

# ADOPTION ADVOCATE

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Megan Lestino, *editor*

## A Call for a More Ethical and Professional Adoption Practice

BY CHUCK JOHNSON

**D**espite validation by research and millions of successful outcomes, many perceive the noble institution of adoption to be in jeopardy. Declining numbers, allegations of corruption, disrupted placements, and unprofessional services leading to dissatisfied or traumatized clients seems to dominate the discourse around adoption. It is clear that we need frank discussion and immediate action regarding the kind of essential reforms that will allow adoption to meet its full promise and potential and better serve the long-term needs of children, birth parents, adoptive families, and adopted adults.

I am a father because of adoption. It has also been my professional vocation for over 30 years. As a social worker, I have worked closely with those experiencing unintended pregnancy as well as prospective adoptive parents, and have provided the full spectrum of pre- and post-adoption services to all groups in the triad, including adult adopted persons. Like many who are privileged enough to work in this field, I often feel frustrated when I perceive the institution of adoption and the professional practice of it is to be under attack. Research has shown that the majority of women who make adoption plans for their children are satisfied with their decision; that most adopted people have fulfilling lives despite the undeniable losses involved in adoption; that most adoptive parents provide safe, nurturing, healing homes; that children intrinsically need stable, permanent, loving families; and that negative outcomes are quite rare in adoption. Still, the public perception is too often that adoption often fails



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those it serves; the news is full of stories about disruptions, “rehoming,” corruption, adoption “facilitator” scams, and unethical agencies and attorneys. These stories can give the general public an overall impression about adoption outcomes that is very misleading. The real story about the positive impact of adoption is too often missed and adoption is too often blamed for the results of the trauma it exists to correct.

Domestic adoption is rarer today. Intercountry adoptions have fallen by more than 70% in recent years. More than 100,000 children wait to be adopted out of foster care. The noble institution of adoption is suffering, and the ultimate end result is that many children do not grow up in the families they need.

I spent the first 25 years of my career focusing on the clear and tangible benefits of adoption; the great potential it has for birth parents, children, and families. For a long time, it was easy to gloss over the occasional negative outcome because such outcomes seemed so rare. For me, the abandonment of Artem Saveliev (aka Justin Hansen) was a wake-up call. Artem was adopted from Russia and then, at the age of seven, his adoptive mother put him on a plane back to the country of his birth—unaccompanied, unwanted, and abandoned. As an adoptive father and an adoption advocate, I couldn’t imagine doing what his mother did, and was highly critical of her in the press. As a result of being quoted frequently, I began hearing from adoptive families that were also struggling. They told me how they felt abandoned by their agencies and had few resources available to them. These families hadn’t abandoned their children and had no intention of doing so. They were in pain and needed real help, and they weren’t getting it.

I started connecting these stories with those of some adult adoptees and birth parents who didn’t feel they had benefited from their own personal adoption experiences. I started examining, in more detail, some of the real instances of unethical adoption practice—and it made me sick to see the exploitation and crimes being committed under the guise of adoption. Though such cases were the exception, I concluded that I could not dismiss these real-life struggles and instances of genuine corruption—and that, as an advocate for adoption, I had a particular responsibility to address those negative outcomes that might have been prevented with greater support, enhanced education, and increased diligence on the part of adoption professionals.

Despite all the research that validates our work and the millions of success stories we know to be real, as adoption professionals we have some very important work to do. We cannot afford to be complacent or defensive if

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we want adoption to live up to its full potential in the lives of those we serve. I remember when I was the director of an adoption agency, I knew of other agencies and attorneys in my own state that offered inferior or incomplete services. And I know I've also made my own share of mistakes as I endeavored to work with hurting, wounded people in dysfunctional systems. There are things I did years ago because that was how things were done, and I wouldn't do some of those same things today. There are choices I made that I didn't know I ought to question at the time. That's part of what it means to work in a field that is constantly changing, constantly informed by new policy and practice and experience. Today, my positions are the direct result of my years of experience and knowledge from many trusted experts—my career represents a gradual 30-year evolution in my thinking about adoption.

There are a lot of things that are outside the control of adoption advocates and adoption professionals. But this year, as we observe National Adoption Month and reflect on adoption's many and varied success stories, we must also discuss things we can do to bring important and necessary change to this institution. I have five exhortations for my colleagues in adoption practice and advocacy; five important tasks that I hope will be received in the spirit in which they are offered. I hope my fellow adoption professionals and advocates will join me in considering these points, and reflecting on what we can all do to shape the future of adoption policy and practice and better serve the needs of adopted individuals, birth parents, and adoptive families.

## A Call to Integrity Beyond Reproach

There have been numerous shameful acts of corruption committed under the guise of adoption. These acts are not adoption. Deceiving vulnerable birth parents, taking advantage of weak oversight, and falsifying records to make children adoptable are all terrible criminal acts and cannot be tolerated (even when it might be perceived by some as the "right thing" for a child). I hope we make every effort to declare them criminal acts, pursue appropriate punishment, and not let them be aligned adoption. That's why NCFCA has supported efforts to increase transparency and make the adoption process safer and more ethical for every participant. It's also why we push for full compliance with and enforcement of existing laws, and a more meaningful licensure or accreditation process.

A more widespread problem, in my opinion, is not overt corruption but a lack of proper diligence—by which I mean the commitment to do it exactly right, every time, in every particular. I've spoken with many experts about some of the high-profile tragedies and worst outcomes.

The general consensus is that the problem was usually not outright “corruption,” but rather well-intentioned incompetence on the part of those who either didn’t know the law or else lacked a true understanding of the consequences of their actions.

The reasons for this incompetence vary. Sometimes people just don’t bother to know or understand the law. But adoption is a professional practice: it’s your responsibility to learn the law if you are going to involve yourself. Ignorance does not excuse you from right practice. Others might “bend” the law to facilitate an adoption, rationalizing that it’s in a particular child’s best interest to be adopted (at the risk of harming the larger institution of adoption). Also common is the choice of some to *barely* follow the letter of the law (as opposed to its spirit) to make an adoption happen.

As I frequently tell my children, your life is often characterized by what you choose to do “in the details.” Small things add up and count. Careless practices are so short-sighted—even if some children are “helped” into their families, far more waiting children are imperiled when illicit or even just lazy practices are exposed (and eventually, they almost always are). Children’s lives and wellbeing are at stake, and so we *should* be held to the highest of professional standards. Adoption professionals owe it to those they serve to engage in hyper-diligence, ensure that we and those with whom we work are the best at what we do, cut no corners, and always go the extra mile. Those of us who are privileged enough to work in adoption should be very protective of the reputation of our agency and the quality of our staff, and always be sure to safeguard the reputation of the institution of adoption. This attitude begins at the top of an agency or firm and must be clearly communicated and reflected at all levels. There should be zero tolerance for any lapses in ethics and law.

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We must call our entire field to a practice characterized by an exacting integrity that is above reproach. Consider how even small exceptions become big problems when they come to light. Let this be a common-sense litmus test: If something would violate your Professional Code of Ethics, prove difficult to explain to your state licensing department or the Council on Accreditation, or potentially lead to your arrest, *do not do it*. The practice of adoption is highly technical and requires time, attention, and expertise. If you’re not committed to doing it right, then, please, find some other field to experiment in.

## A Call to Serve Every Individual Touched by Adoption

By its nature, adoption is intended to be a humanitarian service—and I know as well as anyone the importance of serving clients, attaching no strings to services for birth parents, and meeting fiduciary responsibilities to staff while still having to account for the bottom line with your Board. I've been told hundreds of times that working in adoption is “doing God's work,” and important work is rarely easy. It was a daily struggle for me when I was an agency director to balance what was required of me as a social worker and an administrator. At the same time, we can never forget that adoption is also a professional service, not just a humanitarian one; providing comprehensive services at a high level requires a commitment of precious and sometimes limited resources.

If you look at adoption practices over the past 50 years, you can see there's been a struggle identifying just who the primary client is. Adoption wouldn't exist without children in need of families, and of course the best interest of an individual child is always the focus. But in terms of communication and emotional support and professional obligation, an agency is primarily serving adult clients—expectant parents considering adoption, prospective parents hoping to adopt, and, later in the process, adult adopted people. The agency I worked for had been founded, primarily, to serve and support women facing unintended pregnancy. This focus didn't mean we ignored prospective adoptive parents or didn't consider the child's best interest—on the contrary, they were all-important. But if anyone had asked me in 1986 who I saw as our primary client, it was always the expectant mother.

It was when I became involved with NCFCA's Infant Adoption Awareness Training Program in the early 2000s that I was better able to integrate into my practice the concept that adoption is intended to be a child-focused/client-centered practice. In other words, every member of the adoption triad is connected, and they are *all* our clients—though our duties and obligations to each are constantly evolving based on individual needs and ever-changing circumstances. The child should be at the center of every decision, and helping pregnant clients and the families that wanted to adopt focus first on the child—while at the same time considering their own needs and desires and motivations—could sometimes change behaviors and decisions. The same child-centered/client-focused concept applies in international and foster care adoption, to the extent that birth parents and adoptive parents are known and involved.

It's when there is a strong imbalance between the time, attention, and services provided to the different clients represented in adoption that the potential for some to experience disillusionment increases. Again, research shows that the vast majority of those impacted by adoption are doing very well, but we also know there are parents who made adoption plans who subsequently feel abandoned by the agency or attorney—parents who found that the same adoption professionals who were so attentive and accessible during the pregnancy wouldn't even return their calls after finalization. We know there are many families that adopted with the best of intentions and now struggle, families that could benefit from strong post-adoption services—yet these services sometimes aren't offered or don't even exist. We know that limiting our care to pregnancy or placement does not fulfill our professional or ethical obligations to those we serve.

Adoption advocates love the success stories. We profile them in our newsletters, ask them to speak at our banquets, and retell their stories in our fundraising appeals. We don't much like talking about the clients for whom adoption didn't work out so well. This is the hardest reality for some in our field to own up to, but we know that some adopted individuals experience feelings of rejection, identity confusion or loss, and genuine pain because of adoption decisions made for them. They must not be dismissed as “angry adoptees”; they need and deserve our attention and our support. Even more concerning is the fact that some of these adopted people were not placed in families equipped or appropriately prepared to meet their needs. It's difficult, but essential for us to acknowledge the times when we, as professionals, could have done better; when we could have perhaps prevented some of these negative outcomes through greater diligence in matching and preparing families. While no profession can offer a 100% guarantee, we should recognize that we have a moral and professional obligation to better serve the full spectrum of clients, including and especially those vulnerable children who are the most affected by, but have the least voice in their placement choices.

Clients who feel left behind, clients who are struggling, should always concern us. They are and *should* be out there telling anyone who will listen their story—and they have earned the right to speak. One of the realities about advocacy is that well-served clients are generally not activists. This is why most people affected by adoption are not currently engaged in advocacy; they don't feel so strongly called to push for major reforms in adoption policy or practice. People who don't feel happy or well-served often push for major reforms and a stronger commitment from adoption professionals because they believe these things might have prevented some of their struggles—and how can we, in good conscience,

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not hear them out? In order for adoption to truly work in the best interests of all those touched by it, we as adoption professionals must remember who our clients are and work more diligently on behalf of *all* of them—before, during, and long after placement. The need for adoption support and services should never end at finalization. We should be available for as long as we are needed.

## A Call to Lifelong Education and Support of Those We Serve

We know now that adoption does not begin or end on “Adoption Day.” That wasn’t always the case. For many years, the primary goal of adoption seemed simple: to move a child in need of a family into a permanent one. Once that happened, many adoption practitioners believed it was up to the adoptive parents and their support systems to figure out how to transition into a thriving family. But today, we understand that each member of the adoption triad has pre- and post-adoption needs:

- Expectant parents need compassionate, expert counseling and the freedom to make a decision about adoption free of any pressure or coercion. Those that make adoption plans may need post-adoption counseling and long-term relationship facilitation when there is an open adoption arrangement in place.
- Pre-adoptive families need education about the realities and challenges of adoption; they should also be better assessed, thoroughly prepared, and thoughtfully matched with children. Long gone are the days when matches were based on the timing of the completion of the homestudy or shared physical characteristics between the adoptive parents and child. In-depth analysis and preparation should always be a part of the homestudy process.
- Since the child is at the center of every decision, it is essential to try and obtain and safeguard their health and background information—not only so their adoptive parents can make fully informed medical decisions on their behalf, but also because one day that child will be an adult with a vested interest in this information. We also know that adopted persons may have many questions about their adoptions; adoption professionals should be prepared to assist both parents and adopted individuals in acquiring, disseminating, and processing this information; help the adopted person through adoption-related milestone events in their lives; and arrange for reunions or reconnecting with biological family.

Most of your future interactions with clients will affirm the good work you have done, but there will inevitably be some clients who require

your ongoing engagement and support to varying degrees. No struggling client should ever be denied our best efforts on their behalf. Working in adoption requires us to have a long-term mindset committed to the needs of our clients. Our work should never end at placement or finalization—on the contrary, it’s just beginning for some of the families we helped create.

## A Call to a Uniform Standard of Practice

I have never heard anyone in adoption seriously argue *against* stronger ethics or improved professional services. A more uniform standard of practice, however, may require some practitioners to change the way they’ve always done things. Sometimes, I find it mind-boggling that adoption—a practice that has existed in one form or another since the start of human history, and is now legally codified in every state in the U.S.—sees so little consistency among its practitioners. Policies, laws, and practices vary greatly between individual practitioners and from state-to-state; for public and private agencies and attorneys, practices may even vary between individual counties. There is huge variance in practice between public and private agencies. And there are numerous differences between how attorneys and social workers approach adoption.

As a result, there are little to no national best practices across all types of adoption, although The Hague Convention on Intercountry Adoption at least attempts to set international standards for professionals and some basic guidelines in terms of education and homestudies. There are no clearly identified and consistently applied national standards for pre-adoption education or counseling. Oftentimes states won’t even accept interstate educational plans for youth in foster care, meaning that children in care may be denied willing, qualified families in other states. There are no universal best practices in counseling those touched by adoption, and there are few universal best practices regarding who can facilitate adoption services (some states are better on this than others; it’s also important to note The Hague Convention has brought some consistency when it comes to intercountry adoption, if not to the degree that many hoped it would).<sup>1</sup> There is still no consensus in the field on how best to conduct a meaningful homestudy evaluation of prospective adoptive parents’ ability to parent the child(ren) they hope to adopt.

As adoption professionals, we must come together in the same way those in other professions have done and do the hard but necessary work of developing a set of best practices in adoption. It’s clear that relying on

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<sup>1</sup> For more about independent adoption facilitators, see: *Adoption Advocate* No. 70, “The Role of Facilitators in Adoption,” National Council For Adoption, April 2014. <http://www.adoptioncouncil.org/publications/2014/04/adoption-advocate-no-70>

individual state minimum standards, professional codes of ethics, and accreditation has left us with widely varying standards. It is simply not enough. This is probably the hardest task facing us, because it will require some of us to significantly change our practice. But the good news is that some excellent, research and evidence-based practices already exist and have been put into practice by many agencies and professionals:

- Many have developed outstanding educational and counseling programs to meet the needs of those they serve, including post-adoption needs. Several of these agencies are more than willing to share curriculum content. NCFA also offers some online counseling and parent preparation resources via our website: [www.adoptioncouncil.org](http://www.adoptioncouncil.org)
- There is already at least one research-based, uniform homestudy model in use, the Structured Analysis Family Evaluation (SAFE).<sup>2</sup>
- Through our monthly *Adoption Advocate* publication, webinars, and other educational programs and resources, NCFA sets out best practices and strategies on a variety of topics—including counseling for expectant parents; involving and engaging birth fathers; preparing older children and older siblings for adoption; enacting better and more ethical intercountry adoption practices; preventing adoption dissolutions; and many more.<sup>3</sup>

Every day in my work with NCFA, I encounter practitioners who've made a personal commitment to recognizing the child's best interest as the guiding principle in everything they do. I believe this mindset is the norm in adoption, so it both saddens and frustrates me that some believe the wrong actions of a few can define us as a field of professionals. When we—the ethical and well-trained majority of adoption professionals—grow in our knowledge and expertise in matters of adoption practice and teach others what we have learned, that will be a crucial step toward establishing a national standard of practice in our field.

## Conclusion: A Call to Greater Collaboration

It is obvious that the challenges facing us today are too big for any practitioner to fix alone. The inaccurate perceptions about adoption, the growing global orphan population, the failures of the public child welfare system to serve the needs of children in foster care—all of these

<sup>2</sup> To learn more about the Structured Analysis Family Evaluation, visit [www.safehomestudy.org](http://www.safehomestudy.org).

<sup>3</sup> NCFA's *Adoption Advocate* archives: <http://adoptioncouncil.org/resources/adoption-advocate>

Upcoming and archived NCFA webinars: <http://adoptioncouncil.org/adoption-professionals/webinars>

issues require our coordinated, long-term efforts to bring about positive change. No one agency or organization can go it alone.

Lately I've seen more and more collaboration in the field of adoption. It's been amazing to see the collaboration on the NCFA members' listserv, for example, with agency professionals and attorneys helping each other address problems and sharing crucial program-specific updates. It shows the true willing spirit of service to children and families that exists in the majority of adoption professionals. Still, there remains an unfortunate spirit of competitiveness within our community that often prevents us from working effectively together. I still see examples of this behavior far too frequently, and it's one of my greatest disappointments.

This brings me back to one of my previously stated convictions about adoption: at its heart, it's supposed to be a humanitarian effort as well as a professional one, and a service not overly influenced by profit. I don't think practitioners of adoption should be required to take a vow of poverty—our work deserves fair pay (and paying highly-trained professionals can increase the expertise and quality of service to our clients), and providing long-term, comprehensive services to the full spectrum of clients necessitates the charging of fees. But I am concerned when I see (at times profit-motivated) competition or rancor that hinders cooperation. We should remember that, as adoption advocates and professionals, we have more in common than not. We share the goal of finding safe, ethical, nurturing families for children who need them. We must assume the best of each other until offered contrary evidence, and then address concerns openly and honestly instead of via indirect criticism.

I'm a firm believer in finding common ground between organizations and individuals, including those with whom we may have significant disagreement in other areas. I hope one of my lasting legacies in this field is my willingness to work effectively together with a diverse group of individuals and organizations to promote the option of adoption and the wellbeing of children. We must lay aside our differences for the sake of a cause we all care about. Together, I've seen that we can do great things on behalf of children and families. As I encourage all adoption practitioners to seek out ways to work with one another, I commit the National Council For Adoption to the same goal of collaboration and cooperation in the name of service. NCFA is prepared to help coordinate and guide these efforts, but the involvement and leadership of adoption professionals is essential in order to help adoption meet its full potential in the lives of all those we serve.

## ABOUT THE AUTHOR

Chuck Johnson currently serves as president and CEO of the National Council For Adoption. Prior to joining NCFA, Chuck spent 17 years with a licensed child-placing agency in Alabama, including eight years as its executive director. He holds a degree in Social Work from Auburn University and a Master's degree from Birmingham Theological Seminary. He lives with his family in Maryland.



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