

by Allan Hazlett

# The Case of the "Internet Twins"

**Extraordinary Measures or Fees are Never Necessary for a Successful Adoption.**

**Q:** What should adoptive parents take away after the massive negative publicity generated by the "Internet Twins" case?

**A:** The vast majority of adoptions in this country take place legally and ethically. In sensational adoption cases such as the "Internet Twins", however, it's frequently revealed that adoption laws that exist to protect the rights of children have been evaded or ignored.

In this case, a California-based adoption facilitator worked on behalf of a Missouri birthmother to identify potential adoptive parents. The twins were placed with a California family, removed two months later, and then taken to Arkansas by the birthmother to be adopted by a British couple who were apparently identified through the facilitator's website. The British couple then took the twins to Wales where, after accusations of baby selling by the California family, social welfare authorities took custody.

The facts as they have been presented publicly suggest that numerous adoption laws were violated. For the twins, born in Missouri, to have been legally removed to California for the purpose of adoption required approval under the Interstate Compact on the Placement of Children (ICPC) in both Missouri and California. There is no indication that this took place. When the twins were placed with the couple in California, the birthmother signed an agreement which allowed final placement after 90 days. She revoked the placement two months later. Although the birthmother might have acted in a better way, her actions in revoking the placement were most likely legal.



Taking the twins from California to Arkansas required approval (again under the ICPC) by Arkansas, California, and Missouri authorities. In Arkansas, law requires that one of the adoption parties be a resident for at least 30 days before placement. The birthmother used a relative's address, but she was apparently not herself a resident for the required time.

For the twins to leave the United States, each required an American passport. The appropriate way to obtain one is through Judicial Authorization from the Court in the adoption state. It is unknown whether this procedure was followed. To obtain an emigrant's visa to the United Kingdom, a series of documents as well as a physician's report are required. Instead, the "Internet Twins" entered Wales on visitors' visas. By the time the first adoption professional became involved in Arkansas, the entire adoption process appears to have been in jeopardy.

Adopting couples and birthparents alike would do well to educate themselves, either on their own or through consultation with adoption professionals, as to the three areas of adoption law presented in this case. First, potential adoptive parents should be aware of the ICPC, a law that must be complied with when a

child born in one state is adopted in a different state. Second, anyone seeking to adopt should understand state laws surrounding licensing of adoption professionals, know how to verify whether an agency is licensed in their state, and whether that agency has a history of ethical and legal behavior. Third, prospective adopters should understand the law in their state which governs fees that can legitimately be paid in the course of an adoption.

After you know the basics, retain the services of an experienced adoption attorney or a licensed, child-placing agency prior to beginning the search process. The professional is responsible for the details, but it is your responsibility to ask the appropriate questions.

When an experienced adoption attorney or a licensed, child-placing agency is involved from the outset and works with an educated client, heartbreaking stories like this can be avoided. Under no circumstances should adoptive parents think that extraordinary measures or fees, like those in this sad case, are necessary for adoption. If you suspect that something is illicit about an adoption opportunity or if you are uncomfortable in any way, do not believe that you must proceed or lose your only opportunity for a successful adoption. This simply is not true.

And finally, if an adoption opportunity sounds too good to be true, it probably is. <sup>AE</sup>

*Allan Hazlett is an attorney in Topeka, Kansas and President of the American Academy of Adoption Attorneys (website: [www.adoptionattorneys.org](http://www.adoptionattorneys.org)), a national association of attorneys who practice, or have otherwise distinguished themselves, in the field of adoption law.*

**To Subscribe, visit [www.adoptivefamilies.com/order](http://www.adoptivefamilies.com/order) or call toll-free 800.372.3300**

©2003 Adoptive Families Magazine. All rights reserved. Reproduction in whole or in part is prohibited.