

The Adoption Process

The legal process of adopting, from application to finalization, can be a lengthy one. It may take six months or more from the time you apply before a child is placed in your home; it will take at least three to twelve months after that before the adoption may be finalized in court.

The basic tasks in the adoption process in New York State are:

- [Choosing an adoption agency.](#)
- [Submitting an application.](#)
- [Completing the homestudy process.](#)
- [Attending agency-sponsored training.](#)
- [Working with a caseworker to find an appropriate match.](#)
- [Visiting with the child.](#)
- [Working with a caseworker to apply for subsidy, if eligible.](#)
- Bringing your child home.
- [Completing at least three months of supervision, if necessary.](#)
- [Completing the adoption in court.](#)
- [Contacting the agency for post-adoption services, as needed.](#)

Choosing an adoption agency

In New York State, there are more than 130 adoption agencies. Each of New York's 58 [social services districts](#) has an adoption unit, and more than 70 authorized voluntary agencies statewide work with adopting families.

Public and private agencies do not charge a fee for adoption services provided on behalf of children who are in the legal guardianship of the local social services commissioner. For adoption of children in the legal guardianship of authorized voluntary agencies, fees generally are based on the adoptive family's income. Few agencies charge fees when families adopt children with special needs.

Choosing an agency is a very important step. Talk to different agencies and adoptive parents or parent support groups to learn how the agencies work with prospective adoptive parents. It is very difficult to change agencies once the adoption process has begun. A [list of these agencies](#) is available on this web site.

Submitting an application to adopt in New York State

After choosing an agency, you must submit an application to adopt. This application seeks information on your background, family composition, and the number of people living in your home. You will need to describe the type of child you feel most suited to adopt, and the agency can help you with this description. This information is necessary to ensure that each child is placed with the family most able to meet the child's needs.

When families apply to adopt, agencies must check with the New York State Child Abuse and Maltreatment Register to determine whether an applicant, or any person over the age of 18 who resides in the home, has previously abused or maltreated a child. Also, a criminal history check for a prospective adoptive parent or any other person over the age of 18, who is currently residing in the home is required. A criminal record does not necessarily prevent an applicant from adopting. Every effort is made to ensure that children are placed in safe environments.

[back to top](#)

Completing the homestudy in New York State

A homestudy is a series of meetings, interviews, and training sessions involving the agency and the prospective adoptive family. Generally within four months of a family's Application to Adopt, New York State regulations require agencies to complete a homestudy for most families registered with the state. Sometimes prospective adoptive families find the homestudy process difficult, but it is an essential part of adoption that helps them decide whether they are ready to adopt. A homestudy also allows agencies to find out more about what the prospective family has to offer. This helps agencies appropriately place children in their care. The process can be intense, but it is in the best interest of both the child and the prospective adoptive family. Some families withdraw temporarily to consider whether they are ready to adopt. Most decide to have the homestudy completed.

After completion of the homestudy, the caseworker prepares a written summary about the family. The agency uses this summary in the placement process. Prospective adoptive families can review and discuss the written summary and add their own comments.

[back to top](#)

Attending agency-sponsored training

Each adoption agency generally expects applicants to participate in adoptive parent training. This training usually consists of multiple sessions designed to:

- help families understand adoption;
- examine the strengths they bring to adoption;
- decide whether they are ready to adopt;
- provide skills and knowledge needed when adopting;
- help families understand the needs of foster children, as well as the kind of child they would best parent.

[back to top](#)

Working with your caseworker to find the appropriate child

Once a homestudy has been approved, the family and the agency work together to place a child. There are no special formulas for this process. Decisions are made on a case-by-case basis. The agency and family team up to decide what placement would promote the best interest of the child.

In addition to the [child photolisting](#) available on this website, New York State publishes a printed version of *The Adoption Album*. Each page contains a photograph and a brief biography of a child needing a family. The Adoption Album is updated regularly to add children newly freed for adoption. Copies of The Adoption Album are available at public and private adoption agencies, at most libraries, and at other locations across the state and throughout the country.

Sometimes an agency can directly link a prospective adoptive family with the child they wish to adopt. However, an agency must often contact other agencies to inquire about a child.

Families can be identified for children through the [Family Adoption Registry](#). The Family Adoption Registry is part of The Adoption Album database and is an opportunity for prospective parents to register their interest in adopting New York State's waiting children.

When a family inquires about a child, the child's adoption agency provides a summary with additional information beyond that provided in the child's photolisting. Usually, this is exchanged for a copy of the homestudy. The family and the child's agency then review the material. If both parties remain interested, the agency includes the family in its final selection process.

When selecting a family for a child, agencies try to select a family that will maintain the child's connections. Maintaining connections provides continuity in the child's life and respects the link between the child and his or her family, siblings, foster family, heritage, and culture. The fundamental standard for all adoptive placements is *the best interest of the child*, which is decided on a case-by-case basis.

Often, the child's agency selects from a large pool of prospective adoptive families to make a placement. In considering which child you might like to adopt, you will do best to inquire about many different children at once. Families who limit themselves to one child early in the process may come away disappointed. By considering a number of children, you are more likely to connect with a child.

[back to top](#)

Visiting with the child

After an agency decides that a child is ready to meet the prospective adoptive family, the family and child can begin visiting. Visits take place in the agency, in the home where the child lives, or in the adoptive family's home. Visits start as short meetings, increasing in length as the family and child get to know one another. Visitation can last for a period of weeks or months before the child moves in with the adoptive family.

[back to top](#)

Adoption subsidies

Adoption subsidies are available for children who are handicapped or hard to place. Families adopting older children and children requiring greater resources receive higher adoption subsidies.

Adoption subsidies are paid monthly. They continue until the child reaches the age of 21, unless the adoptive parent is no longer legally responsible for the support of the child or the child is no longer receiving any support from the adoptive parent.

Many children also qualify for Medicaid. This is especially important for families adopting children with disabilities. Medical coverage ensures that the family's financial situation will not be threatened by potentially catastrophic medical costs.

In cases where adoption subsidies are available, they are available regardless of the adoptive parents' income.

[back to top](#)

Completing at least three months of supervision

Adoption does not become official the day a child is placed with an adoptive family. Unless the adoptive parent is seeking to adopt a foster child for whom he or she has already been providing care, New York State law requires that agencies generally supervise families for three months after placement before an adoption becomes legal. This waiting period is very important. It allows the agency to ensure that the family and child are comfortable together and that the family can meet the child's needs.

During the supervisory period, a caseworker will visit regularly to provide support and assistance. After three months, if the placement is deemed successful, the agency will consent to the family's petition to adopt.

[back to top](#)

Completing the adoption in New York State court

An adoption generally is completed with the assistance of an attorney retained by the adoptive parents (see [What to Expect From an Adoption Attorney Pub. 5054](#)); the attorney files a petition in court. When all the agency papers have been submitted, the adoption is finalized in court. The family agrees to assume full legal rights and obligations for the child's care, and the agency's supervision is no longer required.

[back to top](#)

Contacting the agency for postadoption services, as needed

The adoption experience requires that families and children make a series of transitions. Many of these changes are exciting, but some are difficult. There may be times when an adoptive family needs assistance from the agency after the adoption has been finalized. Many agencies provide post-adoption services to help families through these transitions. Services may include family and individual counseling, social and support groups, or referral services.

Asking for support during this process is a sign of strength, not weakness. Most successful adoptions occur in families who seek support from the start.

Adoptive parent groups can be a valuable resource for helping families through the adoption experience. New York State has many adoptive parent groups that provide:

- informational meetings;
- newsletters and other printed materials;
- community adoption recruitment materials;
- listings of community resources;
- support groups;
- social events.

These groups bring together adoptive families and families considering adoption to exchange ideas and offer support. This opportunity can be helpful throughout the adoption experience, even after the adoption is finalized. Because adoption is a lifelong process, sometimes adoptive families need advice or information many years after adopting a child. It is important for families to know that support is available at any time, before and after the adoption is finalized. Adoptive parent groups provide an excellent means to discuss age-appropriate responses to the questions adopted children ask about their birth families and why they were adopted.

For more information, contact the New York State Adoption Service at
1-800-345-KIDS 1-800-345-KIDS (5437)

Or email us at: adopme@dfa.state.ny.us