



Establishing Legal Parentage:

Adoption is the **creation of a legal parent-child relationship**. Adoption terminates an existing parent-child relationship and creates new and irrevocable rights in adoptive parents.

Co-parent adoption refers to the joint adoption of a child where one of the adoptive parents is **already biologically or legally related** to the child.

Co-parent adoption requires the **termination of parental rights** in any known or unknown sperm donor, egg donor, surrogate, or biological parent prior to the adoption finalization.

Same-sex couples can **establish full and equal legal rights and obligations** in the non-biological parent by petitioning the Probate and Family Court for a co-parent adoption.

Building & Protecting Families

Vaughn-Martel Law is a premier Boston law firm serving a diverse community throughout Massachusetts.

Our Firm leads the field in LGBTQ family creation and protection, and has been serving the gay community in Massachusetts since 2007.

We advise and represent individuals and couples in drafting **sperm and egg donor agreements, surrogacy agreements, obtaining pre-birth orders of parentage, petitioning for co-parent and step-parent adoptions**, as well as drafting **pre-nuptial, parenting, and other relationship agreements**.



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Call to Schedule an Appointment: 617-357-4898

Co-Parent Adoption

A Guide for Same-Sex Parents in Massachusetts



How Much Will it Cost?

Initial legal fee to open case file, conduct intake \$1,000

Home study *may be waived*

Request for certified birth record (if needed) \$28

Request for certified marriage record (if needed) \$28

Request for criminal background check (required) \$50

Final legal fee for filing of petition, final court hearing . . . \$1,000

Court filing fee \$0

TOTAL COST \$2,106

Tel. 617-357-4898



“We should not be asking who this child belongs to, but who belongs to this child”

Who Needs Co-Parent Adoption? All same-sex couples with children, as well as any couples employing an egg donor, sperm donor, and/or surrogate should consult with an attorney about the need for co-parent adoption.

We Are Both On The Birth Certificate. Do We Still Need To Adopt? Yes, a birth certificate is merely a record of birth, and may not be honored by other jurisdictions. In Massachusetts, a child born to a married couple is presumed to be the legal child of both spouses – including same-sex spouses. Until all states and the federal government recognize same-sex marriage, a non-biological spouse’s parental status may be challenged.

Do We Need To Terminate Our Sperm Or Egg Donor’s Rights? Yes, existing parental rights must either be voluntarily relinquished or terminated by the court prior to the adoption finalization. This notice requirement may be waived in the case of an anonymous donor

by motion to the court. If the parties wish for a father/donor to be involved in the child’s life, a post-adoption visitation agreement can be prepared and presented to the court.

Is a Home Study Required? Yes, but this costly and invasive requirement may be waived by filing an appropriate motion with the court.

How Long Does Co-Parent Adoption Take? Our office prepares as much of the paperwork as possible before birth. Once the child is born, an adoption can be finalized in as little as two to three months.

Do We Need To Be Married To Adopt? No, adoption is not dependent on marital status or sexual orientation in Massachusetts.

Should We Consult A Lawyer? Yes, it is highly recommended. An attorney can coordinate all paperwork with state agencies and court personnel on your behalf to ensure a friendly and relaxing process.

Call Us Today at 617-357-4898