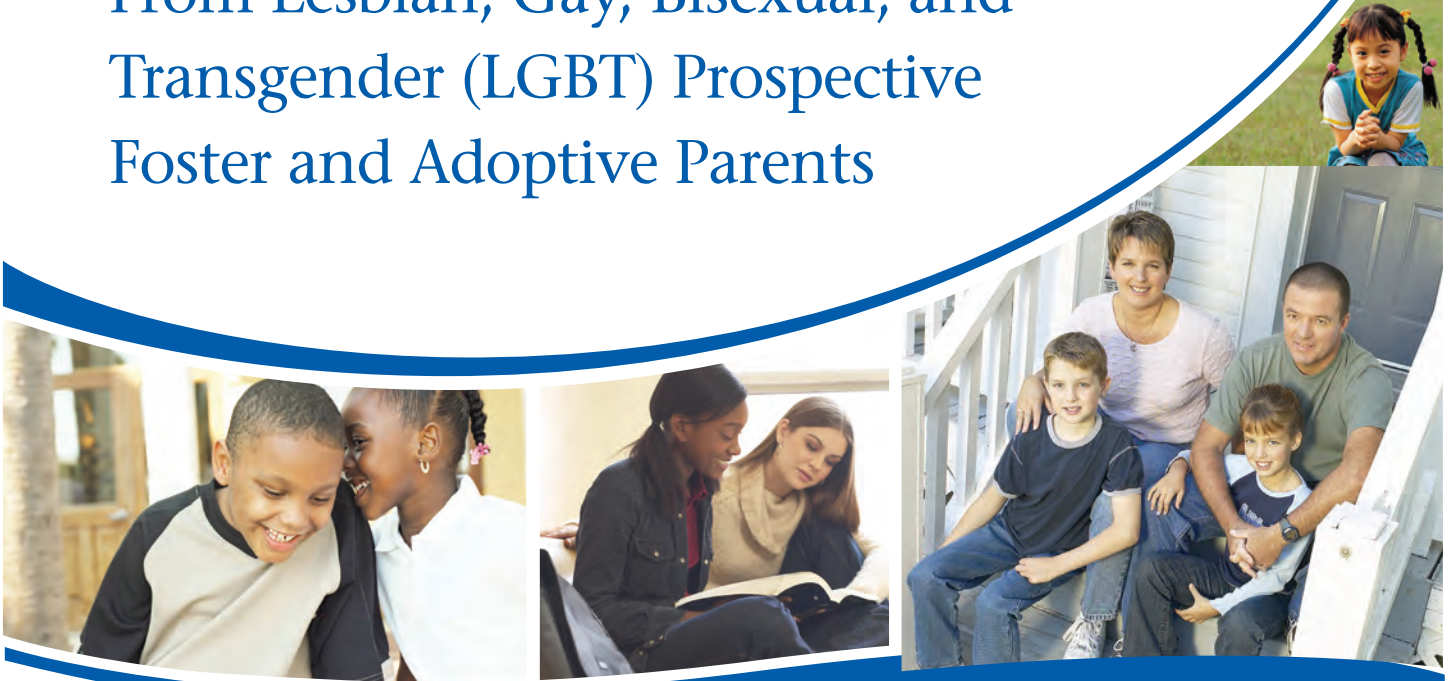


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# Frequently Asked Questions From Lesbian, Gay, Bisexual, and Transgender (LGBT) Prospective Foster and Adoptive Parents



The landscape for LGBT adoption is changing, with an increasing number of LGBT individuals and couples choosing to build families through adoption. Many agencies, both public and private, welcome the LGBT community. Leading child welfare organizations believe that prospective LGBT parents are an excellent resource for children and youth in need of a permanent

family.<sup>1</sup> However, specific challenges continue to face many LGBT prospective adoptive parents; they vary depending on where you live and whether you adopt as a single person or a couple.

<sup>1</sup> *Human Rights Campaign: All Children—All Families Promising Practices Guide, 2010*, at [www.hrc.org/issues/parenting/adoptions/8941.htm](http://www.hrc.org/issues/parenting/adoptions/8941.htm)

The adoption process can seem daunting for anyone, straight or gay, and it can require a significant commitment of time, emotional energy, and financial resources, depending on the path you take. To make the experience as positive as possible, do your homework before getting started. Being informed is the first step in the process. The following answers to frequently asked questions (FAQs) can help you in this early stage of your journey in adoption.<sup>2</sup>

### **Q: How do I find a welcoming agency?**

A: Finding an agency that is genuinely welcoming and affirming is the key to a successful adoption experience. Begin by asking other LGBT adoptive parents for feedback on the agencies they used and whether they would recommend a particular agency. Conduct your own Internet research by reviewing agency websites for images and language that speak to the LGBT community, for example, photos of two-mom or two-dad families, or client nondiscrimination statements. You can call an agency directly and ask about its policies or request an in-person meeting with a staff person to learn more about the agency's track record with LGBT families and to get a sense of how open they are. If you live in a jurisdiction that has laws restricting LGBT adoption, ask the agency how it navigates those challenges. Be sure that the agency can verify that it has placed children with LGBT families, and ask to speak to some of their LGBT clients.

Other topics to explore with agencies are:

<sup>2</sup> See Child Welfare Information Gateway's *Adoption: Where Do I Start?* at [www.childwelfare.gov/pubs/f\\_start.cfm](http://www.childwelfare.gov/pubs/f_start.cfm)

- The number of LGBT families the agency has worked with, what percentage of all families that represents, and how long LGBT families wait to be matched with a child or children
- How the agency, if the agency places infants, represents LGBT families to expectant parents considering adoption for their infants
- How the agency's intercountry program, if it has one, works with LGBT families

### **Q: What States allow LGBT individuals or same-sex couples to foster or adopt?**

A: Most States do not have laws or formal policies that address the eligibility of LGBT individuals or couples to adopt or serve as foster parents. Instead, child welfare professionals and judges make placement decisions that should be in the best interests of the child. A few States have laws that restrict adoption or fostering by gay people (for example, Mississippi). In States where same-sex couples can marry legally they can also adopt. In many other States, sexual orientation or same-sex relationship status does not exclude couples from adopting.

Some States will allow *singles* to adopt but will not allow same-sex or unmarried *couples* to adopt. If one member of a couple chooses to adopt as a single parent because the State won't allow second-parent adoption, the parents may want to find a way to complete a second-parent adoption in order to provide the child with legal protection.

Before you begin your adoption process, you should research the laws in your jurisdiction. Seek consultation from your

State equality organization or a national LGBT organization if you are unclear. See Child Welfare Information Gateway's *Who May Adopt, Be Adopted, or Place a Child for Adoption? Summary of State Laws*: [www.childwelfare.gov/systemwide/laws\\_policies/statutes/parties.pdf](http://www.childwelfare.gov/systemwide/laws_policies/statutes/parties.pdf).

**Q: Should I disclose my sexual orientation or transgender status? If so, when?**

A: This is perhaps the most daunting aspect of the adoption process, particularly if you live in a State with restrictive laws or if you are not sure of your agency's policy. Full disclosure in adoption is optimal and advised, whether it's regarding sexual orientation, family history, or other aspects of your personal life and background. LGBT adoptive parents often worry that disclosure may disqualify them as adoptive parents or lead to greater scrutiny as applicants. For single LGBT adults, it may seem irrelevant or unnecessary to disclose this information. Because the decision to place a child with you is made by someone else—a birth parent or agency professional—it is important and most ethical that the decision be based on a full, honest picture of who will be raising the child.

It is best to disclose early in the process, perhaps by calling an agency and stating that you are a gay man, or a lesbian couple, or a transgender woman—whatever the situation is—and gauging the response over the phone. If you do not disclose right away, talk with your social worker during the home study or family assessment about your sexual orientation and relationship status, whether you are single or in a committed

relationship. In States where joint adoption is not allowed, you may need to identify one person to be the primary applicant and one to be the “other member of household.” Ideally, the agency, and the home study social worker in particular, should be aware of your sexual orientation, gender identity, and relationship status to help you navigate the particular challenges in the city, county, or State where you reside.

If there is a compelling reason why you are not able to disclose—for example, you live in a State that bans gay adoption, or you are pursuing intercountry adoption from a country that will not place with LGBT families—consult with an LGBT family law attorney or LGBT advocacy organization before moving forward. There are often ways to resolve these difficult scenarios.

There can be irreversible consequences if you do not disclose your sexual orientation. For instance, withholding information or not being truthful could exclude an applicant from the process no matter how good the reason. Also, it is vital that you and your partner have the benefit of the best adoption preparation possible. Without an honest relationship between you and your agency, you could miss essential information or a preparation opportunity. Effective preparation and postadoption support offer the most promising basis for a successful placement for the child and the parents.

**Q: What should I expect from the home study or family assessment?**

A: All types of families may find the home study intrusive; however, this assessment allows the agency or social worker to best

match your family's strengths to the needs of a particular child or children. It's good to keep that thought in mind when preparing for your home study.

The home study can create added anxiety for LGBT individuals and couples, particularly when there are concerns about the agency policies and questions about disclosure. Again, by sharing early on that you are an LGBT individual or couple, there is a greater likelihood that the home study social worker will be better prepared to conduct your family assessment.

Many LGBT applicants wonder if they should "straighten up" the home before the social worker visits by taking down certain photos or artwork or removing some books from view. These thoughts are normal for all prospective parents, straight or gay, in an effort to make the best possible impression on the social worker and prepare the home environment for the arrival of a child.

The goal of the home study or family assessment is to learn about you as an individual and as a couple, if applicable, to assess the strengths and capacities you would bring to parenting a child or children needing a family, and to help prepare you for the transition to parenthood. It is also the process through which the social worker determines that the home is safe and secure for a child. The home study process can feel invasive and overwhelming. It is important to remember that it's like that for all adoptive parents, regardless of sexual orientation, and that the best approach is to be honest, open, and authentic. If you feel at any point that your home study social worker is asking inappropriate questions, is uncomfortable with you, or is being biased

in the assessment, contact a supervisor or agency administrator.

### **Q: What do I do if I think an agency is discriminating or being unfair?**

A: As noted above, if you feel at any time that a particular agency staff person is being unfair, disrespectful, or discriminatory, you should share your concerns first with that person. There may be a simple misunderstanding that can be corrected immediately. If you do not get a reasonable response, go to the supervisor or agency administrator.

Keep in mind that while there is still discrimination, and the potential for being treated unfairly definitely exists, what you might perceive as discrimination or homophobia may be something else. For example, you may feel that you are not getting calls returned because you are gay, or that as a same-sex couple you are waiting longer for a placement than the heterosexual couples in your support group. What may be true, however, is that the social workers at the agency do not return *anybody's* calls quickly because there is a high workload for the staff and that the heterosexual couples are waiting just as long as the same-sex couples. This would be a good opportunity to join a support group or form one to interact with other couples who are waiting, find out about their experiences, and prepare for the type of child or children you hope to adopt.

It is important to speak up when you feel something is unfair, to report up the chain of command, and to be open to the possibility that you may be wrong. In cases

of explicit discrimination, contact an LGBT advocacy organization.

**Q: How do I find support during the waiting process?**

A: Many agencies have support groups for waiting families, so the first step is to ask for a referral to those groups, ask if other LGBT families are currently in the group, and find out if the facilitator is LGBT-competent and friendly. In addition, there are many LGBT parent support groups across the country, and you can find adoptive and preadoptive families to connect with. The waiting period is a great opportunity to begin networking with other LGBT and adoptive parents who can help you build a support network as you transition to parenthood. If you are not able to find a group in your local community or through your local agency, you can explore online discussion forums for waiting families and for LGBT families in general. You may even consider starting a group if one does not exist.

**Q: What do experienced LGBT parents have to offer as advice?**

A: Most LGBT parents say that they benefit from being part of a larger community of LGBT parents and that it is important for their children to see other families like theirs, especially as they get older. LGBT adoptive parents often have networks that overlap, some of which are tied to the adoption community and some to the LGBT community, but there is a lot of common ground. Experienced parents recommend that you research the LGBT policies of your local day care facilities or schools and identify pediatricians and other service providers who are LGBT friendly. If

one member of a couple has to adopt as a single parent because your State won't allow second-parent adoption, you may want to find a way to do a second-parent adoption to provide your child with legal protection. Finally, experienced parents recommend that you think about how you will talk to your family, friends, neighbors, teachers, and others about your family and how you will answer challenging questions that may arise.

Adoption professionals can find more information and resources in Child Welfare Information Gateway's *Working With Lesbian, Gay, Bisexual, and Transgender (LGBT) Families in Adoption*:  
[www.childwelfare.gov/pubs/f\\_profbulletin](http://www.childwelfare.gov/pubs/f_profbulletin)

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