



We offer the following adoption services to traditional and non-traditional families:

- [Intercountry Adoption](#)
- [Domestic Adoption](#)
- Birth Parents Adoption Plans
- Re-adoption
- [Second-Parent Adoptions/LGBT Adoptions](#)
- Contested/Uncontested Step Parent Adoption
- [Adoption Tax Credit](#)

The attorneys at Zamani & Associates understand that the choice to adopt, or the choice to create an adoption plan is one of the biggest decisions a person can make. We are committed to helping you understand your options with sensitivity, compassion and a detailed knowledge of the law. Whether you are a prospective adoptive parent or a birth parent interested in creating an adoption plan, we will explain your options and help you pursue a path that works for your individualized situation. We will be with you throughout your entire journey and will make sure that you have the legal guidance, information and resources necessary to achieve your desired results.

For a prospective adoptive parent, the first step in your journey is determining whether you want to pursue [intercountry adoption](#) or [domestic adoption](#) . Our attorneys will help guide you through this choice by offering a comprehensive overview of both processes.

Intercountry Adoption

When a prospective adoptive parent wants to adopt from another country, they work with a licensed agency in the United States that has adoption programs in various countries to help them find a child. The adoption process proceeds pursuant to the laws of the country where the adoptive child resides. Although an adoption may be finalized in the country where the adoptive child was born, this does not mean that the child will automatically become a United States Citizen when they come home. Depending on the type of visa an adopted child receives when the adoption is finalized in the country where they were born, it may be necessary for an adoptive parent to re-adopt their child once the family returns to the United States. In fact, even in situations where an adopted child becomes a citizen automatically after the foreign adoption is finalized, it may make sense for a parent to re-adopt their child after they return to the United States. It is important that an adoptive parent works with an attorney who understands the immigration implications relating to intercountry adoption to help guide them through the process.

Domestic Adoption

When a prospective adoptive parent wants to adopt domestically, they may choose to pursue [independent adoption](#), also known as private adoption, or adoption through a [private or public agency](#).

In every domestic adoption, a child who moves from one state to another is subject to the Interstate Compact on the Placement of Children (ICPC). The ICPC establishes uniform procedures for the interstate placement of children and is the law in all 50 states, the District of Columbia and the U.S. Virgin Islands.

Independent Adoption

With independent adoption, prospective adoptive parents and birth parents create an adoption plan without the help from an agency. The laws in the District of Columbia and Maryland do not permit an adoptive parent to pay any person to help them locate a birth parent other than a licensed child placing agency. This means that for independent adoptions, adoptive parents and birth parents have to locate one another in other ways, such as through the internet. Once the adoptive parent and birth parent find each other, they create an adoption plan that outlines how the adoption process will go. Both the adoptive parent and birth parent should each have separate attorneys to help guide them this process. When the child is born, the birth parents execute a consent to the adoption. In most states independent adoption is permissible, but in some states, such as Colorado, it is prohibited. It is important to keep in mind that adoption is governed by state laws that differ as to whether attorneys may facilitate adoptions, whether independent adoptions are permissible, the amount of time a birth parent has to revoke their

consent, compensation an adoptive parent may provide for a birth parent's expenses, and the amount of time it takes for an adoption to be finalized.

Private Agency Adoption

In private agency adoptions, a prospective adoptive parent works with a licensed child placing agency to help facilitate an adoption. The agency will require the prospective adoptive parents to complete a home study that includes an assessment of the adoptive parents' home and various background checks. The agency will then identify birth parents linked with the agency who want to create an adoption plan. Once a child is born, the birth parents relinquish their parental rights to the agency, and then the agency consents to the adoption.

Public Agency Adoption

The agency involved in public agency adoptions is social services, which is the government entity responsible for foster children and has different names in various states. In public agency adoptions, the prospective adoptive child is usually in foster care. When a child is placed in foster care, the birth parents have a certain amount of time to do what is necessary to reunify with their children. When reunification does not occur, a goal in child's case may change to adoption and parental rights may be involuntarily terminated. The prospective adoptive parent in these cases may be a foster parent or a relative. If parental rights are terminated, the agency consents to the adoption. If parental rights are not terminated and the birth parents do not consent, the court will hold an evidentiary hearing to determine whether the adoption should move forward. Adoptive parents will have to go through a home study as part of the process. Adoptive parents may receive a financial subsidy if the adoption is finalized.

Second-Parent Adoptions/LGBT Adoptions

A second-parent adoption is a process that allows gay and lesbian parents to establish a legal relationship with their child. When a second-parent adoption is granted, both parents have status as legal parents typically with the same rights in custody, visitation, medical decision-making and inheritance matters. We recommend that all gay and lesbian couples who are parents obtain a second-parent adoption decree to establish the legal relationship between both partners and the child, even where the partners are married or have registered their domestic partnership.

Thirteen states, including Maryland and the District of Columbia, permit second-parent adoption for lesbian and gay parents either by statute or state appellate court rulings, across all counties. In the District of Columbia, lesbian and gay couples who arrange to have their children born in the District of Columbia can seek a second-parent adoption in the District regardless of whether

they reside in the District or another jurisdiction. The law applies not only to children born since its enactment, but also applies retroactively to any children born on or after July 18, 2009. In Maryland, second-parent adoptions may also be granted provided that the parents have met the adoption criteria required by the local court.

Adoption Tax Credit

The Adoption Tax Credit made possible by the Patient Protection and Affordable Care Act of 2010 signed into law by President Obama was recently made permanent by legislation on January 1, 2013. The current adoption tax credit is \$13,400 and it allows qualified families to deduct up to \$13,400 in "qualified adoption expenses" from their overall tax liability to adopt a child under 18 years of age; families adopting special needs children may generally claim the entire amount regardless of the age of the child. Qualified expenses are the "reasonable and necessary" expenses you may incur that are directly related to the adoption, such as court costs, travel costs, agency fees and attorney fees, including costs associated with an unsuccessful adoption attempt. Additionally, the Act includes an income exclusion enabling adoptive parents to exclude their employer's adoption assistance benefits from their net income. The tax credit is no longer refundable; thus families may only use to reduce a tax liability. We know that financing your dream may be a concern; we can assist you by pairing you with a financial cost as part of our services, or in identifying programs, benefits and services that may reduce your costs.

Additional Information:

- Adoptive Families Magazine - <http://www.adoptivefamilies.com>
- Overview of State Specific Laws - <http://www.childwelfare.gov/adoption/>
- Families For Private Adoption: <http://www.ffpa.org>
- Intercountry Adoptions: <http://www.adoption.state.gov>
- Resolve: <http://www.resolve.org>