

Perspectives on Equity in LGBTQ Adoption



JF&CS
Jewish Family & Children's Service

**ADOPTION
RESOURCES** 
Providing options, supporting choices

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*on behalf of Jewish Family & Children's Service
and Adoption Resources, with
funding from the Krupp Family Foundation*

adoptionresources.org



Context

Approximately 65,000 adopted children nationwide are being raised by same-sex parents and approximately two million gay and lesbian people living in the U.S. have considered adoptionⁱ. Although the U.S. Supreme Court granted full parental rights to same-sex married couples in 2015ⁱⁱ, many LGBTQ prospective parents still encounter explicit or covert discrimination, particularly from faith-based adoption agenciesⁱⁱⁱ. As is often true of minority groups, it appears that LGBTQ people also experience amplified versions of the same difficulties faced by heterosexual couples seeking to adopt.

In March of 2017, Jewish Family & Children's Service, with generous support from the Krupp Family Foundation, commissioned a study on the challenges that LGBTQ people face before, during, and after the adoption process. This report summarizes these findings, which are based on 34 in-person, telephone, and email interviews, supported by an extensive review of the academic literature on adoption.

"The adoption process is one thing, but you're an adoptive family for your entire lives. There are all sorts of ongoing issues, especially if you've adopted transracially."

—Lesbian adoptive mother

Executive Summary: Key Findings

1 During the adoption process, prospective LGBTQ parents face amplified versions of the same difficulties experienced by their heterosexual counterparts: confusion, financial hardship, legal risk, emotional turmoil, and medical challenges. Experiences of direct or implied anti-LGBTQ bias during the adoption process varied from urban to non-urban areas and along red/blue state lines.

"One of the big myths of adoption is that it's over after it's done. There's a belief that adoption is just another way to make a family. The truth is that it's a wonderful way to make a family – but it's not just the same. There need to be more resources."

—Dr. Jayne Guberman,
Adoption and Jewish
Identity Project

2 After adoption is finalized, many LGBTQ families struggle with isolation, questions of identity, and ongoing medical difficulties. Some LGBTQ parents feel isolated from other families due to their family structure, yet our interviewees voiced just as many concerns about raising children of color within a transracial adoption. Our

adoptive couples were also challenged by parenting medically complex babies due to the dramatic increase in prenatal substance exposure.

3 Making sense of Jewish identity in adoption is a complex undertaking – even more so for LGBTQ parents and those who have adopted transracially. Drs. Jayne Guberman and Jenny Sartori from the Adoption and Jewish Identity Project (AJIP) at Northeastern University shared findings from their research. These included challenges to Jewish authenticity from within the Jewish community and questions of identity that persist and even intensify over time.

4 Selected resources for LGBTQ parents (Table, page 4): A curated selection of local and national resources.

5 Very little programming focuses on the unique needs of LGBTQ adoptive parents and their children. This study points to areas where additional support would make the biggest difference: financial mitigation for private adoptions via low-risk fee models and interest-free loans; targeted community outreach; and educational programming.

Acknowledgements

JF&CS and Adoption Resources would like to express our sincere gratitude to the Krupp Family Foundation for their generous funding, which made this white paper possible. We also want to thank Idit Klein and Catherine Bell from Keshet as well as Joanna Ware for their support and content expertise. We are grateful to Drs. Jayne Guberman and Jenny Sartori, of the Adoption and Jewish Identity Project, for sharing with us key findings from their original research. Lastly, we truly appreciate the many individuals and couples who shared their deeply personal and often painful experiences to help us design thoughtful and responsive programming.

1 During the adoption process, prospective LGBTQ parents face amplified versions of the same difficulties their heterosexual counterparts experience.

The most substantial hurdle to adoption described by our participants was financial hardship. Because there are fewer financial assistance grants available to LGBTQ people than to cisgender, heterosexual parents^{iv}, LGBTQ individuals bear a disproportionate financial strain when seeking to adopt. According to Creating A Family, a national U.S. infertility and adoption education organization, the average cost of a private adoption is about \$30,000, though it varies widely. In this study, parents reported paying up to \$60,000 per adoption, once they factored in unforeseen costs like medical and legal bills, travel, and hotels. For prospective parents without great means, including younger couples still paying off student loans, private adoption is simply not a viable option. It also entails a startling degree of risk. Two of our study participants lost tens of thousands of dollars to private adoptions that failed to finalize.

These financial realities, along with concerns about potential anti-gay bias, moved several of our participants to explore public adoption. Public adoptions via the state foster care system trade off financial burden for greater legal risk. Legal hurdles and emotional upheaval were the two obstacles cited most frequently by our interviewees after financial hardship. If a birth parent contests the termination of his or her parental rights, litigation can drag on for years, at tremendous financial and emotional expense to the foster parents who are already raising the child as their own.

Our LGBTQ interviewees also spoke of challenges specific to their circumstances, including concerns about the legal rights

of non-married partners in adoption and the difficulty of knowing which agencies are welcoming to LGBTQ people. Transgender prospective parents expressed additional anxiety about potential bias against them from both birth mothers making the placement decision and the adoption professionals counseling them. These concerns are layered onto those already inherent in the adoption process: waits that can be unpredictably fast or slow; financial burden; legal risk; and emotional turmoil.

The good news is that the experiences reported in this study reflect a rapidly changing cultural and political environment. With a few exceptions, those who completed adoptions recently reported in retrospect that their actual challenges had little to do with their LGBTQ identity. Some gay couples even found that their same-sex status made them more attractive to birth mothers, who found comfort in knowing that they would be the only mother-figure in the child's life.

“The intersection of being Jewish and being of color was the most significant for us – more than being gay. There’s a long way to go there, frankly. We live in a liberal town and we’re members of a progressive temple, but even now there are only a handful of non-white kids in our synagogue. Our son identifies as Jewish, but when he looks around, he doesn’t really see other people that look like him.”

—Lesbian adoptive mother

2 After adoption is finalized, many LGBTQ families struggle with isolation, questions of identity, and ongoing medical difficulties.

When asked about their post-adoption experiences, respondents hastened to remind us that they were just like any new parents: they climbed a steep learning curve while sleep deprived and underwent disruption of their regular routines. Yet a majority of our interviewees also spoke of loneliness, isolation, and yearning for a community to normalize their family structure.

For many of our adoptive parents, transracial issues trumped LGBTQ issues. This finding was confirmed by our conversations with experts, who noted that LGBTQ people are more likely to

adopt transracially than heterosexual couples, increasing the frequency with which same-sex white parents must confront what it means to raise a child of color.

Another key finding was the dramatic increase in substance-exposed newborns within both the private and public adoption pools. In the private sphere, experienced workers estimated that about half the babies placed for adoption nowadays are born with some exposure. Additional needs sometimes emerge as an adopted child grows older, such as learning disabilities requiring special supports in school.

3 Making sense of Jewish identity in adoption is a complex undertaking – even more so for LGBTQ parents and those who have adopted transracially.

Like many private adoption agencies, Adoption Resources is part of a social service organization rooted in a religious tradition: Jewish Family & Children's Service. Whereas it once served the Jewish community exclusively, Adoption Resources now serves adoptive families of all backgrounds, with only a third identifying as Jewish. Yet the role of Judaism remains as relevant to adoption today as it was over a hundred years ago.

After witnessing their adopted children's evolving relationship with cultural and religious identities, Drs. Jayne Guberman and Jenny Sartori launched the Adoption and Jewish Identity Project (AJIP). From 2010 to 2012, the two researchers collected and analyzed data from nearly one thousand adoptive parent surveys; they later conducted a series of in-depth oral histories with young adult adoptees raised in Jewish families across the country.

"LGBTQ people are already raising children, regardless of whether those relationships are legally recognized. The health and well-being of these children ought to be a public policy and social work priority."

—Heron Greenesmith,
Policy Attorney

ed child, roughly double the proportion in the American population at large.") Approximately 60% of the AJIP parent survey respondents had adopted internationally, compared with a nation-wide international adoption rate of around 15% at the time of the survey. Since then, international adoptions overall have plummeted, dropping to just 10% in 2016^{vi}; the number has surely dropped in the Jewish community as well. Among survey respondents who had adopted between 2000 and 2012,



approximately 70% had done so transracially, compared to approximately 40% of American adoptions overall.

A theme of AJIP's work is that identity issues for adopted children often intensify over time. The long process of adoptee identity construction begins in childhood, is heightened during adolescence, and continues into adulthood, as adoptees grapple with how to integrate the varied facets of their birth and adoptive heritages, including race, religion, ethnicity, and nationality. For many, especially those adopted transracially, issues around Jewish identity often come to the fore when they begin to be seen by the world as individuals, rather than primarily as members of their families. Challenges to Jewish authenticity also often arise around dating and marriage, while parenting raises questions about transmission of both Jewish and birth cultures and heritages to their children.

According to Dr. Guberman, "There are still some Jews who feel that Jewishness is 'in the blood.' People expect identity challenges with transracial adoption, but they can come to the fore with same-race adoption as well. If a child doesn't 'look Jewish,' their authenticity can be questioned."

This concern was echoed by a young gay couple just beginning to plan for creating a family. Judaism is central to their identities, and they were anxious about how their future adopted child would be received by those in the Jewish community for whom "real" Judaism is matrilineal.

For a birth grandfather with whom we spoke, finding a Jewish family for his daughter's baby was paramount. He had never imagined placing with a same-sex couple. Yet after interviewing multiple candidates, he and his daughter selected a lesbian Jewish couple. Their feeling for tradition and their willingness to engage in an open adoption with frequent contact superseded any prior biases he may have had.

"It's amazing how many same-sex couples do not know what their rights are with respect to adoption and don't understand just how important it is to protect their families."

—Atty. Joyce Kauffman,
Kauffman Law &
Mediation

"It's helpful for children that are placed with same-sex couples to normalize that this is one way a family can look."

—Gay adoptive father

4 Selected resources for LGBTQ parents and prospective parents

Resource	Location	URL	Description
Family Equality Council	NYC	familyequality.org	One of the nation's leading same-sex parenting advocacy and support organizations; hosts an annual Family Week gathering in Provincetown for lesbian, gay, bisexual, transgender, and queer-identified families.
Human Rights Campaign	DC and National	hrc.org	Prominent nation-wide advocacy group promoting LGBTQ cultural competency within foster care and adoption agencies. HRC seal of approval indicates agencies that have completed the training.
Fenway Health Center's LGBT Family & Parenting Services	Boston, MA	fenwayhealth.org/care/wellness-resources/lgbt-family-services	A staple of the LGBTQ community since 1983, Fenway Health offers free workshops of interest to LGBT parents, as well as robust programming including resources, information, and educational services for LGBT-headed families and same-sex couples wishing to learn about family creation options.
Adoption Resources	MA	adoptionresources.org	Adoption Resources, a private, nonprofit adoption placement program housed at JF&CS, has been working with children and families for more than 150 years and is committed to serving and supporting the LGBTQ community with its low-risk adoption model.
Keshet	National	keshetonline.org	Keshet is a national organization that works for full LGBTQ equality and inclusion in Jewish life. Programs include community events for LGBTQ families with young children in Greater Boston.
LifeLong Adoptions	CA	lifelongadoptions.com/lgbt-adoption	LifeLong Adoptions is a full-service adoption agency with a specific commitment to support the LGBTQ community.
Adoptions Together	MD	adoptionstogether.org/adopting/lgbt-adoption	The ED and Founder serves on the advisory board for All Children–All Families project of the Human Rights Campaign. Adoptions Together also partners with the All Children–All Families Initiative and with Rainbow Families of DC to provide workshops and events for the LGBT community, sponsor social gatherings, and reach out to LGBT families that need support and services for same-sex adoption.
National Adoption Foundation	CT	fundyouradoption.org	The NAF offers financial aid to families to help offset expenses directly associated with the adoption process and the formation of families. Families can apply for outright grants or low-interest loans.
The Rainbow Initiative	Somerville, MA	facebook.com/TRILGBTQ	Grassroots, volunteer-led group whose mission is “to create a safe and inclusive environment for parents and children of LGBTQ families by providing educational opportunities, creating social supports, and sharing resources.”
Gay Fathers of Greater Boston	Boston, MA	gayfathersboston.org	Bimonthly support group for gay and bisexual fathers. Meetings provide “a safe, confidential, and welcoming forum for talking about our issues, including coming out, divorce, sexuality, and relationships with children, partners, and spouses (current or ex).”
GLBT Parenting in Greater Boston	Boston, MA	groups.yahoo.com/group/parenting-in-greater-boston	Free Yahoo listserv, accessible by request. “To address the unique social and emotional needs that GLBT people have who are considering or actively parenting children. We are here to offer support, community, to be an extended family and a knowing friend.”
OUT Metrowest	MA	outmetrowest.org	Primarily youth programming, but also runs events for same-sex couples with young children.
Greater Boston PFLAG	Boston, MA	gbpflag.org	Programming for parents of LGBTQ youths.

Other LGBTQ-rights advocacy and legal rights organizations include: GLAD, Mass Equality, Massachusetts Gay and Lesbian Political Caucus.

5 Very little programming focuses on the unique needs of LGBTQ adoptive parents and their children. This study points to areas where additional support would make the biggest difference.

Our first recommendation is to alleviate the financial burden of adoption for LGBTQ families. Our interviews confirmed that LGBTQ prospective parents would benefit tremendously from zero-interest loans and outright grants. The costs associated with second-parent adoption can also be prohibitive. Funders could collaborate with local LGBTQ parenting rights attorneys to create funds that defray these fees.

Our second recommendation is to mitigate the financial risk of private adoption. Most agencies require an upfront, non-refundable, fee of around \$15,000. This money covers agency overhead and supports the birth mother before she delivers. Yet there is no guarantee of a successful match, and prospective parents are both emotionally and financially vulnerable.

A handful of agencies nation-wide offer a no-risk model where-in the agency – not the client – assumes these costs if the adoption falls through. JF&CS Adoption Resources is one such program. We recommend educating prospective parents within the LGBTQ community about this important aspect of the adoption process so that they are empowered to choose an agency with a full understanding of their financial exposure.

Conclusion

This report reflects a wide range of perspectives on adoption across the LGBTQ and Jewish communities within Massachusetts and nation-wide. Its conclusions are supported by an extensive review of the adoption and LGBTQ literature (available separately upon request).

Ample evidence affirms that children raised by same-sex parents have well-being outcomes no different from those raised by heterosexual parents^{vii}. Additionally, the Supreme Court's 2015 ruling on marriage equality has enshrined full parenting rights for same-sex married couples. Despite these advances, LGBTQ

We also heard from our subjects that they would value more community-building and educational programming on topics of interest to LGBTQ families. The isolation which so many described could be greatly alleviated via targeted outreach and partnerships between adoption agencies and local LGBTQ centers. Several of our interviewees look forward all year to Family Week in Provincetown. They wished for more opportunities for LGBTQ families to come together beyond that one summertime event. Participants also enumerated many topics of interest for educational programming, including: understanding the pathways to family creation; financing private adoption; caring for substance-exposed newborns; navigating open adoption; issues in transracial adoption; and adopting as transgender or gender-queer.

"It feels good to know that my community is trying to support me. As a first-time parent, you feel isolated and our institutions are still catching up with a Jewish community that is becoming more diverse."

—Gay prospective adoptive father

couples continue to face a variety of challenges, from isolation to financial hardship, to more nuanced questions of identity and belonging at the intersection of adoption and race and religion. As one expert declared, "LGBTQ people are already raising children, regardless of whether those relationships are legally recognized. The health and well-being of these children ought to be a public policy and social work priority." One implication of a child-centric lens is that LGBTQ families need ongoing support not just during the adoption process, but throughout childhood and adolescence. Thus, longitudinal supports for LGBTQ families are at least as important as assistance with the adoption process itself.

Endnotes

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ⁱⁱ *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015)

ⁱⁱⁱ Movement Advancement Project. Foster and Adoption Laws by State. (2018). Retrieved from http://www.lgbtmap.org/equality-maps/foster_and_adoption_laws

^{iv} Lifelong Adoptions Blog. Adoption Grants. (n.d.). Retrieved January 17, 2018, from <https://www.lifelongadoptions.com/10-lgbt-adoptive-parents/321-adoption-grants>

^v Blank, B. T. (n.d.). Jewish Adoption in America. Retrieved January 17, 2018, from <https://www.myjewishlearning.com/article/jewish-adoption-in-america/>

^{vi} U.S. Department of State. Intercountry Adoption. (n.d.). Retrieved January 17, 2018, from <https://travel.state.gov/content/travel/en/Intercountry-Adoption.html.html>

^{vii} Farr, R. H., Forssell, S. L., & Patterson, C. J. (2010). Parenting and child development in adoptive families: Does parental sexual orientation matter? *Applied Developmental Science*, 14(3), 164-178 and Farr, R. H. (2017). Does parental sexual orientation matter? A longitudinal follow-up of adoptive families with school-age children. *Developmental Psychology*, 53(2), 252-264.

Appendices available upon request: Table: public vs. private adoption; Sources: key informants and subject-matter experts; Literature Review by Joanna Ware, Diversity, Equity, and Inclusion Consultant and Facilitator.