After Baby Tamia case, Illinois Adoption Reform Act shut down shady operators

But Internet has yielded troubling loopholes to laws

By Bonnie Miller Rubin

April 3, 2011

The "Baby Tamia" case shined a light on the unregulated corners of for-profit adoption and sparked a new law, ensuring that adoption was about building families, not making money.

Some six years later, the Adoption Reform Act has gone a long way in shutting down shady operators, but the Internet has opened up troubling new loopholes, say child welfare advocates.

"The Internet and adoption is like the Wild West," said Adam Pertman, director of the Donaldson Adoption Institute, a research and advocacy organization. "Stuff is happening out there that no one is moderating, regulating or paying attention to."

The measure required all agencies involved in adoption in Illinois to be licensed, tax-exempt and transparent about fees and policies. It also banned unlicensed groups from advertising here, which is how Carmen McDonald found the now-defunct A Cherished Child in Utah.

However, if you search online for "adoption" you'll find several out-of-state agencies promising "aggressive birthmother outreach" and promoting their ability to circumvent rules that apply to state-regulated firms.

Check out our crossword, sudoku and Jumble puzzles >>

Bruce Boyer, director of Loyola University's ChildLaw Clinic, said cyberspace has allowed agencies to get around the law. "If they're doing business in Illinois, they should be subject to Illinois regulations … and that's something that the attorney general should be taking a closer look at."

So far, no complaints have been filed, according to Lisa Madigan's office. Still, the attorney general has "serious concerns" about the issue and has started looking into unlicensed services, said Maura Possley, a spokeswoman.

It can't happen soon enough "if we don't want another Baby Tamia," said Pertman, whose group has launched a research study on the Internet and adoption.

"Adoption should never be about recruitment, but about assisting those unable to raise a child," Pertman said. "It's about helping the child find a family, not casting a net and seeing what you can pull in."