

# Adoption Advocate



ELISA ROSMAN, EDITOR  
NICOLE M. CALLAHAN, EDITOR  
CHUCK JOHNSON, EDITOR

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## AVOIDING ADOPTION SCAMS

By Hal Kaufman†  
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### Editor's Note

*NCEA is committed to protecting the best interests of and advocating for all members of the adoption triad: birthparents, adoptive parents, and children. While it is possible for birthparents to be defrauded, the author and NCEA agreed to focus this article specifically on prospective adoptive parents. Future Advocates will continue to focus on the protection and best interests of birthparents and children, as well.*

### Introduction

Most adoptions go well. The adoptive family has good intentions and works with adoption professionals who help address everyone's needs and legal rights. However, the fact remains that adoption fraud does indeed exist. Creating a legally binding family through adoption isn't always easy, and the existence of adoption fraud can make the process even more challenging.

It is important to note that not all unfortunate circumstances are the result of fraud. A finalized adoption may not occur even if adoption professionals provide all of the services for which a prospective adoptive family pays. An expectant mother may intend to place her child

with an adoptive family, then ultimately change her mind and decide to parent before the end of the legal risk period. These are difficult situations, but they are not necessarily the result of fraud.

When it comes to adoption fraud, the biggest factor working against prospective adoptive families is their strong, "I'll do whatever it takes" desire to adopt. Even when adoptive parents realize that something is amiss in a particular situation, their deep desire to adopt can sometimes override their instincts and logic and allow them to emotionally rationalize what is happening.

To decrease their chances of becoming victims of fraud, prospective adoptive parents must edu-



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cate themselves about adoption scams, the common early warning signs that something is not right, and the actions they can take to help ensure a safe adoption.

While adoption fraud can certainly exist in international adoption, this *Adoption Advocate* focuses on domestic adoptions and the ways in which potential adoptive parents can recognize and avoid fraud.

## Adoption Scams

An adoption scam occurs when an adoption professional, potential birth family, or prospective adoptive parent intentionally deceives another party for personal gain. The personal gain may be financial, but it may also be related to getting attention or experiencing a sense of power.

Here are just a few examples of fraudulent behavior:

- An adoption professional purposefully withholds medical information from an adoptive family to push an adoption through that the family would not otherwise pursue.
- An adoption professional promises an expectant mother that she will pay for her medical expenses, but then the professional reneges on the promise after parental rights are terminated.
- A woman pretends to be pregnant and leads a prospective adoptive family to believe that she is considering making an adoption plan with them.
- A pregnant woman promises to make an adoption plan with multiple families while accepting money for pregnancy-related expenses from all of them.
- A prospective adoptive family promises an open adoption to an expectant mother

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so that she will make an adoption plan with them and then cuts off all contact after the adoption is finalized.

To avoid experiencing adoption fraud, prospective adoptive parents must pay close attention to the warning signs and practice due diligence when circumstances warrant.

While multiple types of adoption fraud unfortunately can and do occur, the remainder of this article focuses on fraud perpetrated against prospective adoptive parents.

## Pay Attention to the Warning Signs

According to NCFCA president Chuck Johnson, who spent 17 years working with hundreds of birthparents and adoptive families as the director of an adoption agency, "Many adoptive families that experience fraud recognize the seriousness of the warning signs only in hindsight. These families later

acknowledge that they just didn't pay attention to the red flags or hoped that, by ignoring them, things would somehow work out. Unfortunately, it's impossible to get out of a bad situation or take steps to learn more if you cannot identify the red flags early on."

It's important to remember that a red flag or warning sign doesn't mean that a fraud will occur. It should be a trigger for adoptive families, however, to "dig deeper," further research the people with whom they are working, and proceed with caution.



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## ***Warning Signs of Fraud by Adoption Professionals***

Here are some of the more common warning signs of adoption professionals defrauding prospective adoptive parents:

- They are not responsive to calls or emails.
- They never send requested and promised documents.
- They pressure families inappropriately.
- They suggest atypical approaches or methods that conflict with previous commitments or written agreements. At their worst, they break the law.
- They don't take the necessary steps to learn about the expectant mother and biological father, thereby taking unnecessary risks due to lack of knowledge that the adoptive family must ultimately bear.
- They make guarantees about a situation or how quickly a prospective adoptive family will match and adopt.
- They find the adoptive family online and present them with just the "perfect" opportunity.

## ***Warning Signs of Fraud by Potential Birthmothers***

There are also warning signs related to birthmothers who may be attempting to commit adoption fraud:

- They continually make excuses for not sending proof of pregnancy, not responding to emails and messages, or missing scheduled calls or meetings.
- They immediately tell a prospective adoptive family how wonderful the family is without asking many questions or getting to know them at all.
- They avoid meeting with an adoption agency, pregnancy counselor, or attorney.
- They always seem like they are in the mid-

dle of multiple crises, and they try to pull the prospective adoptive family into their drama.

- They frequently ask the potential adoptive parents about paying for expenses.

## **Dig Deeper**

Adoption scams existed long before the Internet, but the Internet does make it easier for scammers to find and take advantage of prospective adoptive parents. However, the Internet works both ways; prospective adoptive families can leverage technology to research both potential adoption professionals and potential birthparents.

Digging deeper isn't just about technology, however. Many low-tech methods may sound obvious when you read them here, yet some prospective adoptive parents spend thousands of dollars and make major life decisions without doing the proper due diligence.

## ***Low-Tech Methods***

Prospective adoptive families should interview the professionals with whom they are considering working and meet them in person. It's important to explore their values when it comes to adoption, as well as their expertise and ability to provide the required support for everyone involved. The decision to work with a particular adoption professional is

too important to make without completing this basic step.

Families should also ask for references from adoption professionals and then do what many people fail to do – call them! Although the professionals will only offer satisfied clients as references, families can still ask important open-ended questions that can help provide insight into how the professional works. Make sure the references

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are from clients that have used the professional's services recently.

Families should also contact a state's bar association to research an attorney and contact a state's licensing specialist to research an agency. It's important to know whether others have made formal complaints against a particular professional.

## *High-Tech Methods*

The Internet and technology in general can also play an important role in further researching potential adoption professionals and expectant parents. Here are just a few examples of what prospective adoptive families can do:

- Leverage adoption-related online forums to find families that have experience with a specific adoption professional.
- Publicly share non-identifying information about potential birth families (or identifying information on a one-to-one basis) to check whether the birth families are working with others or match the characteristics of prior scammers.
- Search online for past litigation against a particular adoption professional.
- Search for geotag data (latitude and longitude information) on digital picture files that potential birthparents send or identify a potential birthparent's general location from her Internet Protocol (IP) address to corroborate other statements that she has made.

## **Three Keys to Avoiding Adoption Fraud**

There are many ways to substantially reduce the chances of being defrauded. Here are three of the most important tips:

- 1.** Listen to your inner voice – your gut. If you sense that a particular situation is not quite right, follow your instincts and further research the situation or walk away.
- 2.** Acquire *REAL* proof of pregnancy. Stories about doctor's appointments and how the baby is growing are not proof of pregnancy. An ultrasound image with the correct name and date on it is also not proof. Even "looking pregnant" is not proof. Prospective adoptive parents should seek written documentation from a doctor, and then follow up with the doctor's office to ensure its legitimacy.
- 3.** Limit or eliminate the amount of cash provided to potential birth families. Sometimes it's legal to pay for pregnancy-related expenses as part of the adoption, but that doesn't mean that prospective adoptive parents have to provide the expectant mother with cash.<sup>1</sup> Instead, providers should be paid directly (e.g., pay the landlord directly to cover rent; pay the hospital or clinic directly to cover medical expenses; pay the utility company directly if the birthmother needs help paying her electric bill).

**Finally, although it is important to be educated on this subject, prospective adoptive families should not lose sight of the fact that there are many more expectant parents genuinely exploring adoption as an option and many more ethical adoption professionals trying to help than there are people preying on hopeful adoptive parents.**

***Be Aware, But Not Paranoid***

<sup>1</sup> For more information about what expenses potential adoptive parents can legally cover, please see information from the Child Welfare Information Gateway at: [http://www.childwelfare.gov/systemwide/laws\\_policies/statutes/expenses.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/expenses.cfm)



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†**Hal Kaufman** is an adoptive father, open adoption advocate, and frequent speaker on the topic of adoption. Mr. Kaufman is also the founder of My Adoption Advisor ([www.MyAdoptionAdvisor.com](http://www.MyAdoptionAdvisor.com)), an adoption education and consulting company that helps families adopt domestically more quickly and safely. My Adoption Advisor offers an on-demand adoption course called Identify Red Flags & Avoid Adoption Scams ([www.MyAdoptionAdvisor.com/Adoption-Scams](http://www.MyAdoptionAdvisor.com/Adoption-Scams)).

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