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October 23, 2007

Susana's Statement on PGN Events

{Submitted by Susana Luarca, ADA}

The PGN is the legal adviser for the State entities. By law, it is required to give an opinion in different kind of proceedings. Adoption is one of them. The PGN must review the legality of the process, and the more thorough the review is, the better it is, because its approval confirms that everything is according to the book. Unfortunately, the legality of the process is in the eyes of the reviewer. The PGN lawyers who review the adoption processes go out of their way to reject as many cases as possible in as long time as they can. There is no limit to the grounds of objection or to the time they can take to release the files.

The morning of October 18th, 2007 I was scheduled to be at the hearings of two children at the court of Escuintla, a city in the south of Guatemala, an hour away. Because the PGN lawyers had another hearing in a different court, that same morning, they requested and obtained from the judge a postponement of the hearings. That could mean a delay of many weeks for those cases. Since the director of the hogar where the children are did not have to travel to Escuintla with me, she took a little girl whose case has been under investigation by the PGN since February. The reason is that the girl has cerebral palsy and instead of expediting her case, so she can have better care with her adoptive family, her file was sent - without any notification to the lawyers of the case - to the Minors section of the PGN. The director of the hogar was told that she should bring along with the girl, a medical certificate of whatever is wrong with the girl. When she arrived at the PGN she was told that the lawyer should be there and that one medical certificate was not enough, that she must bring two medical certificates. The director called me to ask me my opinion. I told her to call the lawyer of the case and reschedule the review of the girl, by the "experts" of the PGN. Since the condition of the girl is very obvious and the medical was issued by Dr. Sydney Hagen, one of the doctors of the embassy I just thought that the PGN was going out of their way to be more difficult than ever. Now I think that they wanted me to be there.

A little bit later, I got another call. It was from the foster mother of an eleven month old baby girl. She told me that the grandparents of the baby were very worried because the birthmother, a 16 year old girl, was taken into a closed room at the PGN, where she was being kept for over an hour and a half. I told her to wait. Some minutes later she called me again to tell me that the parents of the birthmother were told that their daughter did not want to place her daughter for adoption and that both, daughter and granddaughter were being taken to the court of minors. I went to the PGN and talked there to a man and a woman who told me that they had orders to take both minors to the judge. I asked them who gave that order. They did not tell me. I told them that they had that backwards. That they had to denounce and prove to the judge that the underage mother did not want to relinquish her daughter and only if the judge decided that the placement of both of them outside of the family home was in their best interest, and a court order was issued, birth mother and baby could be separated from their relatives. Meanwhile, they had to respect the parental rights of the parents of the under age mother.

With the parents of the birthmother, we went to the office where she was being kept. We found her sitting at the office of a psychologist, who was cutting with scissors the pictures of the teenager with the baby sitting on her lap. When I told her that the parents of the birthmother demanded that she went with them, she waived the hand with the scissors barely an inch from my face. I told her to be careful with those scissors, but she denied having done anything wrong. The girl raised and walked out with her parents, her sister, the foster mother holding the baby, the foster mother's husband, and a lady friend, towards the entrance. The birth mother and her mother walked out of the building, when the two armed guards of the National Civil Police closed the glass doors and did not let the rest of us to get out. Behind us was the psychologist, waving a two page document, saying that the birthmother did not sign it, and to bring her back. The birthmother and her mother ran away. We were told that we had to call the birth mother to come back to sign that document or we would not be released. I argued that they did not have any right to hold us hostages, that it was kidnapping and that I demanded to talk to whoever gave that order. Since Josefina Arellano is no longer there, I asked to talk to a lawyer named Victor Hugo Mejicanos, who is a lot nicer than her, but I was told that he was not in. Using my cell phone I called a couple of lawyers to let them know that we were kidnapped. Then, I tried to take pictures of our captors with my cell phone but they would hide their faces. Then, a man with a video camera came to film us, so I took his picture and told him to let us out. He also hid his face behind the camera. More than half an hour passed and nobody was taking responsibility of the order to kidnap us. The man continued to film us. I expressly state that I did not insult anybody, that I did not attack verbally or physically anybody and that we were kept prisoners by two armed guards. If I would have done something improper, the PGN would have a video of the whole event to prove it. The people unrelated to the event, who wanted to get out were allowed to leave through another door, because we were the only ones trapped between the glass doors that are normally open and then were locked by one of the guards and the doors that only open with an electronic card that communicate the foyer with the lobby of the PGN building. The time was passing and I decided to try to escape by breaking the lower glass of the door. I did so, with a kick. Then I removed the larger pieces of glass that were still in the frame and got away. When I was free, I realized that my leg was wet. I pulled up the pant I was wearing and found that my right leg was sliced very deeply in a couple places and that several spurts of blood were coming out of it. I begged for help, but nobody came to help me. With my cell phone I called my nephew who is a doctor, telling him to come right away and feeling fainting. I was very grateful when the foster mother brought me a chair to sit on. I made myself a tourniquet with an elastic band that I had in my wrist to help me with a carpal tunnel pain that I have been suffering and then, the firefighters that the foster mother called arrived and did a better tourniquet. While I was being cared for by the paramedics, Mario Gordillo, the Attorney General, and about ten or fifteen men in suits were watching the scene from afar. I asked the AG to get closer and when he did, I asked if he knew that we were being kept hostages. The AG pointing a finger at me, told me that he knew who I was, that I was behind all the problems with the adoptions and that I had it coming. I told him that it was the other way around, that it was him who was creating the problems in order to sell solutions, corrupting the system and that I was going to take care that everybody knows what he is doing. The AG told me to tell the press about it, but did not let the press to get near me or to get a statement from me. I was taken in the ambulance to the Centro Medico Hospital, where I underwent surgery to repair the nerves, arteries, veins and the Achilles tendon that were sliced by the glass. I was fortunate that the best cardiovascular surgeon in town was already scrubbed to operate when I arrived and he and other three surgeons worked diligently for over four hours to repair the damage. I stayed at the hospital until Monday. I appreciate very much the many demonstrations of affection that I received.

At the PGN, when the foster mother went to help me, she gave the baby to her husband. One of the guards snatched the child from the foster dad's arms. After I was taken away in the ambulance, the foster parents were detained and taken to the court, for their arrest hearing. They called their lawyer and since there was no evidence of any wrongdoing, they were allowed to leave, after many hours of captivity by sheer abuse of power of the authorities who are supposedly there to defend us. Both are sick, because she has a heart condition and he has diabetes.

While we were kept hostages, the birthmother and her mother were waiting for the rest of their family at the corner of the PGN building when a car came out of the PGN garage and stopped near them. Two men came out of the car and tried to take the girl by force to the waiting car. Her resistance and the screams of her mother made the thugs to give up and leave. Later, at the place of some friends where they were staying, the birthmother got a call on her cell phone, from someone of the PGN, telling her that her baby needed her, that if she went back to the PGN she would be given her baby back. Without telling her parents, the birthmother went back, and they took her and the baby to a place run by Casa Alianza, where she was told that she will have to stay there until she is 18 years old and that her baby will be adopted by another family. She told that to her mother, when she called her, crying hysterically, begging her to rescue her and to finalize the adoption, telling her that she never meant to keep the baby anyway. She also said that the place is a jail and that another inmate allowed her to use her cell phone because they took away her own cell phone. I was told all of this by the family of the girl who came to the hospital to see me and bring me a balloon arrangement, wishing me to get well soon. One of the sisters of the birth mother went to the PGN to ask to see her sister. A female lawyer told her that it was not possible, and that they were protecting her and the baby, because "Susana Luarca will kill her if she finds her". I am piling up all the felonies that those people perpetrated and will file charges against all of them. When I asked why it was that nobody but the foster mother came to help me when I was wounded, I was told by a colleague that it was because the lawyer who runs the section of minors told everybody: "Let her bleed to death, don't call an ambulance!".

After reading the concerns of the posters at Guatadopt, I want to thank those of you who expressed concern for my well being. I am better than expected, on my way to recovery. To those who think that I kicked the door out of frustration, must inform you that I did not do it because I was angry or because I was upset. I would not be a lawyer if injustice would not make my blood boil in my veins. Of course I was angry but I did it because I needed to get out, in the same way that someone who is taken away against his will in a car, opens the door and gets out even if the car is going at full speed and knowing that it is dangerous. Extreme circumstances call for extreme measures.

Casa Alianza works hand in hand with UNICEF and with the PGN to advance their common agenda against adoptions. Some days ago I was waiting for a hearing at a Court of Minors when a family who was also waiting, told me their problem. The five teen age children of their alcoholic son were rebellious and keep trying to harm their ants, uncles, cousins and grandparents. They don't want to keep them, but nobody wants them either. I asked the psychologist of the court why they were not send to Casa Alianza, she said that such institution does not take in any children, and that they just pretend to work in favor of the children, but are actually a school for juvenile delinquents. The people who run Casa Alianza, the Latin American division of Covenant House, have been more concerned in promoting their image to get donations, than in helping the children. At the hearing of the first of Casa Quivira' children, the directors of Casa Alianza, went to the court to demand that the children were not given back to CQ, along with the directors of the hogars where the children were sent to. The judge told them that they have nothing to say about that case. Casa Alianza, whose by-laws do not mention anything regarding adoptions, and who cannot prove that they have done anything good for the children of Guatemala, is actually a money making industry who cares nothing for the children they claim to help and who would not stop at anything to further their agenda. They knew the sexual orientation of Bruce Harris and what he was doing to the children, but chose to remain silent because he was a good fundraiser. When Bruce Harris accused me of doing illegal adoptions, I sued him for defamation and he had seven long years to prove that I did something wrong. He could not. He had to recruit the help of the international community, to play martyr and change the defamation charges into a "freedom of speech" issue, which is like starting with a soccer game and ending up with a bull fight. The unconditional support of the US ambassador who went to the trial and made very clear his sympathy for the accused, by greeting Bruce Harris with very warm handshake, and turning his back to me, is a stark contrast of the lack of support from the current US ambassador that the CQ families are getting at the hearings of the children that were stolen from their home. The families of those children are US citizens and Bruce Harris is British (born somewhere in Scotland), so the presence of the US ambassador would be more justified at the CQ hearings than it was at Harris'. Casa Alianza is pure evil and the only reason they care about adoptions is because each child that is adopted is one child of the street less, which in turn, means less donations. Another source of income of Casa Alianza is to sue Guatemala before the international courts, for the wrongful deaths of street children.

The anonymous children who have no one to care for them, are duly identified by Casa Alianza, their grieving relatives are efficiently located and lawsuits are filed to get millions for the loss of their beloved ones. One cannot help but to wonder why the children of the street are so quickly identified and their relatives located, and if their deaths are also part of the plan to extract from the Guatemalan government those millionaire indemnifications.

Instead of showing the good that Casa Alianza does, their way of justifying their existence is to point fingers. The case of the son (singular, because the other boy is not his) of Gustavo Tovar is a clear example of the incredible way that Casa Alianza has to twist everything around. Gustavo Tovar abandoned his son with the boy's mother, who used to leave him all day when he was seven years old, caring for his toddler brother. The older boy had to feed and change the diapers of the little one. The Court of Minors took the children to a hogar because they were left alone all day long and mistreated during the night, by their not loving mother. After a legal battle of the birth mother who could not prove that she could care for them and under the testimony of the older child who told with details the life he lived with such a mother, two judges ruled the children abandoned and ordered the boys to be placed for adoption. Two different families adopted them. The PGN opposed the adoptions and a judge approved them. The boys went to the US a year and a half after they were rescued. Six months later, Casa Alianza located in Mexico Gustavo Tobar and since then, has been using him to attack adoptions. When he went to the newspapers and started accusing me of taking away his son, I brought charges against him. Facing the possibility of spending some time in jail for his false accusations, he recanted and therefore, I have in writing his statement saying that there was nothing illegal about the adoption of his son, who was mistreated by the boy's mother, apologizing to me and promising not to mention my name with regard to her son's adoption ever again. But Casa Alianza needs a battle cry and that is why it brought the case to an international court of human rights, knowing very well that the boy will be an adult by the time the case is ruled, but Gustavo will get a nice allowance, which he will share with Casa Alianza as a token of appreciation. It is interesting that the Guatemalan adoption system is distrusted because it lacks "judicial oversight", but when it has it, like in Tovar's case, Casa Alianza denounces how bad the system is.

I hope that none of you would be kidnapped. It is the most insulting way of denying your human rights. Some said that I should have waited until the solution came by itself. My father was kidnapped and murdered. I was not going to wait to see what the thugs of the PGN were going to do to us, including the baby. I will press charges against them and if anything happens to me or to my family, Mario Grodillo, Victor Hugo Barrios and especially the lawyer who wanted me to bleed to death will have to answer for it.

God bless you and thanks for your concern,

Susana Luarca

Posted by Kelly at October 23, 2007 07:10 AM

Comments

I am so sorry for what you had to endure. I hope that justice comes to those who hurt you. And I have to say I am so happy to be an American right now I may go kiss my 4th of July decorations.

Posted by: Wow at October 23, 2007 08:27 AM

I am so very sorry. Only light will make these cockroaches run. Our only hope is for the children - these thugs are beyond redemption. You need help. What can I possibly do? I have complained to my govt.

Posted by: gmom at October 23, 2007 09:02 AM

Susana,

Thank you for sharing what happened. What a horrible ordeal for anyone to have to go through and it is just sickening to me that the people at PGN have no conscience and would have left you there to bleed to death. It is coming clearer and clearer how corrupt the government of Guatemala really is. what a shame it is such a beautiful country and the people are such loving and good people and they have to live with a government that does not give a damn about them they only care about themselves. Unbelievable.

God Bless you Susana and take care of yourself. Thanks for all that you do.

Posted by: justwaiting at October 23, 2007 09:10 AM

Susana, Thank God you are feeling better! What an ordeal for you to have to go through. I am so glad that you are safe now. Please take care of yourself, you are a very brave woman
Chantale

Posted by: chantale at October 23, 2007 09:11 AM

Thank you, Susana, for sharing the details of your ordeal with all of us. I am so glad you got the medical attention you needed in time and that you are okay. I understand the situation much more clearly now, and I am relieved to know your side of the story. Stay safe!!

Posted by: Lisen at October 23, 2007 09:40 AM

Susana, thoughts and prayers are with you, be safe and get well soon!!!!

Sandey and Ed Dupre from PA

(our daughter Valentina is in primavera now and in pgn now).

Posted by: Sandey and Ed Dupre at October 23, 2007 09:48 AM

Susana,

I am so saddened that you had to go thru this. My thoughts and prayers are with you. Thank you for all that you have done and do for the children.

Posted by: jandc at October 23, 2007 10:00 AM

Susana, I'm glad you are safe now and doing well.

I remember now reading about a Nun who was kidnapped, raped and forced to murder her cell mate by the "police" in Guatemala, you were right to run and do what you had to do. I think many people do not understand that the authorities are not always the "good guys". This is why, the Anderson Cooper segment was so misrepresented. People like my sister view it and think, OMG, the police "rescued" these children because they assume the police are right and good like they are here.

Unfortantely, in Guatemala, the authorities are not the good guys.

I hope the people involved at PGNy pay for what they have done to you, and I pray that young birth mother and her child are freed.

Thank you for that detailed description of what happened in your own words. It makes things much clearer.

Posted by: Melissa at October 23, 2007 10:29 AM

Gracias por continuar la lucha, Licenciada Luarca! Thank you for continuing this fight. Children should not be the victims of politics, fundraising strategies, or outright thuggery. Sue them for every last Quetzal they have!!

Posted by: Lee at October 23, 2007 10:51 AM

Holy cow!!!! Susana I wish you a very speedy recovery. I believe this was truly a setup due to all the events that are happening lately. Please get well soon. And I must say BRAVO to you for trying to help that family in need.

Posted by: Noel at October 23, 2007 11:05 AM

Oh praise the Lord that you are a strong person and always there for the children, foster parents, and extended family of the mothers as well as the birthmothers. Some may say you are a "radical", I say that being a radical is what makes changes. Even some saints have been accused of being radical, so you know where you stand (in very good company). Keep up the miracle's and have a speedy recovery.

Sincerely,
Theresa

Posted by: Theresa at October 23, 2007 11:16 AM

Susana -

Get well soon, and you are in my family's thoughts and prayers. This is such an injustice. Thank you one hundred times over for all that you do to risk yourself for the babies, birth families, and the adoptive families.

Posted by: Shannon at October 23, 2007 11:26 AM

Susana I am so glad to hear you are feeling well. I hate that you are having to go through this and please know that you and your family are in my prayers. May God keep you safe.

Posted by: Nancy at October 23, 2007 11:45 AM

Susana,

Thank you for taking the time to let us know the truth of what happened. It is such an injustice what the PGN did to this family and to you, and also what the media did to twist this story so badly.

I pray that your recovery is smooth and fast! We are all so appreciative of all that you do for the children!!!

Posted by: Krystal at October 23, 2007 12:03 PM

Susana,

Get well soon. You are in our thoughts and prayers. What a terrible ordeal! I hope justice is served to those that hurt you. Everyone keeps saying that there is corruption in the adoption process what about corruption in the government? Thank you for all you do for the children, birth families and adoptive families.

Posted by: Kim at October 23, 2007 12:27 PM

Susana,

Thank God you are recovering. You really are a positive voice for the children trapped by the Guatemalan government.

As to the politics of the whole thing...it sickens me. It sickens me to know that there are still barbaric people out there, posing as "officials". If I had any idea this was going on inside the government, I would have never come to the country for adoption. What a sick, twisted system. All for the love of money and power. The people in the position to "control" the lives of others should have their best interest at heart. It's not about winning a war of how much money I can squeeze out of love-struck adoptive parents. I have had my gullet full of unethical people spouting soft lamb's words of helping the children, all awhile snarling beneath their wolf costume. When will it end? I can foresee more trouble ahead as datelines are fast approaching. I mourn for a system of unethical, immoral and greedy people. But more than that, I mourn for the innocent children and lives that are effected by its actions. What a sad state of affairs we are coming to.

Posted by: Gayle at October 23, 2007 12:34 PM

Susana, your efforts through the ADA are truly heroic and I know the adoption community is extremely grateful for your tireless efforts to unite children with their forever families.

And please don't flame me for this - but do you think at this point your ADA work might be compromising the cases you have in process? Many of your client's cases have been hitting brick walls because your enemies in PGN and the tribunals are punishing *you*.

Do you think it might be prudent at this point, not only for the continuation of these families' cases, but for the safety of the children in your hogar, that maybe you should transfer these cases to other attorneys so you are not involved in them?

I'm not slamming you at all - quite the contrary - I am a great admirer of your ADA work. I just am concerned for the children in your care after the Casa Quivira incident.

Posted by: Just Wondering Out Loud at October 23, 2007 12:38 PM

Susana,

I'm very sorry that you went through this. I'm sure that it was terrifying. I hope that you have a speedy recovery.

Best, Cheryl

Posted by: cheryl at October 23, 2007 02:08 PM

Susana,

Thank you so much for updating us on your recovery; we've all been quite worried. As you can see from all these posts, we are all so grateful for the work you do for the children, and are so saddened by what you've had to endure. Our sentiments could never do justice to the true depth of our gratitude.

Posted by: Donna at October 23, 2007 02:13 PM

Susana,

Thanks for all that you do. I hope you make a complete recovery soon. I'm so sickened by the awful things the thugs in the Guatemala government can get away with.

Posted by: Gail at October 23, 2007 02:24 PM

Susana,

God Bless You! Our hearts hurt for all you have been through. Thank you for continuing to fight for the children and our families. Our family continues to pray for you daily. Our 6 children have been especially vigilant about remembering you, and their beautiful, 11-month-old, little sister who remains at Primavera, in their daily prayers. Thank you for being who you are, providing an unflinching example of courage, and remaining true in this dark situation. Stay safe; thank you for giving us hope,

God bless you and yours,

Mary Anne & Ken Urlakis

Posted by: Mary Anne Urlakis at October 23, 2007 02:54 PM

Susana,

Thank you for all you do for the Children of Guatemala. I am outraged by what happened to you! I have contacted my senators regarding this incident. I am praying for you and all the innocent people involved. I wish CNN would do a story uncovering these terrible instances. Hang in there and fight the good fight
Jena

Posted by: Jena Jake at October 23, 2007 03:08 PM

Susana,

Thank you for taking time from your recovery to let us all know the truth. Your work for all the children of Guatemala is so very appreciated. It is tragic the injustice that you and this family had to endure. Even sadder - that the media has twisted the facts once again to sway people's thinking. We support you and the cause... and will do everything we can to help. The entire Hanks Family continues to pray for your recovery.

Thank you for fighting the fight for all the children!

Posted by: Jennifer Hanks at October 23, 2007 04:07 PM

Susana,

I salute your courage and thank you for all the hard work you do to benefit children. I hope you heal quickly.

Posted by: Lynn at October 23, 2007 04:42 PM

Susana,

We are so happy that you are recovering and well enough to continue leading the fight to bring our children home. It is awful that you, another attorney, a minor birthmother, her parents, a foster mother and an infant were all victimized by the PGN. We truly appreciate all that you do and your tireless dedication to our children. The powers that be in Guatemala don't realize how much damage they are doing to their own country by hindering all that you do, and delaying children in coming home to their forever, loving families.

There have been many postings, but not much about Tribunal #6 families whose cases are on appeal. We feel like our struggle is two-fold: to survive the December 31st deadline and also have the Court of Appeals uphold our adoption approvals. Do you have any words of wisdom and encouragement for your families of Tribunal #6? Even if adoptions can proceed to completion post-December 31st, the wording of the amendment indicates that the PGN cases are the ones that will be able to complete - there is no mention of Tribunal-approved adoptions. Can you clarify this for us? We are also aware that the Court of Appeals just upheld a Tribunal Court's adoption approval and are looking to use this precedent to get our adoptions upheld immediately. Any chance of this?

Again, thank you for all that you do for us and everyone else. We are lucky to have such an incredible advocate on our side. We are advocates for our children as well and here for you if you need us.

Posted by: Some Tribunal #6 Families on Appeal at October 23, 2007 05:12 PM

Susana,

Thank God you are better. It just blows my mind that they treated you like this. They need to get what's coming to them.

I am so grateful to have you as our lawyer. I wish there was something we could do for you.

Take care of yourself

Terri
waiting for Abbie (Mishel)

Posted by: Terri at October 23, 2007 05:30 PM

We are praying for your safety and quick recovery. We are also praying that your lawsuits will be heard and acted on promptly!

Posted by: Carmen at October 23, 2007 06:08 PM

Susana,

We are thankful that you are doing well and on the road to recovery. Thank you for fighting the good fight. We appreciate all that you do.
John and Linda
Waiting for Veronica

Posted by: John at October 23, 2007 06:33 PM

Susana,

I am so sad that you are going through this. And so sad that you were hurt. The incident where you and others were held against your will must've been terrifying! How wrong to separate a child from her mother (the birthmother--a child, from her mother) and then interrogate her for hours!

There is no way that is good enough to thank you for all of the good that you do, and for always trying to do what is right and lawful.

So many adoptive parents are grateful to you, and so many are glad that you are our champion, but most of all, thank you for all that you do for the children and birthmothers in Guatemala, present and future.

Also, thank you so much for the many difficult cases that you assist with that are not even your cases.

I wish you a smooth and complete recovery and know we are behind you and you are in our thoughts.

Thank you so much for this post. As I have argued with some here before, all sides of an issue should be presented, especially when one of the sides is as unreliable as PL.

Lizzie
Proud Mama to Anarosa
Also Mama to Migdalia, waiting to hold her

Posted by: eb at October 23, 2007 07:03 PM

Here is a definition of "Conflict of Interest" that I found. IMHO, I do believe tht both sides are treading way to closely to this.

A conflict of interest is a situation in which someone in a position of trust, such as a lawyer, insurance adjuster, a politician, executive or director of a corporation or a medical research scientist or physician, has competing professional or personal interests. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, profession, or court system that it represents.

For Gods sake, who is going to step in and help these children that does not have another stake in the outcome?

Let this madness stop!
Norma

Posted by: Norma at October 23, 2007 08:13 PM

Susana, I hope that you are feeling better and that you have a speedy recovery. Thank you for posting and wishing you a speedy recovery.

Posted by: Jill at October 23, 2007 08:32 PM

Susana:

You are in our thoughts and prayers. You have done so much for the children of Guatemala. You will be truly blessed for all you have done.

Hang in there, we need you and these precious children need your help.

Many of us in the US are calling Congressmen and UNICEF and trying to help anyway that we can to help stop these issues.

Take care and be safe.

The Prewitts

Posted by: The Prewitt Family at October 23, 2007 09:18 PM

Susana,

Thanks for sharing your side of the story, now we know what really happened. You are a very strong lady to deal with everything put on your plate lately. Thank you so very much for all your hard work and time you have given to help these precious children. Please stay safe, and sending lots of prayers your way.

Posted by: C.C. at October 23, 2007 11:48 PM

Norma,

"Competing" is the key word. An attorney who is helping a child to be raised by a loving family, has no competing interest that makes it difficult to fulfill his or her duties impartially. An adoption process, by nature, is a voluntary process where ALL the parties are in agreement. The minute that either the birth mother or the adoptive parents no longer want to adopt, the process cannot go ahead. Therefore, there is no conflict of interest in the adoption processes and there is no madness, either.

Susana Luarca

Posted by: Susana Luarca at October 24, 2007 10:01 AM

Susana,

I hope that you are feeling better and are continuing to fight the PGN. I worry about my daughter who is in appeals court and all the other children stuck in appeals court. What will happen to them? Will we be able to bring them home soon?

Posted by: Jackie at October 24, 2007 10:44 AM

Susana- I hope you are feeling better and continue to improve. Would you give us some information on "finders" or buscadoras? Who pays them, and who oversees (regulates) them? How much are they typically paid per child? Isn't there a danger that they will coerce the birthmom? They also appear to have conflict of interest issues.

This is one of the "lack of transparency" areas that seem problematic.

Posted by: kl at October 24, 2007 04:07 PM

Susana, I think Norma might have been harsh, but it is pretty clear your cases are having more trouble than other attorney's due to the PGN's feelings about *you*.

I think that is what she meant by conflict of interest. Your cases would likely be better off with another attorney handling them, and then you could do your ADA work without those children and families being punished.

Posted by: Agree with Norma at October 24, 2007 05:37 PM

Susana said:

"Therefore, there is no conflict of interest in the adoption processes and there is no madness"

But forgot to include:

and there is no mafia.

And there are no homosexuals in Iran.

Posted by: Steve at October 24, 2007 09:01 PM

I find myself drawn to Susana's comment regarding the voluntary nature of adoptions when all are in agreement. I am also an idealist, and wish the world were so. We can just as well say that all elected governments (such as Guatemala's) are responsible to and in service of the people who elected them.

Except for corruption.

Corrupt Governments, and corrupt processes ruin the ideal human experience. The key ingredient is Money.

It would be really good if Susana, who is probably the most qualified, would help us all understand the breakdown of the Moneys spent by American couples for an adoption. We really will feel best if it is itemized explicitly (i.e., kl's question about buscadora compensation).

We who wonder are probably simpleminded, and I am sorry to keep asking for help in this. But, for instance, I don't understand how a few children less on the streets will hurt Casa Alianza's finances...but it does seem to me that every child who is lost to an adoption process (by the interference of those creeps at the PGN, for example) represents A LOT of money to the attorney involved. Please help me.

Posted by: Steve at October 24, 2007 09:52 PM

So bashing PGN and scaring people is the answer? I was just in Guatemala and went to PGN to meet Laura and a few others in PGN. I found them to be delightful. I know there are cases that take a long time. However the US Embassy did our family NO favors and our 11 yr old daughter was left hanging as we waited and found for 11 months for a pre-approval. It's not just PGN it is also the arrogance and ignorance of the US Embassy that also contributes to the problem. 22 months it took to get our daughter home between the Pre-approval and the 2nd DNA on an older child that looks the same I would say PGN did a fine job for us and were available by phone to answer our questions. That is a lot more than I can say about the US Embassy. My best to all of you.

Posted by: M and J at October 25, 2007 12:04 AM

Thank you so much for your post. While we have never met, I feel that you have played an important role in my life because your work helped bring my sons into my life. One has been home since 2004 and the other will be home soon.

I have had a very difficult adoption journey and lost a referral to an orphanage last year. I know first hand the tragedy of how the bureaucracy fails the children, and birth mothers, in my opinion. The mother of this little boy never intended for him to grow-up in an orphanage with 75 children and only 4 staff to watch over him. She wanted him placed for adoption and PGN took that away and changed his life forever.

After a long process, I am finally close to uniting forever with my second son and I deeply appreciate the work you do for children and birth mother who decide to make adoption plans.

I appreciate that you took the time to post and I am so glad to know that you are recovering. You are very brave!

Posted by: Lisa G at October 25, 2007 12:14 AM

If I were God of the universe, I would change the process to use counselors, who are paid an ample salary independently of whether the women adopt or not, to counsel the women on what their choices are. The counselors would be assigned randomly to the women. I might go so far as to have laws saying that the counselors cannot benefit (running for political office, selling their stories, ...) from their involvement in the adoption process while they are currently employed as counselors or any time thereafter.

There shouldn't be a pattern of the women who see a particular counselor also then going to a particular attorney. Not sure how to implement this bit though.

I think it is very important to brain storm and think creatively. A one size fits all approach simply will not work. All countries have different needs and those needs are going to change over time. The UNICEF approach might work pretty well for countries that have some money and some infrastructure like Russia and China, but I think it is a disaster for countries like Guatemala, Romania, El Salvador, Ethiopia. I think the UNICEF approach also works best in countries with near zero or negative population growth but not in countries with exploding populations. Just my 10 cents worth.

Kindest Regards, Cheryl

Posted by: cheryl at October 25, 2007 01:23 AM

First, let me apologize if I appeared harsh in any way. Also, my intent was not to single out Susana. From what I have read, her intentions are good and admirable. Having said that, her ADA work, or any other attorneys or agencies work, to assist in revamping the laws, will be seen by some, as tainted, since they have a financial stake in their efforts. Just as I also see the Guatemalan government, as also being tainted, since they too, are excepting funds (Unicef). I just wish there was a George Mitchell "type" that could step forward and reason this out. The fact that people are now being physically injured and there are innocent children whose lives ARE AT STAKE, definitely reaches my definition of madness!

Norma

Posted by: Norma at October 25, 2007 08:01 AM

My God have mercy on them, because God knows no one else will!

Thank you for risking your life for the silent voices of those precious children. Your work will expose the Guatemalan government for the narcissistic, self serving, corrupt organization that is really is. Your strength of both conviction and purpose is honorable.

Posted by: Laura at October 25, 2007 09:11 AM

To M and J, just consider yourself lucky the PGN blessed you with their approval. You are drawing an opinion from one experience. I am happy that experience was positive but your post made me want to present the other side of the PGN story. From what I have seen PGN has two faces. One face is cooperative and seems to work to get children through the process. I suspect this face is from the lower level workers who are trying to do their job as it was originally defined. The other face is a hugely bureaucratic and political monster that has no regard for what is best for the individual children. This face seems to be driven to a large extent by the leanings of the current PGN leadership. I provide this perspective from my own experience with PGN. Call it the good, bad, and ugly faces of PGN.

For the good, we have a wonderful Guatemalan child we adopted over 5 years ago and PGN was fine. We brought that child home in 6 months (which was on the long side by then standards). I look at this child and thank God that PGN existed so that there was a process to bring him home.

For the bad, we have a current adoption in PGN since mid summer which was kicked out once already for a silly BC notation. That child was accepted at birth and is now 14 months old. Not all of this delay was PGN's fault but they are not helping it either with silly kickouts and protracted review times. No one benefits, least not the child, by it taking well over a year to bring a child home.

For the ugly, we have a case currently in abandonment for a child who was referred to us at 6 months. That child is now almost 3 years old. What was the terrible thing that the PGN barrios would not bend on you ask??? It was a proper certification on the birth mother's birth certificate. That's right, the birth mother, it didn't even involve the child. A birth certificate from the time of the Guatemalan civil war and from a remote village lacked proper certification. Go figure! I will spare you the continued tactics PGN has employed to block us from bringing home our child at ever turn. Suffice to say that they have been numerous and very mean spirited.

The bottom line needs to be that nobody is above the laws of Guatemala. Not Susana and especially not PGN. I can't guarantee that Susana is flawless but I would sure give her the benefit of the doubt over PGN. I already know what they are capable of!

John

Posted by: John at October 25, 2007 05:02 PM

Susana,

What will happen to this young birthmother and the baby? Will this birthmother have to stay at that place? Can the pgn make her stay there instead of going back with her parents? How devious of pgn to call her to come and get her child, after trying to convince her to reclaim the child for hours, and then when she arrives to tell her that the child will be adopted by another family?! What sense does that make? Sounds like they just wanted to take over this case, and already be the central authority for this adoption.

Lizzie

Posted by: eb at October 25, 2007 08:24 PM

Susana, I am so sorry for what you went through. I cannot imagine being kidnapped or having to escape my own government! I hope you make those that watched and did nothing accountable and find justice for yourself and the children you represent.

Jackie Battisti

Posted by: JBattisti at October 25, 2007 08:57 PM

On Norma's point about conflicts of interest, I think this is a valid point, and why birth mothers should have separate attorneys or counselors. As it stands now, the adoption attorneys represent both the birth mother and the adoptive parents (in other words, both sides of the deal); the adoptive parents pay the bills, so the attorney only receives compensation to the extent that the adoptive parents feel their needs are being served (i.e. that the adoption will continue on a forward track). This puts the attorneys into a potentially conflicted situation in which some attorneys might be tempted to put one client's wishes above another's (i.e. the adoptive parents' wishes to adopt the child over the birth mother's hesitation or desire not to go forward with the adoption). In the US, attorneys are generally not permitted to represent clients with conflicting or potentially conflicting interests. (Believe it or not, the rationale behind such a rule is a subject of much academic writing in the legal world...) This is not to say that Susana did anything wrong in her representation, only that there is significant potential for a conflict of interest where an attorney "double-ends" his or her representation... I don't know if this is what Norma meant, but it seems to me this would support an argument for independent counselors or attorneys to represent birth mothers apart from the attorneys who represent the adoptive parents...

Posted by: NAWtyet at October 26, 2007 01:34 AM

While I am sorry that this happened to Susana and I do wish her well, I think that the majority of you are missing the point of her post. I don't personally know her, but I would doubt that she took the time to post this so that she would receive well wishes from you on her recovery (which I do extend). To me the WHOLE point of her post is to show the extreme measures to which Casa Alianza will go to manipulate and coerce these birthmothers, both young and old. It's difficult for most of us to understand the world in which many families in Guatemala live. We don't understand the poverty that they face but yet we also don't have the same points of reference in life that they share. To have someone threaten them, even if not a physical threat, is so scary. Can you imagine how you would feel as a 16 year old watching someone cutting up a picture of you and your child together right in front of you, telling you that you need to take your baby back? Casa Alianza, in my opinion, will take great measures to have this children reclaimed. I asked one of my Guatemalan attorney friends what would Casa Alianza do with the children if they were "successful" in obtaining them, she said they wouldn't care. They would simply just want to say that they "saved" them from adoption and then could easily discard them out on the streets. It's awful. So, I suggest that folks read the post from Susana again and this time, read about the injustices that happened and not about Susana's physical injuries.

God speed, Susana, in your recovery.

Karen

mommy to two Guatemalan girls

Posted by: Karen at October 26, 2007 08:56 AM

There are many possible scenarios where the conflict of interest could come into play. For example: What if a birthmom is being pressured by her boyfriend to relinquish her baby. An American couple wants to adopt, but at the same time a birth aunt has stepped forward and wants to raise the baby. Birth aunt has the resources to raise the child in a safe and loving environment and provide an education, etc. If the American couple adopts the baby, the lawyer gets approx \$20,000, boyfriend gets access to the birthmom's payment. You can see that birthmom needs an independent advocate to help her make the best decision for herself and her child.

Posted by: kl at October 26, 2007 09:51 AM

On the issue of conflict of interest, I absolutely believe there is a conflict of interest in the current system in Guatemala. That doesn't mean that bad things happen in most cases. However, if 4000+ adoptions are conducted in one year, I'm sure that bad things happen sometimes. Even IF (a big if) every case was clean, the public perception is that the current adoption system is inherently structurally unfair. That perception will lead to loss of public support for the institution (sound familiar?).

Posted by: kl at October 26, 2007 07:39 PM

Remember folks there are 2 sides to every story. If you go to another country and are rude and out of control....well then be prepared for the consequences. She is a guest in that country and should act as such.

Posted by: m and j at October 26, 2007 09:27 PM

m and j,

I should not even honor your post with a response but what are you talking about? Susana is a Guatemalan attorney. Are you on the right website?

Posted by: Jen at October 27, 2007 12:39 AM

Well Jen thats worse! She should know better. I have 3 Guatemalan children and would never consider using an attorney that behave like she did. Do you have the other side of the story? I suggest you get it. The sad thing is that no one has asked for their side of the story but me. And if you are an American you should be aware that behavior like hers would not be tolerated here either.

Posted by: m and j at October 27, 2007 11:18 AM

M and J -

First: You may have had a positive experience with PGN but many, many families have not. We first entered PGN in September 2006: Yes, 13 months ago. We never did receive approval from them, and all because of a clerical issue. After 10 1/2 months in and out of PGN, we were approved by a judge only to have that decision appealed by PGN. THEY DID NOT EVEN OFFER A REASON WHY. And as we sit now, we have no idea when we may be able to bring our child home. In my experience, PGN is made up of a politically-motivated, heartless bunch of bureaucrats.

2nd: To echo Jen, what are you even talking about, a "guest in that country"? Susana is Guatemalan.

Posted by: erinberry at October 27, 2007 05:12 PM

Actually I had 3 good experiences. To be honest I knew nothing about her but having checked it out for myself I find she has a reputation of this type of behavior. So let me get this straight. One of the concerns with adoptions in Guatemala are crooked and unethical lawyers. So you are going to fall on the sword for her? Just wanted to be clear. Ever think she is playing on your sympathy? Good luck to all of you.

Posted by: m and j at October 27, 2007 07:53 PM

M and J,

I am indeed an American and I know that if someone had been locked in a room here in the States their first thought would probably not be that they would be kidnapped and murdered. This did not happen in the States, it happened in Guatemala and if YOU read both sides of the story you would know that Susana's father was kidnapped and murdered. Do you think that may have had an impact on how she responded to the situation? Maybe you should read up on Guatemala, it's recent violent history and how women are valued. Why don't you Google "Femicide". The first entry among others refers to what is going on in Guatemala, right now, and how the government is doing nothing to stop it. You might try looking at this situation from another point of view. That of a person living in THIS particular third world country with its violent history who still has the courage to speak out against her government. Something you obviously take for granted here in the States. I have only to read your comments bashing the US Embassy to know that.

Posted by: Jen at October 27, 2007 09:32 PM

Susana Luarca Caracho de Umaña, is the ex-wife of the ex-president of the Supreme Court of Guatemala.

Yes, Susana Luarca was born in Mexico, but I don't see why this would even matter or play a part in what transpired in the PGN building. She is not viewed as a "guest" in Guatemala, she is lawyer in Guatemala and just another chapine.

Marie, Guatadopt.com

Posted by: Marie at October 28, 2007 04:52 AM

M&J -

Opinions are certainly everyone's prerogative. And I am not here to tell you what to think. But I have to say that your knowledge of Susana Luarca seems to be quite incomplete if not inaccurate. IE: it is not that you disagree with Susana...its the way you have "supported" your argument.

If you have adopted 3 children (you are a US citizen) and ANY of these children were adopted since 2003, you should know that the reason adoptions were still open was because Susana Luarca and ADA fought what they believed was an unconstitutional implementation of the Hague. Her actions are usually to make a statement for ALL adoptions, not just her own (no matter how radical or unconventional they may seem to a non-Guatemalan). I found it ironic that you said "So are you going to fall on the sword for her?"...I think many parents would feel this is backwards...and that Susana has fallen on the sword for adoptions. You might want to review what happened in 2003 (on our site) and also visit ADA's site. Again, you may not agree with ADA or Susana, but at least you will have a better understanding of why many adoptive parents are supportive of her.

As for OTHER sides of the story...well, the PL story was posted QUITE clearly two entries before this one (in English and Spanish). Interestingly enough, PL (a supposed news organization) did not interview Susana for HER side of the story.

For those new to the adoption controversy:

- * - Having a pleasant adoption experience does NOT necessarily mean that your attorney was above reproach or is perfectly ethical.
- * - Having a difficult adoption experience (these days) does NOT necessarily mean that your attorney was UNethical.

* - Taking a stand is not always "easy". You often put yourself MORE in the path of opponents.
 * - PGN is not historically the model of "ethical" practices. Some of those "easy" adoptions have been the result of bribing officials. Some of the difficult adoptions have been the result of REFUSING to bribe officials. I will not say that is the case with all of them, but just as unethical behavior of attorneys have tainted their side of the story.... SO HAS the instances of stalling, bribes and illegal behavior TAINTED the side of Guatemalan PGN officials.

Nothing is as clearcut as it seems from a single entry on our site. We DO believe debate from many viewpoints can be educational and helpful...but in that sense we encourage people support their arguments by educating themselves and not commenting "off the cuff".

Kelly
 guatadopt.com

Posted by: Kelly (webmaster) at October 28, 2007 11:09 AM

The comment posted by m and j has really struck a chord with me and I have gotten concerned emails from PAPS regarding your comments. It is like seeing former Presidente Fox of Mexico not being Mexican because his grand-father was born in Ohio, yes in the USA. How about your own adopted children? They were born in Guatemala, are they "guests" in the US? When will they be considered "American"? I do hope your words were just quick, ill-chosen and posted without thought. Let's just put this to rest.

Marie, Guatadopt.com

Posted by: marie at October 29, 2007 06:33 AM

Susana,
 Our wishes for a speedy recovery after enduring the humiliation at PGN. Our future daughter is currently being cared for by Primavera in which the mother just 13 years old surrendered her to allow her a better lifestyle. Without individuals like yourself fighting and protecting these precious souls it would be left up to individuals that are greedy and selfish and not the well being of its people.

Posted by: H & S at October 29, 2007 01:02 PM

Kelly,

You made excellent points in this matter. I have often wondered how much money the attorneys were basically being forced to pay Guatemalan officials. The amount may be substantial.

I live in Silicon Valley and know lots of people who have immigrated here from 3rd world countries. I have been told more than once, that you can't do anything without paying bribes. One Indian woman said that her father refused to pay a small bribe and the official he refused to pay made his life hell.

So then one has to think, what would be the implications of having a centralized authority overseeing everything? Maybe it would result in centralized systematic corruption. Something to consider hum?

I'm not saying I'm against reform. I really want to find a better way of doing things, but you have to analyze each proposal for their possible points of failure.

Posted by: cheryl at October 30, 2007 12:58 PM

Came online to check the news on guat adoptions .. so sad.... all the news is so negative..... so sad to see how things are coming to end in guat adoptions.... I had hoped it would have ended on a good note.... but it seems to be all scandals and more drama.....and the kids are in the middle of it all.... that is what truly breaks my heart beyond anything.....when I start thinking about the kids, well I just begin to cry.....

Gloria
 mom to 5 Guatemalan blessings

Posted by: gloria at October 30, 2007 04:14 PM

Susana,
 Our family wishes you a speedy recovery. We are very sorry for what you have endured. We truly appreciate your bravery and your advocacy. Our daughter is being cared for by Primavera after returning recently from Escuintla. I am comforted knowing that you are there trying to protect her and help her come home to us. Thank you. We sincerely hope that those who perpetrate such injustices find their due.
 Sincerely,
 Margaret
 Waiting for Fatima

Posted by: Margaret at October 31, 2007 08:28 PM

These issues are not easy to understand clearly or to resolve. We were caught in the Hague in 2003, but brought our child home in early 2005 when she was ten years old. That process took over two years. Our current adoption is nearing completion, but also took over two years. We know for a fact that part of the reason is we work with those who refuse to pay the expected bribes. I get very concerned when anyone takes everything one person claims as the ultimate, unquestioned truth. When we're dealing with a third world country, where the vast majority of citizens live well below the poverty level, is there any doubt that some are getting rich through dishonest means, in many "business" ventures? When nearly 3/4 of the Guatemalan adoption fees our family has paid have gone to support the private orphanage where our children lived until they came home, I have to ask where those large amounts of money are going for notarial adoptions. It doesn't cost \$20,000 to support an infant for six months, one year. And yes, as someone said, no one would care if a good chunk went to foster families or hogars to support other children as ours did, but that is very probably not the case in notarial adoptions. There simply must be accountability as to the disbursement of funds from such large fees paid to attorneys. Though attorneys fought tooth and nail to keep adoptions processing during the 2003 Hague threat, I had to wonder about their true motives. While some in Guatemala were being touted as the heroes of the day, there truly was a very obvious conflict of interest. To claim otherwise assumes adoptive parents to be very ignorant. We can assume some attorneys truly are in this for the children of their country. But then you might expect them to be heavily involved in financially supporting programs to help other children, if they truly had the deep compassion we attribute to them. \$30,000 times how many cases per attorney times 5,000 adoptions per year? Don't kid yourself. Even processing ten cases per year at that fee would surely place us comfortably in one of the nicer neighborhoods of Guatemala City, shut off from the poverty except as we pass on our way to court. There is a great fortune to be had in this "business". Even subtracting the well known bribes required to move paperwork through the system faster than cases not accompanied by extra funds, there is still great money to be had and great motivation to keep adoptions open not only "for the sake of the beautiful children", but for the sake of attorney lifestyles. Sorry to be so sceptical, but it truly bothers me to see heroes made out of those whom most of us don't know personally and who have much to lose if this lucrative "conflict of interests" is taken out of their hands. It truly is a system screaming for reform. The answers are not going to be easy, and adoptive parents individually will need to be willing to wait. It's always asked, "What will become of the children? Don't they deserve a loving family as soon as possible? Why should they languish in an orphanage?" I would suggest that what they mostly deserve is a clean process, so that their true identity can be revealed and their birth families, who these children first and foremost "belong to", are truly heard and respected and never taken advantage of for the sake of someone else's bank account. It's impossible not to question motives and conflict of interest when attorney stand to profit from representing all sides of the process. To be honest, when I see the number of Guatemalan children (a large percentage of those infants) being adopted abroad, I get a bit embarrassed. Of course I want children in true need of families to find one of their own. We have four, nearly five adopted children, all but one from an orphanage in Guatemala, those all older

when adopted. And yes, children sometimes do come with issues the longer they've been in an institution. But we as adoptive parents have to be willing to ask ourselves some difficult questions. Is it a child I want to parent for their lifetime or am I only willing to accept an infant? If it is to insure that absolutely no one's rights were violated and no one taken advantage of and that nothing unethical occurred, am I willing to wait? Am I willing to put my deep desires on hold for the sake of a child? (Welcome to parenthood in that respect) Am I truly concerned about children, or am I just concerned about my family and a child for me? If it's truly that we care about children, as we so passionately state during some of these heated, emotional discussions, then are we willing to welcome a child a little older in order for it to be established that one mother wasn't taken advantage of or robbed of her child so that I can be a mother? I understand the desire to parent a very young child. But what may happen with Guatemalan adoptions in the future is that children will be older when referred. Would I still be willing to wait for a child in need of a family? Or will many switch countries and "abandon" the very children we claim to love so dearly? Are we just families in need of a child, impatient and unwilling to wait as many months and years as it takes to bring that child home? Tough questions, but ones I believe people have been afraid to ask themselves as their own process and this present situation plays itself out. Attorneys and adoptive parents alike need to ask the question, "Is it about me, or it is truly about the children?" Because ultimately, though adoptive parents may never knowingly or willingly be a part of making this system corrupt, our passion and drive to become parents does play a part in the "high demand" for Guatemalan infants. Our dreams must never come first when it comes to the safety of children and their legal relinquishment and placement in forever families.

Posted by: Nancy at November 1, 2007 01:43 PM

Thank you so much Nancy for saying so eloquently the basic truth behind why reform is urgently needed. Despite our desires to parent, adoption must always be first and foremost about what children need. It should NEVER be about finding a child for a family. It should ALWAYS be about finding a family for a child. There is a huge difference in the two approaches. One leads to *some* birthmothers producing children for adoption (sale) and buscadoras "persuading" birthmothers that their children will be better off adopted. However maintaining the focus on the child's needs will take away most of the incentive to manipulate a birthmom.

All of the APs I met in the course of my Guatemala adoption have been generous and expressed altruism. But none of them have been aware of the issues of notarial adoptions. My biggest fear is that Steve is right and the notarial system is leading to adoptions of children that are not really the ones that are in need, while the ones in the most need of families are not adopted.

Posted by: KI at November 2, 2007 08:45 AM

To add to what Nancy posted, what about the special needs children? I'm curious about how many of us are asking to care for the kids that there is no "demand" for. I completely understand that we all are not equipped or called to take care of significantly older kids or kids with special needs but as a whole what percentage of us are willing to? I believe this is indicative of how much we REALLY care for the children. I do not make individual judgements because not everyone is able to. I have birth kids already and my hearts desire is for special needs children but with the load we are already carrying I believe it was not responsible to ask for an obviously special needs child. (All adopted kids may have special needs). It breaks my heart to think about kids that are currently languishing in orphanages. How much do we as a group care for all of "the children"?

Posted by: Deneen at November 2, 2007 10:17 AM

Concerning adopting older children: When I first started my homestudy, I had planned to adopt a child that was 2-4 years old. The agency doing my homestudy required that we attend a class taught by a PhD in psychology. One of those evenings, a pediatrician that specialized in children that are internationally adopted attended. On that evening, they had us go around the table and share what age child we were specifying, etc... The psychologist and the pediatrician were visibly shaken when I said I planned to adopt a 2-4 year old and strongly urged me to adopt a child that is as young as possible. I also read the materials provided for the class. Based on my memory, one of the studies in that material said that a large number of children who have spent a significant amount of time in orphanages (and the psychologist felt this extended to foster care) would have significantly reduced IQs (for example IQ of 85 which is way below the norm of 100). A child with an IQ of 85 would have a hard time leaving home and taking care of themselves.

I think a lot of people if their only option to adopt was an older child that had spent a lot of time in foster care/orphanage would end up not adopting at all. The alternative is pretty scary.

Posted by: cheryl at November 3, 2007 02:10 PM

The sad thing is those things might be true about a lot of children institutionalized in large facilities where they did not receive the love and attention they needed to bond and grow emotionally and physically healthy. I can certainly understand the fears that go along with adopting older children. But as far as that blanket statement being true for every older child who finds a forever family, we have evidence in our home that differs greatly from that model. Our three children adopted from Guatemala came home ages four through ten. They are all doing very well, though they all struggle some with math. So did I, and I'm not adopted. One of our sons does struggle in school, but I believe it has more to do with what a busy young man he is and that he is more of a tactile learner, something seldom catered to in public schools. He is smart and very creative, but he just doesn't do well sitting at a desk most of the day. We are hoping for word soon that we can travel for another older child from the same orphanage. I would just add to the studies that it depends on the kind of care a child has, the ratio of caregiver to child, and many other factors. I do admit there are countries I would hesitate to adopt from because of the rumored condition of their orphanages. Yet those children still need and deserve a home and a family. We all have to decide what we can handle, and I respect those who feel they don't want to risk the possible issues that might accompany an older child home. I just don't care for blanket statements, though I understand where they come from.

Posted by: Nancy at November 3, 2007 09:45 PM

Nancy,

I don't like blanket statements either. But I also know that it is extremely difficult to get enough information about any particular child in order to make a determination about them. For example, assume that I had decided to go ahead and adopt an older child. In order to determine whether they were in reasonable shape (I'm not talking about perfect. My goal is a child that can grow up and move out of the house), I would have needed a fair amount of information about that child. I know from first hand experience that I probably wouldn't get the information I need in order to make a determination. So I decided to play it on the safe side.

I would also add, that the 2 psychologists and the pediatrician that I talked to were pretty down on adopting older children. One of them said that they wouldn't recommend adopting a child older than 18 months of age. I pushed the other psychologist a bit on the issue. I said "What about adopting an older child that hadn't spent much time in an institution?" Her response was that most of these children had had very difficult lives before they had entered institutions/foster care.

I want to emphasize again Nancy, that it is very difficult to get information about any child in order to figure out if this particular child is reasonably OK. So of course, most people are going to choose a route that statistically provides better/safer results.

It is all good and well to lecture us and say that we are selfish because we want infants. But people who say these things are ignoring many factors. Those who want to motivate people to adopt older children have got to address a number of these issues. Lecturing us and shaming us simply isn't going to work.

Posted by: cheryl at November 4, 2007 12:33 AM

I fully agree with the statement that the purpose of ICA needs to be to find families for children and not vice versa. But as with all things ICA, it is not black and white.

Many, if not most, adoptive parents are not in the process for humanitarian reasons. I would venture to say that infertility is the #1 reason. My wife and I certainly fall into that category. We adopted because we wanted a family, one of the most basic things in life and the core of society. We wanted

to raise children, see them grow, experience all the joys of first words, first steps, etc.

I am not ashamed of this in any way. We are charitable people. I believe very strongly in karma and never doing harm to anyone. We give to various causes. I've been a Wish Granter for Make A Wish, a Big Brother, etc. But in how we created our family, yes I suppose we were selfish. Or maybe just average.

But there were two children in need of families who were fortunate enough never to have been institutionalized, neglected, starved, etc. and we are able to provide that for them. I don't define that as finding children for families.

My point is this. There are people who deserve tremendous acclaim and credit because they provide loving homes for children who have not had it as good as mine did before coming home. God bless these people because they are truly blessings! But that does not negate the need to provide families for all children who need them. There most certainly need to be laws, enforced laws, ensuring that the system is still providing families for children rather than vice versa. But I don't agree with anything that implies families don't have the right to know what they are capable of and adopting in accordance with that.

Kevin
Guatadopt.com

Posted by: Kevin at November 4, 2007 09:10 AM

Concerning altruism and adopting older children. I'm 48 years old and, all things being equal, adopting an older child in many respects would have been a better choice for me. I suspect that there maybe quite a few people who would prefer adopting older children for similar reasons. Further, I really like children that are 2-4 years of age. The imperative phrase here is "all things being equal" because all things simply are not equal.

I'm under the impression that Steve's organization has a number of older children and he would like to see more of them have a chance at being adopted. If you want to people to adopt these older children, I think you are going to have to (1) make a reputation for your self as totally honest (2) provide plenty of information to the prospective parents on the condition of the child. This may entail having experts test the children... You may also want to invite experts in the field to test the children and hopefully write articles that say they are in reasonably good shape.

Best of luck.

Posted by: cheryl at November 4, 2007 12:48 PM

I certainly hope it was not my post that was thought to be a lecture. I was agreeing that it is a challenge to adopt an older child and can understand when people don't choose that for their family. We in turn did not choose special needs because we don't feel qualified and simply did not purposely choose that lifestyle change for our family. My true heroes are those who can and do choose to be family to more troubled or special needs children. We are not that courageous. In our case, the history of our children was quite well known, as each had been in the same small orphanage by 18 months, and we knew the situation under which they were being cared for. That cannot always be the case, I understand. Never was I suggesting that anyone should feel compelled by guilt to make such an important decision as adding a child to their family. My post should not have been read in that way. In no way did I feel I should lecture anyone, but was only encouraging that not all older children come with difficult issues. In the effort to defend my own and other older children in need of the love of a family, I posted in response to others. My heart does go out to every child in need of a family, even when it is understandably difficult to place children who are older. Infants, toddlers, and older children all need the permanence of a family's love. Each and every family choosing adoption must search their own hearts to decide their family's make up and future.

Posted by: Nancy at November 4, 2007 07:00 PM

Cheryl - with all due respect, not everyone wants or "needs" expert testimony to ensure an older child in need of a family is "in reasonably good shape." Many people willing and able to adopt older children are more risk tolerant than others, and some have "faith" that, whatever the unidentified needs of the child, they will accept them. The profile of a family/parents who are the "right" choice for an older child is not your profile - perhaps the psychologists you met with learned such by listening to your needs and steered you in another direction...it's perfectly okay, just didn't want you to think everyone's decision-making criteria is the same as your own.

Posted by: B at November 4, 2007 07:47 PM

B,

You sound like you are fairly risk tolerant and I take my hat off to you for that. But you cannot argue against the fact that a lot of older children are not being adopted. I think you will also have to admit that a lot of people end up shying away from adopting older children because of a lack of information about those children. I wasn't talking about you as an individual when I posted. I was saying that if organizations want to motivate more people to adopt, there are things they can do to increase that probability. I'm not sure I understand why you are arguing against this. It seems to stand to reason.

One of the psychologist and the pediatrician knew nothing about me. The materials that were provided to all of us in the class, before the psychologist even met us, definitely indicated that she is very wary of adopting older children. The pediatrician also added that if I really wanted to adopt a toddler she recommended China instead of Guatemala. I shared this story because I think that certain people need to be aware that we adoptive parents are being strongly advised to not adopt older children.

To Nancy,

I believe there was someone that posted that people just want to adopt infants and the indication that this is selfish. I do not remember which person posted this. It is also possible that I misunderstand what they said (whoever they were). I do not re-read people's posts over and over again. I would also say that my interpretation of what people say may be colored by the fact that we as adoptive parents are frequently cast in a bad light and it gets a bit old.

I think it is wonderful that you had such good results with adopting older children. It would be great if you shared with us about the agency that you worked with.

Kindest Regards, Cheryl

Posted by: cheryl at November 5, 2007 12:14 PM

xqcbz grehoipc syenviawq aqpglvdy lovcdkh smdngkvb ijegn

Posted by: tnpvbkig wqxai at December 16, 2007 12:28 PM

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