**Research Recap**

**Adoption in the United States: Statistics, Most Prevalent Form, and Laws**

**Domestic U.S. Adoptions**

The Adoption by the Numbers 2022 Study of the National Council on Adoption revealed 115,353 U.S. adoptions in 2019. This includes private placements as well as those from foster care and stepparent adoptions.

* Between 2% and 4% of Americans have adopted and more than a third of the population have considered it.
* There are approximately 4.5 million adopted children in the U.S. This encompasses 7% of the population reported in the 2010 Census and includes children who are adopted by relatives or a stepparent.
* In 2019 Yougov.com reported that one quarter of survey respondents had either a friend or family member who is adopted and 24% had considered adopting.
* An estimated 95% of domestic infant adoptions are open adoptions, including some degree of sharing and information between adoptive and birth parents regarding themselves and the adopted child.
* About two-thirds of domestic infant adoptions are characterized by some level of continued post-placement contact.

**Benefits of Open Adoption to the Birthmother**

* Open adoption has gained a remarkable degree of support in the U.S. in recent years and the trend toward endorsement for openness is primarily based on benefits to the birth mother.
* Open adoption may reduce birth mothers’ feelings of loss. Direct contact with the adoptive parents fosters confidence that the child is safe and well cared for.
* Available data has shown birth mothers tend to be much more satisfied with their decisions to place for adoption when there are opportunities for ongoing contact with the adoptive family.
* Post-placement psychological adjustment is more positive in cases of open adoption compared to closed adoption.
* In a qualitative study of birthmothers who chose open adoption by Clutter, the results revealed that many women described the decision as among the most difficult and best in their lifetimes.
	+ The benefits of open adoption outweighed challenges of pregnancy, birth, and emotional transitions.
	+ Birth mothers in this study often commented on feeling very much a part of the families who had adopted their children, feeling they were the recipients of friendship and unconditional love.
	+ One participant stated: “Open adoption is such a great thing. It gives you a whole new family like I’ve changed my life because of this. I thought because I placed my son, I would have less reason to care but I have more reason because I have a whole crowd of people who care about me. We’re all one big family now. You go from having nobody to having everybody.”

**Benefits of Open Adoption to the Adoptive Parents**

* There is also evidence that adoptive parents feel more secure because the birth parents have given them explicit consent.
* Adoptive parents also benefit from knowledge of their child’s medical history, cultural backgrounds, and the reasons for the birth mother’s adoption decision.

**U.S. International Adoption Statistics**

* In 2022, there were only 1517 international adoptions in the U.S., with the largest percentage being of children ages 5-12, followed by children 1-2 years of age, with the smallest percentages among children under a year and age18 and older.
* This represents a dramatic decline from a 25 year high of 22,987 U. S. abortions in 2004.
* The gender distribution of children adopted in 2022 was fairly balanced (48% male and 52% female).

**General Adoption Requirements in the U.S.**

In the United States, there are a few general requirements that prospective adoptive parents usually must meet, no matter what state they live in.

* Age Requirement: Adoptive parents must be at least 18 or 21 years old in most states. Some states also require age differences between the adoptive parent(s) and the child that range from 10 to 15 years.
* Residency Requirement: Many states mandate that adoptive parents reside in the state for a specified time-period prior to adopting. Residency requirements range from a few months to a year or more.
* Marital Status: Some states allow both single individuals and married couples to adopt. Other states have laws regarding the marital status of adoptive parents. Finally, some states restrict adoption by unmarried cohabiting couples.
* Adoption Agencies: Many states require the use of licensed adoption agencies or attorneys. The purpose of these professionals is to help guide prospective adoptive parents through legal and logistical components of the adoption process to ensure compliance with laws and regulations.

**U.S. State Adoption Laws**

Each state in the U.S. has its own set of regulations for intercountry adoption, domestic adoption, and post-adoption.

State laws vary relative to the following aspects of the adoption process:

* Who is allowed to arrange an adoption (i.e. attorneys, facilitators, agencies, consultants).
* Parental Qualifications to adopt.
* Home study requirements (these may also be different by agency).
* Interstate or inter-jurisdictional placement requirements and procedures.
* When a birthmother may consent to adoption and the time during which she may revoke consent.
* The rights of unmarried biological fathers in cases where the mother wants to place a child for adoption
* Post adoption contact agreement enforceability for infant adoption.

**State Statutes Governing the Information Adoptive Parents Receive about the Child and Birth Family**

* State laws govern the types of background information adoptive parents are provided regarding the child they are hoping to adopt.
* This information pertains to medical and genetic history, family and social background, and mental health history of the child and the child's birth family.
* Also included may be placement history and any history of abuse or neglect.

**Safe Haven Laws**

* Safe Haven laws allow birthmothers to place their newborns legally and confidentially with authorized caregivers, in specific locations. They are designed to reduce the number of infant deaths and traumas through unsafe abandonment.
* Once legally relinquished, the babies are placed for adoption.
* Safe Haven laws regulate the age a newborn must be, the designated Safe Haven locations, and the nature of the protections for the birth mother.
* All fifty states, the District of Columbia, and Puerto Rico have enacted Safe Haven laws.

**Putative Father Registry Laws**

* Putative father registry (also referred to as paternal registries or paternal claim registrars) regulations relate to the degree to which an unmarried, uninvolved biological father can influence a birthmother's decision to place for adoption.
* These laws establish a timeframe for a father to register with an identified state agency to have any right to notice of proceedings to terminate parental rights or not to consent to placement of the child for adoption.
* Some statutes require the putative father not only to demonstrate that he is the biological father, and that he is committed to the birthmother's and child's best interests.

[**Helpful Links to Exploring State Regulations**

https://worldpopulationreview.com/state-rankings/adoption-requirements-by-state](https://worldpopulationreview.com/state-rankings/adoption-requirements-by-state)

<https://www.adoptivefamilies.com/adoption-laws-by-state/>

<https://adoptionnetwork.com/adoptee-resources/adoption-consent-laws-by-state/>

**Other Sources**

Clutter L. B. (2014). Adult birth mothers who made open infant adoption placements after adolescent unplanned pregnancy. Journal of obstetric, gynecologic, and neonatal nursing: JOGNN, 43(2), 190–199. <https://doi.org/10.1111/1552-6909.12280>.

Coleman, P. K., & Garratt, D. (2016). From birth mothers to first mothers: toward a compassionate understanding of the life-long act of adoption placement. Issues in law & medicine, 31(2), 139–163.