

Surrogacy

CHECKLIST

If you are considering using surrogacy to grow your family in 2019, it is important to know what to expect. This will help protect you from any surprises. Don't let the thought of dealing with legal matters overwhelm or scare you, once you become familiar with these steps, you'll feel prepared to start this exciting journey!

Consult with a surrogacy attorney

Even within the U.S., different states have different laws. Your attorney can help you understand how surrogacy is handled in that state, alerting you to any potential issues that should be addressed as the journey progresses.

Create a surrogacy agreement

In California and many other states, both parties must be represented by their own (separate) attorneys throughout the entire surrogacy process. In California, the surrogacy agreement must be signed and notarized before the surrogate starts injectable medication

Create a Parental Establishment Process (Judgment of Parentage)

This is a court order officially documenting that you are the legal parents of the child born through surrogacy. In some states, you can obtain this order before the child is born; in others, you will need to wait until after the birth.

Ensure the Birth Certificate is Accurate

Review your child's birth certificate and make any necessary amendments.

Obtain Travel Documents and Apostille (if Necessary)

After the baby is born, you will need to pick up the birth certificate and apply for a passport for your child. The passport can be issued in 1-2 days, but the entire process of birth, obtaining the birth certificate and passport usually takes about 3-4 weeks. Also, consult with your attorney to see if the country your baby was born in requires any legal documents or needs to be Apostilled by the Secretary of State.

About Us

As part of our surrogacy services, we:

- Draft comprehensive contracts between intended parents and their surrogates.
- Counsel clients as to their contractual rights and obligations, providing personalized support.
- Discuss the current state of the law and the legal risks attendant to participation in a surrogacy arrangement.
- Assist in establishing the parental rights of intended parents through the courts.
- Coordinate with Vital Records departments and hospitals to ensure birth certificates name intended parents and comply with the Judgment of Parentage.
- Work closely with out-of-state legal counsel in interstate arrangements to help assure a seamless process for intended parents.

Our thorough contracts also establish the intent of the parties regarding parental rights, identify the parties' financial responsibility, and ensure all parties are aware of the importance of informed consent, providing our clients with further peace of mind as they navigate their surrogacy journeys.

We aim to provide our clients with a straightforward breakdown of what might seem to be a complicated and daunting process so that they can enjoy the beautiful experience of bringing a child into the world through surrogacy.

Contact us today to get started on your journey!