UNDERSTANDING POST-ADOPTION CONTACT AGREEMENTS

LEARNING OBJECTIVES

- Understand what a Post Adoption Contact Agreement (PACA) is
- Learn about how PACAs are formed
- Recognize how PACAs and alternative agreements for contact promote permanency for children, especially for older youth

POST-ADOPTION CONTACT AGREEMENTS

- Act 101 of 2010 – Amended the Adoption Act of 1980; became effective April 25, 2011.
- Applies to **ALL** adoptions in Pennsylvania.
- Legislative intent – targeted OLDER YOUTH

ACT 101:
AMENDMENTS TO THE ADOPTION ACT

- ✓ Voluntary Agreements for Post-Adoption Contact
- ✓ Expansion of Information Registry
- ✓ Expansion of Access to Adoption Records

PACAs – WHAT?

- ❑WRITTEN
- ❑APPROVED BY THE COURT
- ❑PRIOR to FINALIZATION
- ❑TYPE and FREQUENCY of CONTACT
- ❑LISTS PARTICIPANTS AND CONDITIONS

PACAs – BEST INTEREST

- ❑“Best Interest” = LEGAL STANDARD (§2735 (b)(2))
- ❑VOLUNTARY to enter into
- ❑Legally Enforceable if COURT APPROVED

Post Adoption Contact Agreement

Voluntary	Enforceable	Written Agreement	Between Adoptive Fam & Birth Relatives	About Ongoing Contact

PACAs – WHO?

- ADOPTIVE parent(s) and one or more BIRTH RELATIVES
- The ADOPTEE IS <u>NOT A PARTY</u> to the PACA agreement;
- If the Adoptee is 12 years of age or older, they must CONSENT to the agreement.
- Agreements are always VOLUNTARY.

PACAs – WHY?

- Helps children COPE with grief and loss.
- Can ALLEVIATE ATTACHMENT ISSUES and PROMOTE BONDING
- Can help youth RECONCILE more pieces of their IDENTITY.
- Helping children FACE FAMILY REALITIES is better than allowing children to fantasize about the unknown.
- Keeping in touch can EASE WORRIES and PROMOTE THE EXCHANGE OF INFORMATION.

PACAs – WHY?
BENEFITS FOR ADOLESCENTS

- Can help some youth COMMIT TO ADOPTION.
- Contributes to successful adolescent adoption.
- Helps youth develop REALISTIC PERSPECTIVE of their birth families.
- Adolescents have contact with their SIBLINGS more than any other form of relative contact—and these are CRITICAL RELATIONSHIPS.

Let’s go to the POLL QUESTION !!

PACAs – WHY?
CORE ISSUES

Common, Ongoing, Relational, Experiential

- ❑Grief and loss
- ❑Abandonment
- ❑Identity
- ❑Control
- ❑Loyalty
- ❑Attachment
- ❑Shame

PACAs – WHEN?

- NO (per se) DEADLINE in Act 101
- ANY TIME BEFORE AN ADOPTION
- PACA **mediation, facilitation or informal discussion** can occur at any time WHEN ADOPTION IS A POSSIBILITY.
- A Family can negotiate a PACA up and until an Adoption is finalized.

CHANGES to PACAs

- Modification
  - Adoptive parent or **12 + child**
- Enforcement
  - Any party
- Discontinuance
  - Any Party or 12+ child

PACAs – Older Youth

- Older youth often time say no to adoption for a variety of reasons
- Unpacking the NO
- PACAs may be instrumental in overcoming barriers for older youth

Final Thoughts

- ENSURE families and older youth have information to make informed decisions about entering into agreement
- SWAN Brochure “PACAs for Youth”
- Making it clear that Post Adoption Contact can be done through a formal written court approved agreement or many other ways.
- SUPPORT families through best practice