



Ethica for Ethical Adoption

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## **Adoption Regulation and Consumer Protection**

Adoption is one of the most unregulated industries in America today. Most states have only minimal requirements for establishing an adoption agency. No federal regulation currently exists. In times past, such minimal requirements were likely all that were necessary. Adoption numbers were small and costs were low. Adoption was seen as an altruistic service to find families for children in need.

Over the course of the last 15 years, the landscape of adoption has been dramatically altered. As infertility rates soar and adoption is being increasingly accepted as a normal, healthy way to build families, the number of families seeking to adopt has exploded along with the number of entities offering adoption services. The number of families adopting children from other countries tripled in a decade, rising from 6,536 in 1992 to 20,002 in 2002. Accurate statistics for private domestic adoptions are impossible to obtain, because of statistical practices that co-mingle adoptions by step parents, adoption of children from foster care, and private adoptions. It is thought, however, that the number of domestic private adoptions is at least as large as the number of intercountry adoptions.

The costs of intercountry adoption have soared in recent years. Most families pay an average of \$15,000 in fees to adoption agents. In addition, most families pay thousands more dollars in required travel and documentation costs, making it normal to pay \$20,000 to \$30,000 to adopt a child.

Domestic adopters often pay similar or higher fees to adoption agencies or attorneys. On top of the fees, it has become common for parents to pay thousands of dollars of living expenses to prospective birth parents prior to the birth of the child. As a result, domestic adoption is as expensive, and often more expensive, than adopting internationally.

Forbes recently noted that adoption has become a \$2 billion industry—yet it operates with less regulation and consumer protection than your neighborhood health club. And adoption deals, in the truest and most direct sense, with human lives that can be torn apart by unscrupulous practices.

#### **Adoption: A Brief Overview**

Domestic adoption refers to the adoption of a U.S. citizen or resident child by U.S. citizen parents. Intercountry adoption refers to the adoption of a non-U.S. child by a U.S. citizen parent. Generally, the same licensing regulations are applied to both types of adoption. In virtually every state, an agency that wishes to place children for adoption must be licensed to do so. However, some states also allow unlicensed individuals, also called facilitators, to operate.

**Domestic Adoption.** To adopt a child domestically, a prospective adoptive parent applies to a local agency, which performs a home study on the parent to determine adoption eligibility. Some parents then proceed to adopt a child through their local agency. However, in some cases, the local agency does not actually have children to place for adoption. Instead, the local agency contracts with a larger agency, either in its state or another state, for placement services. A more likely scenario, however, finds the prospective parents themselves searching for children to adopt. As more and more parents seek to adopt while the number of available, healthy infant children is declining, facilitation services have sprung up around the country to provide matching services for adoptive parents. In most adoptions today, the birth parent of the child reviews profiles of many different prospective adoptive parents and then chooses a family to parent the

child. Thus, adoptive parents often register with a facilitator who uses a network of attorneys or other facilitators in several different states, providing the parent with increased chances of being chosen by people seeking to place their children for adoption.

**Intercountry adoption.** To adopt a child from overseas, a U.S. citizen parent generally uses the services of at least one, but most often more than one, adoption agency. The family applies to a local agency, which performs a home study and approves the family to adopt. The local agency or prospective adoptive parent often then contracts with another agency which has adoption programs in various countries. These agencies generally use independent contractors called facilitators in the foreign country. Such facilitators often contract with many different agencies. Agencies that run overseas programs often consider the U.S. operation and the foreign operation to be separate and distinct even though they collect the fees for both programs through their agencies in the United States.

#### **Problematic Adoption Practices**

Consumers are faced with a dizzying array of adoption service providers, countries, orphanages and programs from which to choose. However, consumer information on agencies and facilitators is often impossible to acquire. The Better Business Bureau seldom has complete reports on agencies or facilitators, and no independent consumer protection office currently exists.

**Lack of Regulation:** The sharp rise in the number of adoptions, coupled with a significant increase in adoption fees, has led to an influx of adoption practitioners who are lured by the possibility of making significant sums of money performing adoption services. In addition, the field is being expanded by an increase in the number of agencies started (often by adoptive parents themselves) with good intentions, but lacking the experience and significant social service base common to agencies of the past. There are, of course, agencies that engage in good practice and put the best interests of children at the forefront of their work. Good agencies, however, are finding it more and more difficult to work in such an unregulated environment.

It is quite easy to establish an adoption agency in the United States. Many states have only basic requirements which may include educational standards for personnel, criminal background checks on employees, record-keeping policies, confidentiality requirements, policies for working with birth parents, and an annual accounting of agency operations.

Even for those adopting abroad, the only regulation of intercountry adoption is the state licensing process. Immigration requirements stipulate that prospective adoptive parents meet certain standards to adopt (including the requirement of a home study by a qualified social worker), but there are no requirements of the professionals who conduct adoptions.

Unfortunately, these basic requirements do not address the main problems affecting adoption consumers. Many licensing requirements do not address the competency of adoption professionals. Even when educational requirements are included, agencies can circumvent them by having a social worker "on staff" who works a minimal amount of time, the remainder of the work load being handled by untrained staff. Rarely do states consider the past experiences of an agency or its principals in other jurisdictions. So, if an agency has problems, the principals can just change the agency name, cross a state

border, become licensed in that state, and resume business as usual with a "clean record."

Some states allow unlicensed facilitators in the United States to offer adoption services. Although families require the services of a local agency for a home study, they are often free to choose an adoption service provider located in any state for their domestic or overseas adoption services. So, if State X allows unlicensed facilitators to operate, then the citizens of States Y and Z are also affected. Therefore, states that allow unlicensed persons to perform adoption services are removing the only safeguard available to consumers across the country. Additionally, facilitators that only match consumers with available situations argue, perhaps accurately, that they do not actually "place" children for adoption. They may, therefore, operate with no oversight from any state.

**Contractual Difficulties:** The consumer pitfalls begin almost immediately, when the family is asked to sign an agency contract (e.g. see Annex 1). The majority of services affecting intercountry adoptive families occur overseas. Agencies seldom have their own employees in foreign countries and rely on the services of independent foreign agents to locate children for adoption, obtain medical and social information, process and translate documents, and navigate the maze of adoption regulations.

Commonly, agencies take the position that they have no control over the actions of their foreign agents, and that intercountry adoption is inherently unpredictable. They claim it is too difficult to get accurate information on children being placed for adoption. Even though some agencies manage to find dependable medical or personnel resources, other agencies working in the same country rely on the above excuses to alleviate themselves from responsibility. They, in turn, ask the families to absolve them of responsibility.

The end result is that even those agencies that have their own overseas personnel end up requiring across-the-board contractual releases for all adoption-related matters that occur abroad. It is common practice for agencies to require prospective adoptive parents to sign a blanket waiver of liability for the actions of overseas contractors. Families are asked to accept that medical information will be incomplete or inaccurate, that the process is unpredictable, that funds sent overseas are nonrefundable, and that the U.S. agency has no responsibility whatsoever for the actions of the parties with whom it has contracted for intercountry adoption placements. Some agencies even ask parents to excuse negligence or fraud. Moreover, since the agencies use their contracts to eliminate any potential liability for what occurs outside of the United States, the agencies have no incentive to investigate their foreign agents to ensure that those parties are operating legally or ethically.

Unlike domestic adoption, where the child generally lives in the household for several months before the adoption is finalized, in intercountry adoption the child is either adopted overseas after a very short amount of time (sometimes hours) with the parents, or sometimes brought to the United States without the parent ever having met the child. There is thus a much higher risk of parents agreeing to an adoption without having adequate or accurate medical and other background information about the child, and perhaps becoming legally committed to a child they are unable to adequately parent.

While the acceptance of a certain amount of responsibility is appropriate for a family (e.g., even a thorough medical evaluation may not detect a genetic abnormality),

agencies often use contracts to eliminate completely any responsibility to exercise due diligence in determining a child's health status. Furthermore, if an adoption is not processed to completion, the family is often left with no money, no child, and no recourse. In short, the current structure of the adoption process places virtually all risks relating to the adoption on potential adoptive families, and not on industry principals who are in a far better position to control the process and to comprehend the complexities of intercountry adoptions.

Domestic adoptive families may face similar challenges. Adoption facilitation services are common and many parents locate such services through the Internet. At times, facilitators may post "available situations" without revealing that they do not actually work directly with birth parents seeking to place their children for adoption. Instead, the facilitator has a network of lawyers, agencies, or other professionals who call them when a situation might be available. The facilitator may charge the prospective adoptive parents several thousand dollars for the opportunity to send in their homestudy for the birth parents to consider. Then, the family discovers that the birth mother placed her child elsewhere or was never seriously considering adoption. The family, however, cannot get a refund; it can only apply the funds to another placement situation through the same facilitator.

**Financial Pitfalls:** The entire adoption process is subject to significant market forces. Families typically spend \$15,000 to \$30,000 to adopt a child from a foreign country, and may spend that, or more, to adopt a healthy infant in the United States. In domestic adoption, agency fees are only part of the cost. One of the most significant costs is the payment of living expenses for prospective birth parents.

Intercountry adoption fees generally include an overseas processing fee in excess of \$10,000. Even fees that look modest to American consumers can be enormous fortunes in poverty-stricken countries. Thus, the dangers of profiteering, corruption and fraud are particularly strong. The plethora of agencies and facilitators creates an intense amount of competition among agencies. Often, there are more parents hoping to adopt infants than there are infants available. All of these factors contribute to a substantial risk to adoptive families, birth families, and children.

This climate has given rise to a number of fraudulent practices. Unregulated use of Internet photolistings allows agencies to advertise a particular child as available for adoption, enticing parents to sign contracts with that agency. In several documented cases, the parents signed contracts and traveled to a foreign country, only to find that the child pictured was not the child they were offered, or that that child had already been placed for adoption. Such "bait and switch" tactics are actively investigated in many industries, but often ignored when the "product" is children.

The highly publicized "Internet Twins" story illustrates some of the risks facing families on the domestic adoption front. With the aid of a facilitator, a Missouri woman placed her twin girls with a California couple; six weeks later, the birth mother took the babies and turned them over to a British couple who had paid the facilitator nearly \$6,000 more to adopt the same twins. The British couple finalized the adoption in Arkansas and took the children to Wales. The resulting transatlantic tug of war (further complicated when the Missouri mother changed her mind and decided she wanted the girls back) led to the girls being put in foster care. In March 2004, the Missouri Supreme Court awarded custody to the birth mother and voided the girls' adoption by their foster family (by this time the twins were three years old), ruling that the mother's parental rights

had been wrongly terminated. While this is a particularly egregious and complex case, variations on similar scenarios play out all too often in domestic adoptions.

***Inducement or Coercion:*** The significant amounts of money to be made also lead to substantial danger of illicit inducement or coercion of birth families. These concerns are particularly poignant abroad because of the extreme powerlessness of many poor women in developing countries. There is often little regulation over solicitation or purchase of children in the foreign country, and little to no regulation in the United States.

While a mechanism to deny adoption cases involving child buying exists in immigration regulations, in practice the standard of evidence employed is virtually impossible to meet. (See, *Child Trafficking: Why Can't the Immigration Service Prove It*, by Trish Maskew, 2003, available at [www.ethicanet.org/INSEvidence.PDF](http://www.ethicanet.org/INSEvidence.PDF)) Improved regulation must be instituted on a federal level. In the meantime, a significant amount of improvement could be realized by enforcing regulatory authority on the U.S. agencies that wire money abroad.

There are equally compelling problems with inducement and coercion in the United States. The payment of birth parent expenses is a common occurrence. Approximately 46 states have statutes that specify the type of expenses a prospective adoptive family is allowed to pay. However, the actual dollar amount is usually limited by the standard of "reasonable and customary." While states apply different types of regulation meant to control the payment of expenses, the practice is open to abuse, and can be coercive to parents deciding whether to parent their child or place him or her for adoption.

A few states limit payable expenses to medical or legal expenses. These are easily documented. Therefore, if a state couples this type of expense with reporting requirements at the adoption court hearing, there are fewer opportunities for fraud. It is, unfortunately, common practice for agencies or attorneys to move pregnant mothers to states with looser regulations. Some states have no limits on the amount or type of expenses that can be paid. In recent years, the payment of "living expenses" has become common. Originally designed to provide a way to help indigent birth mothers access safe housing, food and medical care, these expenses have become a tool for the unscrupulous.

It is not uncommon, for example, to hear of situations in which an adoptive family has been matched with an expectant mother who is considering adoption. The adoptive parent is paying living expenses for her. Then, another agency, lawyer, or facilitator arrives on the scene offering the expectant parent more money for "expenses" to place her child with one of their clients.

Other expectant mothers tell of being coerced to accept payment of expenses, even when these are not necessary. They are often told that "this is the way things are done" with a particular agency or attorney. This type of activity, and indeed all payment of living expenses, can cause a type of subtle inducement where the parent feels obligated to place her child, even if she later has second thoughts, as many do after the birth of their child.

Some try to prevent such inducement by paying expenses only after the birth of the child. In some cases this helps. However, this practice can also be subtly persuasive. One adoptive parent relates that her child's birth parents, realizing that a significant

amount of money would be paid after the adoption, became less careful with money and began overspending. By the time the child was born, the family was late on their rent and had few resources with which to care for their other children. Therefore, the knowledge that expenses were to be paid exerted a strong pressure on the birth parents.

Coercive tactics and agency marketing strategy are revealed quite openly in the excerpts of the following email sent by an adoption professional to a list of prospective adoptive parents:

*"[Redacted] asked me to say a few words on the costs involved with adoption, particularly advertising.*

*(1) Advertising is expensive and many outlets charge extra for adoption ads. The only reason I can see for this is because they can get it.*

*(2) The more birthmothers you want, the more expensive they become. We were told when we first started you could get one Caucasian birthmother for \$1K in advertising. But to get 4 a month you may have to pay three or four times that much per birthmother located. Several years ago one major facilitator said her cost per Cau. birthmother in advertising was \$2500. A very large agency (300 placements per year) told me that their costs in advertising per birthmother were around \$5K each.*

*(3). Then you have to add additional overhead: salaries, phone bills, office supplies, etc.*

*(4) From a purely business point of view you need to expect a reasonable markup from the cost of doing business so there is a profit at the end of the day. The agency that is paying \$5K per birthmother has an agency fee of \$15K. This is a high stress business that never quits. Crisis calls come 24/7.*

*(5) Competition is driving the costs up. All advertising outlets want to keep the profit margin so they increase their price annually. But other advertisers are invading the markets. In one particular outlet we had to increase our advertising by 250 percent to stay competitive.*

*Expect to pay \$6 - 10K to a facilitator for a birthmother that is serious about adoption. And twice that much to an agency. They have much more overhead. In general, it cheaper to use a facilitator and an attorney than it is to use an agency. Attorneys charge anywhere from \$2 - 8K depending on the state and how much they do. And then there are living expenses: They average \$6 to 8K total for a pregnancy. Again it varies by state. Some states don't allow any. The idea behind living expenses is to help the birthmother out: you get a healthier, happier baby if her life is stable and she should get a chance to stabilize her life. In total, facilitator--attorney adoptions usually run in the mid to upper teens if the birthmother stays in place. Agency adoptions with or without a facilitator run from \$25K up... sometimes to \$40K.*

*But there is more to understanding the cost of adoption: Not all birthmothers place. There are a lot of variables involved in placement. Some you don't find*

*out till after the fact. Since we roll-over our fee if the birthmother does not place. We are less concerned with the total cost; we are most concerned with getting the birthmother in a situation where she is most likely to place. We do not want to do the same work twice with no extra income. One of the things that we have found is that birthmothers that are willing to relocate for the purpose of adoption have a 95%+ likelihood of placing. Therefore we use maternity housing as much as possible. It does increase the cost of adoption significantly—at least \$5 to 10K, but they almost always place. You have travel and maternity housing is usually more expensive.”*

### **The Adoption Regulatory Scheme**

Regulation of adoption begins at the state licensing level, an administrative function. In most states the licensing authority is overseen by the Attorney General.

Federal authorities can also play a role in combating adoption fraud, especially when crimes involve families in multiple states or when they involve intercountry adoption. Immigration enforcement officers, the FBI, and U.S. attorneys may all be involved.

On an international scale, regulation is impacted by the Hague Adoption Convention. Although the United States signed the *Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption* in 1994, the Convention is not yet in force for the United States. The Senate ratification of the treaty occurred in 2000, and the Department of State has been drafting regulations for its implementation since that time. Currently, it is expected that the treaty may enter into force in 2006.

Some believe that the treaty will solve the problems with intercountry adoption and provide the necessary regulation. While the Hague Convention will indeed help, it will not be a failsafe solution to the problems for several different reasons.

The Hague Convention is a co-operative Convention on child protection and adoption. It is designed to encourage countries to work together to set standards which protect against abduction and the sale of or traffic in children, and to establish procedures for intercountry adoption. The treaty requires that adoption service providers be accredited or approved by a central authority in a country. For the United States, the Department of State will be the central authority. The regulatory scheme envisioned in the Intercountry Adoption Act and the proposed regulations has DOS utilising independent accrediting entities to perform accreditation of agencies and persons. Individual U.S. states may also apply to accredit agencies and persons in their state.

However, the Hague Convention will not be the panacea envisioned by some. The Convention is only in effect between two countries that are parties to the Convention. The State Department itself estimates that the Convention would apply to only about 11% of intercountry adoption cases, though that percentage will rise somewhat as an increasing number of countries implement the Convention. Agencies can, and likely will, choose to work only in non-Hague countries to avoid accreditation requirements.

Furthermore, as a treaty of co-operation, there is no active enforcement by outside entities. It is left to the member countries to establish their own rules of accreditation and process. The regulations will only be as strong as the people who are tasked with enforcing them. Under the latest version of proposed regulations, the Department of



State has assigned oversight and investigation responsibilities to the accrediting entities, who face significant financial and practical obstacles to active enforcement of the regulations.

While the proposed regulations do address some of the problems associated with intercountry adoption, they cannot in and of themselves adequately protect consumers.

### **Regulatory Concerns**

In the absence of any federal regulation, licensing is the only protection afforded consumers. However, the experiences of numerous consumers raise considerable concern about the effectiveness of the current regulatory scheme.

Due to the absence of a central complaint registry or consumer protection agency, consumers rely on state licensing entities for information about adoption agencies. However, families often report that they place numerous calls to adoption licensing departments which remain unanswered. If they do manage to reach a licensing specialist, they are often told that the state does not keep complaints on file, or that they cannot be released to the public. Few are instructed how to obtain complaints through FOIA requests.

Some families have experienced difficulties that may indicate improper relationships between the licensing specialist and the agencies they are required to regulate. For example, in one recent case, a family filed an official complaint with the licensing office in a southern state. The family was quite surprised to receive a call from the adoption agency's executive director tearfully asking how they could have reported her and demanding that they withdraw the complaint—the surprise being that the call was placed, according to caller ID, from the very desk of the state licensing director! It was later discovered that this licensing director was aware of numerous licensing violations by the agency.

In another case, a family that experienced significant problems with an agency filed an official complaint in a state that begins with the letter "M". In response they received a letter from the state licensing entity that stated, "Your letter of concern about the above named agency has been received. I am sorry to hear of your difficulties and what seems to have been a less than satisfactory experience. Thank you for including the documentation with your letter. Please be assured that your concerns are not taken lightly and they will be addressed with (agency)."

Five months later, another family wrote to the same licensing director: "Hello. My husband and I are looking into using the adoption agency [redacted] for our foreign adoption. Since we are new to adoption, we do not want to be taken by any unscrupulous adoption personnel. We would like to know if [agency] has any complaints filed against them on record with your office. We have checked with the Better Business Bureau and there does not seem to be too much there. Thank you for your help in this matter."

The licensing director replied, "[Agency] is a licensed adoption agency in the State of M. I have no complaints against them. I am sure they will do a good job for you. If you have any other concerns as time goes on, please feel free to contact me." A review of the documentation on this case shows that significant concerns were raised about this agency, several of which implicated consumer fraud issues and client confidentiality. Yet the licensing director did not even qualify her statement by indicating that there were no

substantiated complaints that implicated licensing provisions, or even that complaints were confidential. She stated there were *no* complaints *and* gave her assurances that the agency would do a good job.

In another case, in a different state, parents doing research on agencies wrote to request copies of licensing documentation and complaints that had been filed. Several days later they received an email, carbon copied to the agency in question, stating that the request had been shared with the agency and that the requested records could be accessed for less money through the agency itself and that the state did not keep complaints on file.

In these and other cases, a disturbing lack of investigation and a close relationship between adoption agency and regulatory authority raise substantial questions about the ability and willingness of the state to effectively regulate and protect consumers.

Another common problem is the lack of communication between states in investigating adoption fraud, or protection of consumers. For example, one agency was adequately investigated by a state. After investigation, the agency's license was revoked. The agency, however, simply moved to another state and established operations under another license. Because this agency performed intercountry adoption services, the actual operation of the agency was not affected at all. All its programs remained operational and the executive staff was still employed.

In another case, an unlicensed facilitator had operated for years in one Western state, racking up numerous complaints by parents to the Better Business Bureau, the District Attorney, the FBI, the Immigration Service, and the Attorney General. Despite the numerous inquiries and investigations, this facilitator applied for, and was granted, a license from another Western state. When parents contacted the state entity that had licensed the facilitator, they were told that this state would accept complaints only from residents of their state! Given the fact that many intercountry adoptions occur through agencies in states other than the adoptive parents' state of residence, such positions endanger the well-being of children and adoptive parents. Indeed, this would be the perfect state for corrupt facilitators or agencies to move to. If they simply didn't accept clients from their home state, they would be free from regulation and prosecution and have the advantage of calling themselves a licensed agency.

The concerns about adequate regulation on the state level also raise considerable questions about the ability of these same state licensing bodies to adequately perform regulatory functions under the Hague Convention, or to fulfill their part of the regulatory scheme contemplated in the Intercountry Adoption Act and the Hague Regulations.

### **Is there a Solution?**

To adequately protect children, birth families and consumers, policy makers must consider ways that individual states can work together to combat the growing problem of adoption fraud. The best protection for children and consumers may well be the existence of a consumer protection agency for adoption. Such an office could:

1. Retain detailed complaint reports on each agency, facilitator, and attorney, including complaints which do not implicate licensing violations;
2. Maintain a publicly available registry of licensing violations for each practitioner;

3. Act as the official reporting office for consumer complaints;
4. Refer complaints to State licensing offices and the Attorneys General for necessary action;
5. Maintain statistics to determine if regulatory or licensing changes are warranted;
6. Maintain statistics which allow states to determine if complaints are being properly investigated by licensing departments;
7. Facilitate communication between states when a pattern of complaints is noted;
8. Publish a Consumer's Guide to Adoption Fraud.

Due to the lack of consumer protection that currently exists, *Ethica* has received numerous requests to develop a mechanism or office which would provide complaint information to consumers seeking to adopt. Consideration of these requests is ongoing, and we plan to begin establishing a private consumer protection office in 2005. However, while we have both the desire and the experience to fulfill such a need, there are significant obstacles to the establishment of practical consumer protection devices in the private sector. For example:

1. *Ethica* cannot compel agencies or facilitators to respond to complaints.
2. *Ethica* cannot adequately protect consumers from the threat of litigation for filing complaints.
3. Agencies and attorneys are prohibited by confidentiality clauses from disclosing relevant information to private bodies.
4. Liability coverage for private consumer agencies is prohibitively expensive.
5. Even the presence of egregious violations of law cannot be acted upon by a private entity.

All of these concerns could be addressed with the establishment of a government mandated consumer protection office. *Ethica* encourages policy makers to give thoughtful consideration to the development of stronger regulatory devices and consumer protection mechanisms related to the adoption of children.

#### **About *Ethica***

*Ethica* is a 501 (c)(3) nonprofit education, assistance and advocacy group which seeks to be an impartial voice for ethical adoption practices worldwide. In order to maintain our impartiality, *Ethica* does not accept monetary donations from agencies or other child placing entities, nor are any of our managing Board of Directors associated with adoption agencies. *Ethica* strives to develop organizational policy and recommendations based solely on the basic ethical principles that underscore best practices in adoption

and speak to the best interests of children. The core of our mission is our effort to achieve comprehensive reform of both the domestic and intercountry adoption systems.

Through our crisis management and case advocacy program, *Ethica* becomes aware of numerous types of adoption fraud and misconduct. We work with various federal and state governmental entities to address problems affecting individual cases, or groups of families affected by a particular situation. *Ethica* often provides background information on country conditions, current practices, and pending legislation to offices seeking to improve regulations. *Ethica* President Trish Maskew recently returned to the U.S. after spending several months in residence at the Hague Conference on Private International Law assisting with the development of an implementation guide and training materials for countries planning ratification of the Hague Adoption Convention. The implementation guide will assist countries in designing laws and procedures which serve to protect children and their families. Ms. Maskew is continuing her work for the Hague Conference from the United States as preparations are underway to develop a full-scale Convention implementation assistance program. The *Ethica* Center for Adoption Consumer Assistance and Protection (ACAP) opened in January, 2005.