By FRANK MAIN
Advocate staff writer

Several years ago, Louisiana gained the reputation of being an “adoption mill” where out-of-state couples went to adopt a baby because the laws were lax.

The state’s image improved in 1987 when the Legislature bolstered adoption laws after hearing complaints about business people who were making big money arranging adoptions in Louisiana without ensuring the welfare of the mothers and their babies.

Still, three adoption systems were operating separately in Louisiana: adoptions through the state Department of Social Services and the 30 state-licensed private adoption agencies; independent adoptions through lawyers and other non-licensed people; and adoptions within families.

The Children’s Code, which went into effect in January, attempted to create laws that apply uniformly to the various types of adoptions, although there are still some people who think the adoption laws could be improved.

The Children’s Code made several important changes, including:

- Requiring pre-placement investigations of adoptive parents in independent adoptions. In the past, only the state and private agencies were required to do such “home studies.” The Children’s Code, however, allows a court hearing to waive home studies for independent adoptions.
- Requiring the birth mother in independent adoptions to attend at least two counseling sessions with a licensed mental-health counselor. In the past, there was no second-boundary of adoption counseling.
- Preventing the birth mother from surrendering her baby for five days after delivery. When she does, the surrender is irrevocable.

Adoption Options of Louisiana

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All agencies are located in Baton Rouge unless otherwise specified.

Source: Louisiana Department of Social Services

Adoption statistics incomplete, contradictory

By FRANK MAIN
Advocate staff writer

If you try to track the number of adoptions in Louisiana over the past 10 years, good luck.

The state Department of Social Services doesn’t have accurate information on finalized adoptions. The department collected figures on the number of adoptions finalized through private agencies and the state. The figures are broken down by categories describing how the adoptions were done and whether they were placed to parents in Louisiana or out-of-state.

But the information was not properly loaded into the department’s computer, Wright Madere said. There were many contradictory figures in the department’s computer printouts of adoptions. The department learned of the problem after the Advocate requested comparative information about Louisiana adoptions for this story.

The department was able to pull figures on Baton Rouge-area adoption agencies for fiscal year 1991, and that information was accurate, Wright Madere said. But the department is not able to pull figures on Baton Rouge-area adoption agencies for fiscal year 1990 or earlier.

Meanwhile, figures for independent adoptions performed through lawyers are not available because they weren’t collected in the past. The Louisiana Children’s Code that went into effect this year requires lawyers to file surrender papers with a juvenile court, a first step in getting figures for independent adoptions, officials say.

Deborah Smith of the National Adoption Information Clearinghouse said the lack of accurate adoption figures is not surprising.

"We have horrible national statistics," she said.

Congress approved the creation of a federal database for adoptions several years ago, but the system still is not working, Smith said.

Adoption figures for interstate adoptions also are incomplete because they are collected by different states.

By FRANK MAIN
Advocate staff writer

Louisiana Adoption Association President Virgie Clark told the governor’s transition team that adoptive parents — and not the mothers — are the lawyers’ primary clients.

"Licensed agencies exist precisely to act in the best interest of the child, so matter how compelling may be the needs or interests of competing adults," she said. "Ages carefully screen and interview prospective clients that apply for adoption and will continue to counsel the birth mother and the adopting parents long after the baby has gone to its new home."

Clark also recommended regulations to stop pregnant women from coming to Louisiana, giving birth and placing their babies out-of-state. The transition team, however, did not include that controversial suggestion in its Dec. 30 report to Edwards.

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Adoption Options of Louisiana President Lucy McGough said some people, however, have a need to tighten the adoption laws further.

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The team suggested legislation to allow only licensed agencies to perform adoptions and to require licenses for people who provide maternity services.

In an interview, one lawyer who handles independent adoptions said he was opposed to the recommendation.

Agencies don’t have a monopoly on watching out for the best interests of the mother, the lawyer said.

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