption Bridge page, and all of the appropriate fees have been paid, we can begin showing your profile to expectant/birth mothers.

What criteria is an expectant/birth mother considering when selecting a family for her child?

When selecting an adoptive family who will love and parent her child, an expectant/birth mother may consider many different criteria, including ethnicity, religion, marital status, length of marriage, previous marriages, age of the adoptive parents, other children in home, employment status of the adoptive parents, financial stability, compatible personalities, and level of openness to an ongoing relationship with the birth family before and after the child's birth.

What parameters may an adoptive couple set before their profile is shown to an expectant/birth mother?

During the home study, your home study provider will ask you what factors you are willing to accept in a child's history. These factors include ethnicity, exposure to drugs/alcohol, disabilities, birth parent

medical expenses, birth father participation, and requests for ongoing contact with the birth family throughout the child's life.

Will you notify us when you are showing our profile?

Generally, we do not notify you when we are showing your profile. The wait to be matched is a roller coaster of emotions, and we do not want to cause further distress in the event that you are not chosen. If we have a question as to whether you would like us to show your profile to an expectant/birth mother with a very unique situation, we will notify you so you can determine if you would like to be presented.

Will we be required to update our profile book?

While we hope updates won't be necessary, there are situations where updating your profile book is required. **You will need to update your book if it is over two years old or if a significant change occurs—such as relocating to a different state.** Your domestic family coordinator will let you know if an update is needed. Please note that the cost of updating your profile book is not included in your program fees and will be your responsibility. **Nightlight will not present your profile to expectant/birth mothers if it is not current according to these requirements.**

What happens when an expectant/birth mother chooses to meet us?

If an expectant/birth mother would like to meet you, your domestic family coordinator and a pregnancy counselor will contact you to schedule a face-to-face meeting or conference call (depending on the distance between the two parties). This allows both parties to have an opportunity to meet and get to know a little bit about each other. After the meeting, the domestic team will check in with both parties to see how they felt the meeting went, and it will then be determined if it is a match.

If we are engaging your services for an interstate adoption with expectant/birth mother screening and matching, how will this process differ?

If you live in a state outside of Nightlight's licensed areas, we will do our best to help an expectant/birth mother get to know you through e-mail, text messages, or phone calls. However, you will need to be prepared to travel to your child's birth state if she would like to meet you before the baby is born.

What if we are matched with a birth mother through another source?

You must notify our office and your home study provider immediately if you are matched with an expectant/birth mother through an outside source. If the situation is one in which our agency will no longer be involved in your adoption, we will withdraw you from the program. Once the child has been in your home for one year, you may contact our office to discuss continuing your future adoption plans.

QUESTIONS ABOUT THE BIRTH PARENTS

How do expectant/birth parents come to Nightlight?

Expectant/birth mothers are connected to Nightlight through a variety of different avenues. Some of these are through referrals from pregnancy resource centers, maternity homes, hospital social workers, attorneys, churches, and adoptive families. Other ways expectant/birth mothers may reach us are through internet searches, social media, and referrals from friends or past birth mothers who have worked with Nightlight.

What age are the children placed for adoption?

We typically place newborns in our domestic program. We have placed older children, though it is rare for us to place children older than the age of 8 through our domestic program.

Does the expectant/birth mother have a counselor that she works with?

The expectant/birth mother will work with a pregnancy counselor if she is involved in an agency adoption. If it is determined that the expectant/birth mother would benefit from mental health counseling, Nightlight will seek to find an outside resource for this service.

How much counseling does the expectant/birth mother receive prior to and following the child's birth?

The amount of counseling an expectant/birth mother receives depends on her needs as well as the stage of pregnancy she is in when she begins working with us. If she requests our services early in her pregnancy, her pregnancy counselor will have more opportunities to provide support and counseling. These visits may occur weekly, bi-monthly, or monthly, depending upon her specific needs. Nightlight continues to provide support and counseling to birth mothers post placement. Counseling services are always available to birth moms who place their child through Nightlight.

Are expectant/birth mothers drug/alcohol tested before they are matched with prospective adoptive parents?

No. This is something the expectant/birth mother generally discusses with her pregnancy counselor and drug testing may or may not be completed by the expectant/birth mother's doctor. Please keep in mind that an expectant/birth mother's circumstances can change at any point during her pregnancy and that all information received regarding her health prior to receiving medical records is based solely on her word. We encourage all families to be well educated and prepared for all possible outcomes.

Are we given the expectant/birth parent's medical/general background information? If so, when do we receive it?

Expectant/birth parents are asked to provide Nightlight with information regarding their social/medical history. They are also asked to sign an authorization to allow Nightlight to obtain and share medical information with the prospective adoptive family. It is important to note that medical records are not always received prior to the child's birth. Nightlight will provide you with a copy of what has been provided to our agency. When we receive the copies of the hospital records, we will provide you with copies for your child's pediatrician.

Will we be at the hospital when the baby is born?

Your expectant/birth mother will create a Hospital Plan with her pregnancy counselor, which indicates her wishes for her time in the hospital. She will decide if she wants you at the hospital when the baby is born and/or, depending on the relationship you develop, whether she would like either of you in the delivery room. When possible, you will know what her plan is prior to birth. Please remember this plan can, and often does, change. Expectant/birth mother may choose more or less contact with the baby than what was originally stated.

What is expected of us at the hospital?

You must remember that the hospital stay is the birth mother's time with the baby. It serves as her time to confirm she is making the right decision to place her baby for adoption. It gives her, the birth father, and their families an opportunity to say goodbye. You will need to be respectful of the emotions she is going through and her wishes for her time in the hospital. Your domestic family coordinator will help guide you through this experience.

Do we bring our birth mother a gift?

Birth mothers give the greatest gift a person can give, and there is nothing you can give your birth mother that can compare to the gift she is giving you. Generally, we encourage you to give her something that signifies the relationship that has been established between all members of the triad. You will learn more about what this means from your adoption advisor. Such gifts often range from a

gift certificate to a more sentimental gift of a charm or piece of jewelry. Once you get to know the birth mother more personally, you will likely be able to determine the type of gift that would be most meaningful to her.

At what point can we bring the baby home?

Most birth mothers have great comfort in knowing that the baby is going home from the hospital with the adoptive family. For most in-state adoptions, once the baby has been medically discharged and the birth mother has given consent for the child to be released into our agency's custody, you can take your baby home. It is important to remember that in many states, until parental rights are terminated, the potential adoptive family is providing foster parent services only.

When doing an out of state adoption, you will still be able to bring the baby home from the hospital, as stated above; however, you will not be able to leave the state until both the sending state (state of the child's birth) and the receiving state (adoptive family's home state) have given approval. This process is known as the Interstate Compact on the Placement of Children or ICPC (see next question for more details).

Please note that the courts in some states will not allow a direct placement until after parental rights are terminated. In those situations, the baby must be placed in cradle care for a few days to a few weeks before being placed with you. Should you be matched with a birth mother in one of these court jurisdictions, you will be informed prior to the birth of the child.

If we are completing an interstate adoption, how long will we need to stay in our child's birth state (or the sending state)?

You will need to stay in your child's birth state until the ICPC paperwork has been approved by both states (your child's birth state and your state of residence). The time that this approval takes varies; however, it is **generally 14 business days from the date the paperwork is submitted to the sending state's ICPC office**. The ICPC paperwork cannot be submitted until after the birth mother signs the consent and relinquishment paperwork, or a legal transfer of custody has taken place.

How long does the birth mother/birth father have to decide to parent the child/"change their mind"?
This time frame depends upon the state laws where your child is born, and the birth mother resides. Please see the previous state-by-state explanation. During the revocation time period, if the birth parent decides to withdraw their consent or their petition to terminate their rights, our agency would consider the birth parents' situation and discuss with the adoptive parents before determining what is in the best interest of the child, and whether it would be appropriate to pursue involuntary termination of parental rights. In the event that the decision is made to pursue involuntary termination of parental rights, the additional legal costs are the responsibility of the adoptive family. In a situation where the birth parent decides to parent, and the agency and adoptive family are pursuing an involuntary termination of parental rights, it is the decision of the judge to determine what is in the best interest of the child.

Will the birth mother keep a copy of our profile book?

Birth mothers are given the option of keeping a copy of the adoptive family's profile book. All other profile books are kept by Nightlight and may be used as samples.

What rights does the birth father have?

Birth father rights vary by state. Below is an explanation of the birth father rights according to the laws in the states where Nightlight is licensed.

California

In CA, there are two types of birth fathers - alleged and presumed. In all cases, the birth mother will complete a "declaration of mother" that states all the information she knows about all possible fathers. This document is signed under penalty of perjury that all the information is true and correct.

To be presumed father, one must be married to the birth mother or named on the birth certificate. All other birth father situations fall under the alleged birth father category. Presumed fathers have the same rights as birth mothers, so they must be notified about the adoption and need to agree to the adoption. If a presumed father cannot be located, an abandonment proceeding can occur 6-12 months after birth to terminate the presumed father's rights. Alleged fathers also have to be notified if they are known and can be located. Once they are notified, they have 30 days from birth or notification, whichever is later - to respond to the notification. Their options are:

- Sign a waiver or denial, allowing the adoption to proceed
- Contest the adoption by initiating court proceedings
- Take no action

If, after 30 days, the alleged father has taken no action, their rights will be terminated in court. If the alleged father is unknown, the birth mother will complete a "declaration of mother" that states why the father is unknown.

Colorado

Alleged Father:

- The Nightlight attorney will obtain all necessary information pertaining to the birth father so she/he can hire a process server to have the alleged birth father served notification of anticipated relinquishment.
- The alleged birth father has 21 days or when birth mother's rights are relinquished with the court to respond (whichever time period occurs later)---If he does not respond by this time period, his rights will automatically be terminated.

Presumed Father:

- Must be notified of anticipated relinquishment, even if he is not the father. He can't be legally notified until after the baby is born, and he has 35 days or when birth mother's rights are relinquished, whichever is later, to respond. If he does not respond by this time frame, his rights will automatically be terminated. If unable to locate, will publish notification in legal journal/newspaper.

Unknown birth father/Unable to locate birth father:

- If a name is provided for the birth father, Nightlight will attempt to locate him through Facebook, phone records, internet search, etc.
- Attorney will be provided with any information on birth father, and attorney may attempt to locate him via private investigator if needed if not enough information provided.
- If unable to locate, attorney will publish notification in legal journal or newspaper in the county in which conception took place.
- If no response, his rights will be automatically terminated.
- If he does respond, he has 21 days again or when birth mother's rights are relinquished (whichever time period occurs later)

Florida

In Florida, the statute requires that a father be given notice and informed of pending adoption proceedings involving his child if one of the following conditions are met:

- He was married to the mother at the time of the child's birth or conception
- If he is registered on the putative father registry (cannot be searched until after the child is born).
- If he signed an acknowledgment of paternity in the hospital.
- If Paternity is established by the Court before the Petition to Terminate Parental Rights is filed.
- If he is identified by the Mother as a potential biological Father.

All fathers identified by the biological mother as a potential biological father are entitled to Notice of Adoption Plan, regardless of whether their consent is required to complete the adoption, as stated above. Florida law requires that an adoption entity notify all identified and locatable biological fathers before the court can terminate the biological rights in furtherance of an adoption. The adoption entity complies with this provision of the law by serving a 30-day Notice of Intended Adoption Plan or securing a properly executed Affidavit of Non-Paternity or Adoption Consent. If the unmarried biological father fails to timely complete the required actions, the court will be asked to determine that he has no rights to the child. If the unmarried biological father timely completes the required actions, he preserves his right to notice, and his consent to the adoption is required as if he had been married to the birth mother or otherwise established to be the child's legal father. A potential biological father has the right to notice only when the biological mother identifies him by the date she signs her adoption consent

A legal father must be served with notice personally by a sheriff's deputy or by publication if he cannot be reasonably located with a copy of the petition for adoption and a notice of a hearing.

Georgia

In Georgia, the statute requires that a birth father be given notice and informed of pending adoption proceedings involving his child if one of following conditions is met:

- If his identity is known to the adoptive parents, adoption agency, or attorney
- If he is registered on the putative father registry (cannot be searched until after the child is born).

After notice is given to the putative father, he must, within thirty days, file a petition to legitimate the child. If such a petition is not made, the court will enter an order which terminates all parental rights to the child. When the identity or location of the putative father is not known, despite attempts to locate him, the court will conduct a hearing and will terminate his parental rights.

Georgia law does not require that a mother of a child reveal the name of the putative father. However, in Georgia, the court will require her to state whether the father has, in essence, attempted to establish a relationship with the child as well as list all financial assistance in connection with the birth of the child or placement for adoption. A legal father must be served with notice personally by a sheriff's deputy or by publication with a copy of the petition for adoption and a notice of a hearing.

Indiana

- To protect his rights to receive notice of adoption proceedings for a child, a man should file with the putative father registry established by the State Department of Health. Any man who may

have conceived a child for whom a petition for adoption has been or may be filed should register before the child's mother consents to the adoption.

- Alternatively, a paternity affidavit may be executed by the child's mother and biological father, acknowledging the paternity of the child within 72 hours of birth. A paternity affidavit may not be executed after the child's mother has consented to adoption, and an adoption petition has been filed. A man who completes a paternity affidavit may file a court action to request a genetic test within 60 days of executing the affidavit.

Kentucky

Under Kentucky law, at least one of the following conditions must be met for the father to be included in the adoption proceedings:

- He is known and voluntarily identified by the mother by affidavit
- Prior to the entry of a final order in a termination proceeding, he has acknowledged the child as his own by affirmatively asserting paternity in the action or to the custodial agency or the party bringing the action within 60 days after the birth of the child
- He is named on the birth certificate of the child
- He has commenced a judicial proceeding claiming parental right
- He has contributed financially to the support of the child, either by paying the medical or hospital bills associated with the birth of the child or financially contributed in other ways to the child's support
- He has married the mother of the child or has lived openly or is currently living with the child or the person designated on the birth certificate as the biological mother of the child.

If the birth mother is married at the time of the birth, her husband is the legal father (even if he is not the biological father) and must also consent to the adoption.

Each birth father circumstance is unique, and the termination of the birth father's rights is handled by the birth parents' attorney chosen by Nightlight. There are typically three options that are available.

- Birth father is cooperative and signs the voluntary petition to terminate his parental rights 72 hours after birth.
- Birth father is not involved but is named, and his whereabouts are known, the attorney may choose to have him served notice of the adoption. The birth father has 60 days to file a paternity petition with the appropriate court.
- Birth father is not involved, is unknown, or cannot be located, the attorney may choose to file termination based on abandonment. This can only be done 90 days after the child's birth.

As mentioned previously, each case is unique and must be handled individually. Although the adoptive parents' attorney may have differing views on how the termination should be handled, it is up to the birth parents' attorney to make these decisions. Any correspondence or discussions between the adoptive parents' attorney and the birth parents' attorney could be viewed by the court as unethical as it may appear that the birth parents' attorney is making decisions on behalf of the adoptive parents instead of the birth parents.

Missouri

In Missouri, a birth mother is asked to name any man who could potentially be the father of the child. Nightlight, upon the advice of an attorney, will make an effort to locate and notify him. Upon notification by the agency about the birth, a man may choose to cooperate with the adoption plan and sign a Consent to Termination of Parental Rights and Consent to Adoption document. When that

occurs, the legal work can go forward with the termination of parental rights of both birth parents. If the father chooses not to cooperate with the adoption process, or cannot be located, the adoption can move forward as a legal risk placement. Although Missouri does have a Putative Father Registry and a man has up to 15 days after the birth to register that he plans to assert his paternity in regard to the child, the validity of terminating birth father rights solely on the Putative Father Registry varies from county to county. A birth father's parental rights may be terminated 60 days after birth on the grounds of his having abandoned the child. Because of these county to county variations, the advice and guidance of an attorney experienced in both adoption and the procedures in the particular county are helpful.

If a woman is legally married (even if the couple is separated and/or the husband is not the father of the child), the husband is the presumed legal father and also must consent to the adoption.

North Carolina

In North Carolina, the statute requires that a man who claims to be or is named as the biological or possible biological father of the child, and any biological or possible biological fathers who are unknown or whose whereabouts are unknown be given notice and informed of pending adoption proceedings involving the child. Nightlight will request the expectant/birth mother to name any man who could potentially be the father of the child. Nightlight, upon the advice of an attorney, will make an effort to locate and notify him. Upon notification by the agency about the birth, a man may choose to do one of the following

- Cooperate with the adoption plan and sign a voluntary consent to the adoption
- Execute a notarized statement waiving notice of any future adoption proceedings
- Execute a notarized statement denying paternity or disclaiming any interest in the minor child

If the alleged father does not respond to Nightlight's attempts to notify him, Nightlight will do one of the following

- File a prebirth determination of right to consent – the alleged birth father will have 30 days to respond. If he fails to respond, the court will issue an order declaring his consent is not required for the adoption
- No later 30 days after a Petition for Adoption is filed, Nightlight will initiate service of notice to all potential birth fathers. Persons served must file a response to the petition within 30 days if notice is served by mail or 40 days if notice is served by publication in order to participate in or receive further notice of proceedings.

North Carolina law requires a man, who may or may not be the biological father, to consent to the adoption who:

- Is or was married to the mother if the child was born during the marriage or within 280 days after the marriage is terminated
- Attempted to marry the mother of the child before the child's birth, by a marriage solemnized in apparent compliance with law
- Before the filing of the petition, has legitimated the minor under the law of any state;
- Before the filing of the petition or the date of a hearing, has acknowledged his paternity of the minor and
 - Is obligated to support the minor under written agreement or by court order;
 - Has provided, in accordance with his financial means, reasonable and consistent payments for the support of the biological mother during or after the term of pregnancy, or the support of the minor, or both, which may include the payment of medical expenses, living expenses, or other tangible means of support, and has regularly visited or communicated, or attempted to visit or communicate with the

- biological mother during or after the term of pregnancy, or with the minor, or with both; or
- After the minor's birth but before the child's placement for adoption or the mother's relinquishment, has married or attempted to marry the mother of the child by a marriage solemnized in apparent compliance with law
- Before the filing of the petition, has received the child into his home and openly held out the child as his biological child

Oklahoma

In Oklahoma, birth mothers are expected to give all the information they can on the putative (or alleged) father of the child. The birth mother will be questioned under oath when she appears before a judge to give her consent, and she will be informed by the judge of the penalties for perjury for not providing truthful information about the father. If the birth father is willing to participate in the planning for the adoption or has said he will give consent, OK law allows him to do so even prior to the birth of the child. The putative father may consent either before a judge or before a notary.

The birth father's out-of-court consent becomes irrevocable after fifteen days, whereas one done in court is immediately irrevocable. Oklahoma has a Putative Father Registry, which may be used by putative fathers to protect their rights to notice of an adoption.

If a putative father does not make himself available or is truly unknown, his rights can be terminated involuntarily. The putative father must be noticed by personal service or publication. If he has not supported the birth mother and child financially nor maintained a significant and positive relationship with the child, then his rights may be involuntarily terminated by the court. There is a legal burden on the putative father to prove he is the child's father. Failure to appear at a court hearing after receiving notice is also grounds for terminating his rights.

If the birth parents are married, the husband is presumed to be the "legal father" of the child, and his rights must be voluntarily relinquished or involuntarily terminated after the birth of the child. A legal father usually must be named on the child's birth certificate. A legal father must be given notice of the adoption.

South Carolina

In South Carolina, the statute requires that a father be given notice and informed of a pending adoption proceeding involving his child if any of the following conditions are met:

- His identity is reported on the birth mother's Consent for Adoption
- He is registered on the Responsible Father Registry (to be officially checked after placement and prior to the petition for adoption being filed with the courts)
- Birth father has lived with the child or the mother for six continuous months prior to the mother signing a Consent for Adoption
- Birth father has provided financial support for the mother or child
- Birth father is married to the mother of the child (even if the child is not biologically his)

Texas

In Texas, the biological mother of a child placed for adoption is not required to identify the biological father of the subject child. The law requires any possible biological father to file a petition in court to assert a parent-child relationship prior to a termination of his parental rights, or to register his intent to establish a parent-child relationship to the subject child with the Texas Paternity Registry within 31 days of the date of birth of the subject child. If no person timely files a petition in court to assert a

parent-child relationship or timely registers an intent to assert paternity to the child, the Court can terminate, foreclose, and divest any possible biological father from ever establishing a parent-child relationship with the subject child. If any possible biological father files a petition in court to assert a parent-child relationship prior to a termination of his parental rights, or timely registers his intent to establish a parent-child relationship to the subject child, he must then be served with a citation notifying him of the adoptive placement and seeking to involuntarily terminate his parent rights.

Utah

In Utah, the birth mother of a child placed for adoption is not required to identify the biological father of the subject child. Utah law states that the consent of an unmarried biological father to a child who is 180 days or younger is not required unless, **before the time that the birth mother executes her voluntary consent for adoption**, the unmarried biological father completes one of the following in the appropriate court jurisdiction:

- Initiates proceedings in court to establish paternity under the Uniform Parentage Act;
- Files with the court a sworn affidavit:
 - Stating that he is fully able and willing to have custody of the child;
 - Setting forth his plans for care of the child; **and**
 - Agreeing to a court order of child support and the payment of expenses incurred in connection with the birth mother's pregnancy and the child's birth
- Files notice of the commencement of parentage proceedings (as stated above) with the office in a confidential registry established by the office for that purpose; **and**
- Offered to pay and paid, during the pregnancy and after the child's birth, a fair and reasonable amount of expenses incurred in connection with the birth mother's pregnancy and the child's birth, in accordance with his financial ability, unless:
 - He did not have actual knowledge of the pregnancy;
 - Was prevented from paying the expenses by the person or authorized agency having lawful custody of the child; **or**
 - The birth mother refused to accept his offer to pay the expenses described above

The deadline for a biological father to complete the above steps is the time the birth mother signs her voluntary consent to the adoption. If that takes place on a weekend or a holiday, the birth father is given one additional business day.

Utah law also allows for a biological father to file a voluntary declaration of paternity. This is considered filed when the declaration is entered into a database that can be accessed by the Department of Health and Human Services and is designated by the office as the official database for voluntary declarations of paternity. If this action is taken, his consent to the child's adoption is required. However, a birth mother can rescind a biological father's voluntary declaration of paternity within 60 days. If that happens, the biological father has 10 days to appeal.

If a biological father is served with notice of a pending adoption proceeding or of a termination proceeding and he fails to respond within 30 days, his consent to the child's adoption is implied. This implied consent cannot be revoked.

What are our responsibilities after we take the baby home?

If you live in one of Nightlight's licensed areas, our agency will be completing post placement visits and reports according to the schedule dictated by your state of residence and your child's birth state. If you live out of Nightlight's licensed area, these will be completed by your home study provider. In addition, we require all families to submit to our agency several photos of the baby, along with a letter to the birth parents updating how the baby is doing, quarterly for the first year, and then annually until the child turns 18 years old.

ADOPTION EXPENSES AND FINANCING

What would you estimate the cost for the adoption to be?

Depending upon the state where you reside, the fees for adoption services range from as low as \$1,000 for a home study to \$37,000 for an agency adoption (see the Agreement for Adoption Services). In most cases, you will also need to hire an attorney for the finalization of your adoption. An attorney for finalizing will typically cost between \$1,500 and \$6,000. In general, depending upon the individual characteristics of your adoption, your total cost will probably be between \$38,400 and \$49,300.

What are "Program Fees"?

Nightlight establishes a budget for costs each year based on the number of adoptions it estimates completing in each of its programs (domestic, international, and embryo) during the year. Based on these estimates, we establish program fees for adoptions in the various programs, taking into consideration the amount of staff time and expenses which will be involved in maintaining the program for the year. Of course, it would be prohibitive to allocate all of the costs (payroll, rent, insurance, supplies, etc.) to one adoption in one program. Nevertheless, we will incur those costs even if the number of adoptions is less than we estimate. Therefore, we establish program fees for each adoption program, which we believe closely relates to our actual costs in running the program – not the actual time in completing or working on a specific adoption. Program fees charged by the agency are not contingent on the successful placement of a child.

Why are fees non-refundable once paid?

Our program fees are paid in phases to enable families to budget their costs and to minimize the financial risk in the event that an adoption is not completed, or in the event that you, the adoptive parent, withdraw from the program. The program fee schedule provides for the majority of the costs to be paid close to the time when the adoptive placement occurs. As explained above, the program fees are established based on the costs to maintain a program, not on time spent on each individual adoption.

What expectant/birth mother expenses might we expect?

Nightlight includes potential expectant/birth mother expenses in our program fees. This allows us to properly care for expectant/birth mothers regardless of whether she chooses adoption and which family she selects as adoptive parents. This allows you to worry less about expectant/birth mother expenses being lost as you will not be asked to pay these fees again regardless of whether a match disrupts. The exceptions would be medical expenses (if the expectant/birth mother does not qualify for Medicaid and does not have health insurance or has insurance with copays and deductibles) or contested adoption legal expenses.

What expectant/birth mother expenses are not covered by Nightlight?

Nightlight does not cover any medical expenses incurred by an individual expectant/birth mother. In addition, Nightlight does not cover any legal expenses for an expectant/birth mother in a contested adoption. You will be advised of estimated medical and/or legal fees once those figures are known to Nightlight.

Do my program fees cover attorney expenses?

Nightlight's program fees cover the cost of obtaining relinquishments/termination of birth parent rights in a non-contested adoption case. Nightlight's program fees do not cover the cost terminating birth parent rights in a contested adoption case, nor do they cover the cost of retaining an attorney to finalize your adoption. Attorney fees can range from \$1,500 to \$6,000 to handle the adoption finalization. Your domestic family coordinator will assist you with locating an attorney to finalize the adoption. In the

event that you are matched with an expectant/birth mother living in another state, there may be additional attorney or agency fees to represent the expectant/birth mother in that state. Please refer to the "Agreement for Domestic Adoption Services" for further information regarding fees. Contact your domestic family coordinator with any questions regarding additional fees in these situations.

Is there financial assistance available?

Nightlight has a Family Resource Specialist available to help families navigate the available grants, scholarships, and adoption loans.

ADDITIONAL ADOPTION RESOURCES

- **BraveLove**, www.bravelove.org, is a pro-adoption movement dedicated to changing the perception of adoption by acknowledging birth moms for their brave decision.
- **Birth Mom Buds**, www.birthmombuds.com, is a wonderful online support group for birth mothers. Includes a section for adopting parents with suggestions from birth mothers in regards to writing a "Dear Birth Mother" letter, first contact, and gift ideas.
- **Child Welfare Information Gateway**, www.childwelfare.gov, is a great resource for families in any stage of the adoption process as it provides publications and links on many adoption topics.
- **Tapestry Books**, www.tapestrybooks.com, devoted to selling books on adoption.
- **Adoption Learning Partners**, www.adoptionlearningpartners.org, provides web-based educational courses to adoptive families. ALP courses range from \$30-45, and they also offer a few free courses on select topics.
- **Adoptive Families Magazine**, www.adoptivefamilies.org, a magazine devoted to adoption issues.
- **Lifebooks**, <http://www.adoptionlifebooks.com>, get tips and ideas from Beth O'Malley for creating your child's Lifebook.
- **American Academy of Adoption Attorneys (AAAA)**, www.adoptionattorneys.org, to find an attorney in another state who can help complete your adoption.

By my signature below, I acknowledge that I have read and understood the eligibility requirements and the frequently asked questions.