

A-4—Missoulian, Sunday, May 13, 1979

# Black market babies

If the law of supply and demand — except the babies are not economic. They're human. The supply of adoptive babies declines and the demand for them remains the same or increases, some people are tempted to take drastic measures to obtain a child. These measures may include "buying" a baby on the black market.

Montana attorney Larry Riley, who does a great deal of legal adoption work, said he "knows of no instances" of the illegal adoption practice in the Missoula area.

Riley said there is a remote possibility that illegal adoptions could be taking place in the area but he doubts that they are because "what spreads fast through the medical community," he said. Riley thinks it is unlikely if legal adoptions would go on very long without the authorities finding out.

But, he said, he has no doubt that the black market sale of babies is going on in other parts of the country.

It is a dilemma for adoptive parents. There are not enough children available. A lot of parents are saying, "We don't give a damn where or how we get the child, we just want it."

Typically, a couple interested in obtaining a baby on the black market would contact a lawyer or physician involved in the scheme. For a few the lawyer or physician would act as the go-between, arranging the adoption with the biological mother and the prospective adoptive parents.

In some cases, a fee would be charged to cover the mother's medical bills and the physician's time. In some cases, the fee would be exorbitantly high to the point

of the professional involved and, possibly, the biological mother.

Riley said he has heard of couples in the Washington D.C. area being asked to pay thousands of dollars for an infant.

The degree of illegality in the black market process varies, ranging from the simple purchase of a human life to the "private adoption," where a physician or lawyer arranges a bona fide adoption without the intervention of a state or private adoption agency.

Such private adoptions were fairly common in Montana until two years ago, when the Montana Supreme Court ruled that before any person could be approved by the state as a foster parent, he or she must first be approved by a private adoption agency. This rule has since been amended to allow a person to be approved as a foster parent by a private adoption agency, but not by a private adoption agency.

Before the Supreme Court decision, it was not unheard of a mother to give birth to a child, and then her physician or lawyer, or husband usually acts as an adoption agent. A couple wishing to be held as the adoptive parent would be faced without a home study being done on the adoptive couple and without state intervention, except in the custody hearing.

Riley said in some cases, the physician knew of a patient who was sterile and wanted a child, or a friend or the company who wanted to adopt a child. When the biological mother informed the physician she did not want the child, he could simply arrange the adoption.

He believes the private adoption process could have worked if the state had been involved more "transparently ethical and sensitive." But, he said, the state's involvement in "transacting with problems."

"There are not a whole lot of ways a couple could go. There are just too many temptations. I can't see the state doing it."

Riley said on one occasion, he was asked to "assist" a couple in finding a child without going through an adoption agency. And, he said, the woman who was to place her child for adoption asked about the possibility of going to jail with her child.

"At that point, I stopped my notebook and said I wanted nothing to do with setting a child," Riley said.

# The steps to adoption

A young woman mother has decided to place her newborn child up for adoption. She has already had her mind made up. She knows it is the best thing for her child and she knows it is the best thing for her.

The woman mother and the young couple are both in the process of adoption. The woman mother is in the process of adoption. The young couple is in the process of adoption. They both have shared something important — life itself.

The people responsible for placing that baby in the hands of the adoptive parents are the social workers in Montana's five adoption agencies. The social workers have been working for many years to help women who have given birth to a child, and they are now helping to help the adoptive parents to help the child.

According to Dawn Duncan, an adoption resource worker for the Montana Division of the State Social and Rehabilitation Services, about 10 percent of women mothers keep their babies.

Most of the women who are asked to "assist" a couple in finding a child without going through an adoption agency, they are asked to go to jail with her child.

"At that point, I stopped my notebook and said I wanted nothing to do with setting a child," Riley said.

The other side of the adoption coin comes when the adoptive parents are asked to fill out an application form. This form contains information about the adoptive parents, including their names, addresses, occupations, education and family, among other things. There will be an application fee of approximately \$25, depending on the agency.

Most agencies require that the couple be under 40 years of age and be married three years. In addition, most agencies will not allow a couple with two children to adopt another.

Within months or years of the couple's initial application for a child, a social worker will conduct an adoptive study on the couple. The study varies among agencies, but generally consists of a series of meetings in which the social worker tries to know the couple, their values, background and lifestyle. The social worker checks with neighbors and friends to get an accurate picture of the adoptive parents.

He then completes a comprehensive report on them, listing the type of child they prefer, the characteristics of the couple, the motivation for adopting a child and the worker's general impressions of the couple.

Children and the agencies generally do not look for the "ideal couple" because there is no such thing.

Rather, they look for a family atmosphere that will provide the child stability and security. For that reason, few single persons have been successful in adopting agencies in Montana, Duncan said.

Henry Davis, director of children's services at the Montana Children's Home and Hospital in Helena, said his office does not have to hire. He said there is no such thing as a "perfect" adoptive parent.

"Most agencies prefer to place children with adoptive parents of similar background. An exception to this is the adoption of children with medical needs. Some of the original demographic information that is given to agencies in Montana require that one of the spouses reside in the state for a period of time to promote the child's adjustment to his new family. This may mean someone would have to take a "pregnancy leave," instead of her working hours of the job altogether.

For existing agencies, there are no guidelines for income, but at least one of the spouses must be employed or getting together. There is no cost to apply to the State Social and Rehabilitation Services adoption agency.

But the last private adoption agencies in Montana charge a fee to cover administrative costs. The Montana Children's Home and Hospital and Church of Jesus Christ of Latter Day Saints Social Services charge a flat fee no matter what the adoptive agency's income.

Other private adoption agencies charge a living wage based on the couple's ability to pay. The fee can range from \$200 to more than \$1,000.

Once a profile of the adoptive couple has been completed, the agency considers it against others and places it in a pool.

When a child becomes available, the agency of adoption will call the couple. However, because of the time it takes to get the couple's background checked, it may be several weeks before the couple is called.

In some cases, the child's natural mother may request that her child go to a particular kind of home.

In the Social and Rehabilitation Services adoption program, each district in the state assigns an eligible couple's profile to the social worker in charge of the child. That worker determines which of the couples will be best for the child.

Generally, for confidentiality, a child goes to a mother as one part of the home is placed with a couple in another part of the state. The worker provides the adoptive parents with as much information about the child as possible without revealing the identity of its mother or father.

The worker then contacts the adoptive parents, advising them that the child is available. The parents have the right to refuse the child, but according to Riley, that is rare.

The agency then sets up a meeting, but the parents have the right to refuse the child. The agency then sets up a meeting, but the parents have the right to refuse the child. The agency then sets up a meeting, but the parents have the right to refuse the child.

After a one-year probationary period, the parents may file for legal custody of the child through a state district court.

And the child becomes their own.

According to Duncan, the whole adoption procedure is "pretty exciting. We're working with a couple that has something to offer a child, when they get a child, they are so grateful."

# ADOPTION



An empty crib at the Montana Children's Home and Hospital in Helena reflects a common setting at adoption agencies in the state — there are very few infants available for adoption at any given time. Most private and public agencies prefer to place infants with adoptive parents as soon as possible.

One of the functions of the state agency is to recruit resources for children, including adoption agencies. An act of the government, the agency is supported by tax dollars.

Montana Social and Rehabilitation Services places about 100 children with adoptive parents each year. In the district that includes Missoula, Helena and Great Falls, 20 prospective adoptive parents are placed each year, according to Dawn Duncan, adoption resource worker for the Montana Division of the State Social and Rehabilitation Services.

Large numbers of handicapped or developmentally disabled children, some older children placed from their natural parents by the state, a number of severely children and a proportionately large number of severely handicapped children are placed.

And, Duncan said, there aren't enough children to go around — especially infants.

The state agency in two years behind in approving applications for children. Duncan said they currently are not actively accepting applications, although parents interested in adoption through the state may still set a home which is placed in the state through the state's adoption agency.

However, if adoptive parents are placed with patients and willing to wait up to three years or more, they probably will be able to adopt a child through the state, Duncan said.

There is no admission charge to adopt through Social and Rehabilitation Services.

Montana Children's Home and Hospital also known as Social Hospital 888 Helena Ave. Helena, 59601, telephone 443-1000. Helena, 59601, telephone 443-1000. Helena, 59601, telephone 443-1000.

Children born between private infants, primarily, although a few older children and severely handicapped children have been adopted through the state.

Through and the agency is currently allowing non-Catholic parents to apply in an effort to place the children. However, Flanagan warned that allowing non-Catholics to adopt through the agency may be a temporary measure and the number of infants may decrease in coming months.

But if it does, parents wishing to adopt through Catholic Social Services may expect to wait an average of seven months. Flanagan said that number will be shorter with other agencies.

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## Montana's adoption agencies

They are overflowing. Their work load, heavy. They jobs can be thankful and at the same time, rewarding.

They are the hardest private and public adoption agencies in Montana. And although they share a common goal — to match children with families and families with children — each adoption agency is unique.

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