***Consult legal counsel before entering in to a post adoption contact agreement or any agreement affecting rights that you consider important.***

***This agreement is just an example.***

***This example agreement is prepared assuming two adoptive parents and one birth parent and a child under the age of 14*.**

**Do not remove the language in bold or reduce it below 14pt type.**

**No in person contact is included in this agreement. Desired provision for in person contact from the enforceable PACA form or other provisions that reflect the agreement of the parties may be added in the section “Contact Agreed Upon” by an attorney.**

***EXAMPLE***

**POST ADOPTION CONTACT AGREEMENT**

**MORAL AGREEMENT**

**Parties & Purpose**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, prospective adoptive parents (Adoptive Parents), and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (birth parent) enter into this agreement for post-adoption communication and contact regarding \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (child), date of birth, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**The parties execute this document for the purpose of creating a MORAL AGREEMENT for post-adoption contact between the parties. The parties DO NOT INTEND to create a legally enforceable agreement.**

**After the entry of an order of adoption, an adoption cannot be set aside due to the failure of an adoptive parent, a biological parent, or the child to follow the terms of this agreement or a later change to this agreement; and**

**A disagreement between the parties regarding this agreement shall not affect the validity of the adoption and cannot serve as a basis for orders affecting the custody of the child.**

This agreement becomes effective upon finalization of the uncontested adoption of the child and shall remain in effect until the child reaches eighteen (18) years of age.

The goal of termination of parental rights and adoption is to end a child’s legal relationship with his or her birth parents and create a new legal and emotional parent/child relationship with adoptive parents. This agreement does not and is not intended to weaken or undermine that fundamental goal. The consideration offered by all parties to this agreement is the hope and expectation that this agreement will further the best interest of the child.

**Contact Method**

All parties will keep each other apprised of a method of contact until the adopted child is 18 years old. Photos and information described in this agreement shall be sent via the current contact method provided by each party unless otherwise specified.

The current methods of contact:

Adoptive Parents:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Birth Parent:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Contact Agreed Upon**

 The adoptive parents agree to no less than the following contact with the birth parent:

***Sample Provisions***

* The birth parent may send age appropriate cards and gifts to the child from time to time on customary card or gift exchange holidays.
* Adoptive parents will send or post current pictures and a letter regarding the child’s milestones, progress and well-being to the birth parent no less than twice per year, in the months of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* Neither the birth parent nor anyone on his/her behalf will contact the child directly, while the child is a minor, without the adoptive parents’ advanced, written permission. Contact includes contact on social media, by telephone, letter, through a third party, in-person and by any other means.
* Any photos and reports are for the birth parent’s exclusive use, and shall be kept confidential for so long as the child is a minor to protect the child’s privacy. The pictures and information in the updates shall further remain confidential after the child is an adult, unless the child provides his/her consent to further distribution.
* The birth parent will not email, text, mail, transmit, post on social media or on any platform, photographs of the child or the adoptive family, or information about the child or adoptive family on social media or on the internet or any other public or semi-public platform, or to any third party without the advance written permission of the adoptive parents.

**Medical Information and Significant Changes in Circumstances**

 The birth parent agrees to inform the adoptive parents of any changes and/or developments of personal or family medical information or health events relating to the birth parent and his/her extended family that could be medically important to the child. The birth parent will welcome health and background inquiries as useful for the child’s medical care, psychological care, and/or education.

 Adoptive parents will promptly advise the birth parent of significant changes or developments in the child’s health and any circumstance that renders contact agreed to under this contract impossible or in need of modification.

 The birth parent will promptly advise the adoptive family if he/she is no longer available for contact under this agreement or if circumstances have changed and such contact is not desired or not possible.

**Child’s Preferences**

All parties agree that as the child becomes old enough to have opinions regarding the nature of contact with his or her birth parents, the parties will discuss modifications to this agreement in light of the child’s expressed desires. If the child has a counselor, the counselor will also be invited to participate in these discussions.

When the child becomes fourteen (14) years of age, the child may terminate all or part of this agreement.

**Enforcement**

 The parties intend to create a moral agreement not subject to the enforcement provisions of T.C.A. § 36-1-145.

**Applicable Law**

Each party has read this agreement and there are no “side agreements” not contained in this written agreement.

It is all parties’ intention that this agreement be governed by the laws of the State of Tennessee.

This document is executed by the above named parties this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Birth Parent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Adoptive Parent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Adoptive Parent