

## How To Select An Attorney for the Adoption of a Child From Foster Care

### 5. Will the attorney help you with subsidy issues?

Families adopting from CPS often have questions about the subsidy. The family and CPS must agree on subsidy before the adoption. The attorney should be willing to answer questions about subsidy such as, what paperwork to submit or whether an evaluation is needed.

### 6. After the adoption is final does the attorney offer help with post-adoption problems?

Unfortunately, there can be challenges *after* the adoption. The IRS sometimes audits families claiming the adoption tax credit or there is a mistake on birth certificate. Be sure to ask if the attorney will assist with these issues after the adoption is completed.

### 7. Does the attorney represent the adoptive parents or CPS?

Private attorneys represent the prospective adoptive parents and can assist them with subsidy, obtaining birth certificates, and with difficulties after the adoption. However, if the attorney is from a government agency, such as, the Attorney General or County Attorney's Office they may be limited in the assistance they can provide to the family.

### 8. Does the attorney accept the adoption subsidy rate?

In CPS cases the fees are covered by the federal adoption subsidy for children with special needs. One-time expenses such as, attorney fees are paid without any cost to the adopting parents. The attorney will be paid up to \$2000.00 for their work, in Arizona the ADES usually pays per adoption not per child. The attorney is not paid until the adoption is completed so they must agree to do all of the work before they are reimbursed. In addition, not all attorneys will cover the costs of obtaining birth certificates or certified adoption orders.

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