

GAO Highlights

Highlights of [GAO-15-733](#), a report to congressional requesters

Why GAO Did This Study

Parents have the legal responsibility to protect and care for their children. However, recent media reports have illuminated a practice involving unregulated custody transfers of adopted children. Commonly referred to as “rehoming,” this practice involves parents who turn to the internet or other unregulated networks to find a new home for their child. These media reports found instances in which adopted children were placed in dangerous situations where they were harmed by the adults who received them. GAO was asked to review issues related to unregulated transfers of adopted children.

GAO examined (1) the reasons adoptive families consider unregulated child custody transfers, and services that exist to support these families before they take such an action; (2) what is known about the prevalence of these transfers; and (3) actions selected states and federal agencies have taken to address such transfers. GAO reviewed relevant federal laws, regulations, and policies and selected state laws and proposed legislation. GAO also interviewed officials from federal agencies, 19 child welfare and adoption organizations, 15 adoption agencies, and 7 states selected primarily because of legislative activity on unregulated transfers. GAO also searched online activity on selected social media sites to find illustrative examples of families who may be considering unregulated transfers.

The Departments of Health and Human Services, Homeland Security, and State provided technical comments. The Department of Justice had no comments.

View [GAO-15-733](#). For more information, contact Kay E. Brown at (202) 512-7215 or brownke@gao.gov.

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CHILD WELFARE

Steps Have Been Taken to Address Unregulated Custody Transfers of Adopted Children

What GAO Found

Some adoptive families may consider giving their children to another family outside of the courts and child welfare system—an “unregulated child custody transfer”—because of a crisis within the adoptive family and difficulties accessing support services, according to officials GAO interviewed from selected states, child welfare and adoption organizations, and adoption agencies. Children adopted internationally or from foster care may need special care or counseling because of a history of institutionalization and trauma. Some parents, particularly those who adopted internationally, may not be prepared to deal with their adopted child’s complex needs. Federal regulations require agencies facilitating international adoptions to provide parents with at least 10 hours of pre-adoption training. In contrast, about half of the states require agencies facilitating foster care adoptions to provide at least 27 hours of training, according to data obtained from Department of Health and Human Services (HHS) officials in May 2015. Many officials said adoptive parents may experience challenges finding mental health services for their families, such as therapists familiar with adoption issues. Many officials also said parents who adopt children with more severe needs may have difficulty finding and paying for intensive services such as residential treatment, which can cost thousands of dollars per month. Officials said these challenges may lead families to seek out unregulated transfers.

Little is known about the prevalence of unregulated transfers. Because they happen without any oversight, these transfers are difficult to track and no federal agency keeps statistics on their occurrence. GAO’s observations of social media sites found that some parents have been using online forums to seek new homes for their adopted children. During a 15-month period, GAO identified 23 instances in which a parent posted that they were seeking a new family for their child. Because GAO did not investigate these posts and because discussions between online participants can be continued privately, GAO was unable to determine whether these participants intended to pursue a legal placement or an unregulated transfer, or whether such a transfer actually took place.

Selected states and federal agencies have taken some steps to address unregulated transfers. GAO identified at least 15 states in which there was legislative and other activity in recent years intended to address these transfers. Seven of the 15 states had enacted legislation and 3 made changes to state child welfare programs as of July 2015. The most common approaches were criminalizing unregulated transfers or actions that may lead to these transfers, and restricting the advertisement of children for placement. In addition, activity in several states involved improving post-adoption services, which many officials said was a key need for families who resort to unregulated transfers. However, federal officials and others said addressing service needs can be difficult and time-consuming, and funding for these services is limited. At the federal level, several agencies established an interagency working group on unregulated transfers in October 2013. Officials from the Department of State said they plan to revise international pre-adoption training requirements that may include an increased number of minimum hours. HHS issued a memorandum in May 2014 encouraging states to promote post-adoption services and to review their policies to address unregulated transfers.