A photograph of a woman with long brown hair sitting on a green plastic swing at a playground. She is wearing a grey cardigan over a black floral top and black pants. Her hands are clasped in her lap, and she is looking off to the side with a thoughtful expression. The swing is suspended by green chains. In the background, there is a wooden fence and some dry grass. A large mustard-yellow rectangle is on the left side of the image, containing white text.

‘I will never forget the  
way my heart sank.  
You have to buy your  
own baby back almost.’

SHYANNE KLUPP



Society

# The Baby Brokers

INSIDE THE U.S.'S UNREGULATED  
PRIVATE-ADOPTION INDUSTRY

By Tik Root

SHYANNE KLUPP WAS 20 YEARS OLD AND HOMELESS WHEN she met her boyfriend in 2009. Within weeks, the two had married, and within months, she was pregnant. “I was so excited,” says Klupp. Soon, however, she learned that her new husband was facing serious jail time, and she reluctantly agreed to start looking into how to place their expected child for adoption. The couple called one of the first results that Google spat out: Adoption Network Law Center (ANLC).

Klupp says her initial conversations with ANLC went well; the adoption counselor seemed kind and caring and made her and her husband feel comfortable choosing adoption. ANLC quickly sent them packets of paperwork to fill out, which included questions ranging from personal-health and substance-abuse history to how much money the couple would need for expenses during the pregnancy.

Klupp and her husband entered in the essentials: gas money, food, blankets and the like. She remembers thinking, “I’m not trying to sell my baby.” But ANLC, she says, pointed out that the prospective adoptive parents were rich. “That’s not enough,” Klupp recalls her counselor telling her. “You can ask for more.” So the couple added maternity clothes, a new set of tires, and books for her husband to read in jail, Klupp says. Then, in January 2010, she signed the initial legal paperwork for adoption, with the option to revoke. (In the U.S., an expectant mother has the right to change her mind anytime before birth, and after for a period that varies state by state. Any promise or contract that presumes otherwise could constitute the buying or selling of an infant, which is illegal in the U.S.)

*Klupp, shown here at her California home on Nov. 21, 2020, regrets placing her child for adoption back in 2010*

PHOTOGRAPH BY CAYCE CLIFFORD FOR TIME

# Society

Klupp says she had recurring doubts about her decision. But when she called her ANLC counselor to ask whether keeping the child was an option, she says, “they made me feel like, if I backed out, then the adoptive parents were going to come after me for all the money that they had spent.” That would have been thousands of dollars. In shock, Klupp says, she hung up and never broached the subject again. The counselor, who no longer works with the company, denies telling Klupp she would have to pay back any such expense money. But Klupp’s then roommates—she had found housing at this point—both recall her being distraught over the prospect of legal action if she didn’t follow through with the adoption. She says she wasn’t aware that an attorney, whose services were paid for by the adoptive parents, represented her.

“I will never forget the way my heart sank,” says Klupp. “You have to buy your own baby back almost.” Seeing no viable alternative, she ended up placing her son, and hasn’t seen him since he left the hospital 11 years ago.

**MOVIES MAY PORTRAY** the typical adoption as a childless couple saving an unwanted baby from a crowded orphanage. But the reality is that, at any given time, an estimated 1 million U.S. families are looking to adopt—many of them seeking infants. That figure dramatically outpaces the number of available babies in the country. Some hopeful parents turn to international adoption, though in recent years other countries have curtailed the number of children they send abroad. There’s also the option to adopt from the U.S. foster-care system, but it’s an often slow-moving endeavor with a limited number of available infants. For those with means, there’s private domestic adoption.

ANLC was started in 1996 by Allan and Carol Gindi, who first called it the Adoption Network. The company says it has since worked on over 6,000 adoptions and that it’s the largest law corporation in the nation providing adoption services (though limited publicly available data makes that difficult to verify). ANLC’s home page is adorned with testimonials from grateful clients. Critics, however, see the organization as a paradigm of the largely unregulated private-adoption system in the U.S., which has made baby brokering a lucrative business.

Problems with private domestic adoption appear to be widespread. Interviews with dozens of current and former adoption professionals, birth parents, adoptive parents and reform advocates, as well as a review of hundreds of pages of documents, reveal issues ranging from commission schemes and illegal gag clauses to Craigslistesque ads for babies and lower rates for parents willing to adopt babies of any race. No one centrally tracks private adoptions in the U.S., but best estimates, from the Donaldson Adoption Institute (2006) and the National Council for Adoption (2014), respectively, peg the number of annual nonrelative infant adoptions at roughly 13,000 to 18,000. Public agencies are involved in approximately 1,000 of those, suggesting that the vast majority of domestic infant adoptions involve the private sector—and the market forces that drive it.

“It’s a fundamental problem of supply and demand,” says Celeste Liversidge, an adoption attorney in California who would like to see reforms to the current system. The scarcity of available infants, combined with the emotions of desperate

## Selling Mothers on Adoption

THE PRIVATE-ADOPTION INDUSTRY USES BOTH CARROTS AND STICKS TO GET BIRTH PARENTS TO PLACE THEIR BABIES

### laptops for life

Laptops for Life is a pro-life charitable organization that is designed to strengthen families. They are offering free laptops to women who have chosen adoption with the intent that the laptop can be used to maintain communication with the adoptive parents, as well as to continue their education, search for employment and other possibilities to enrich and improve their lives.

From a page in a packet that Arizona-based Mother Goose Adoptions was sending to potential birth parents as of earlier this year

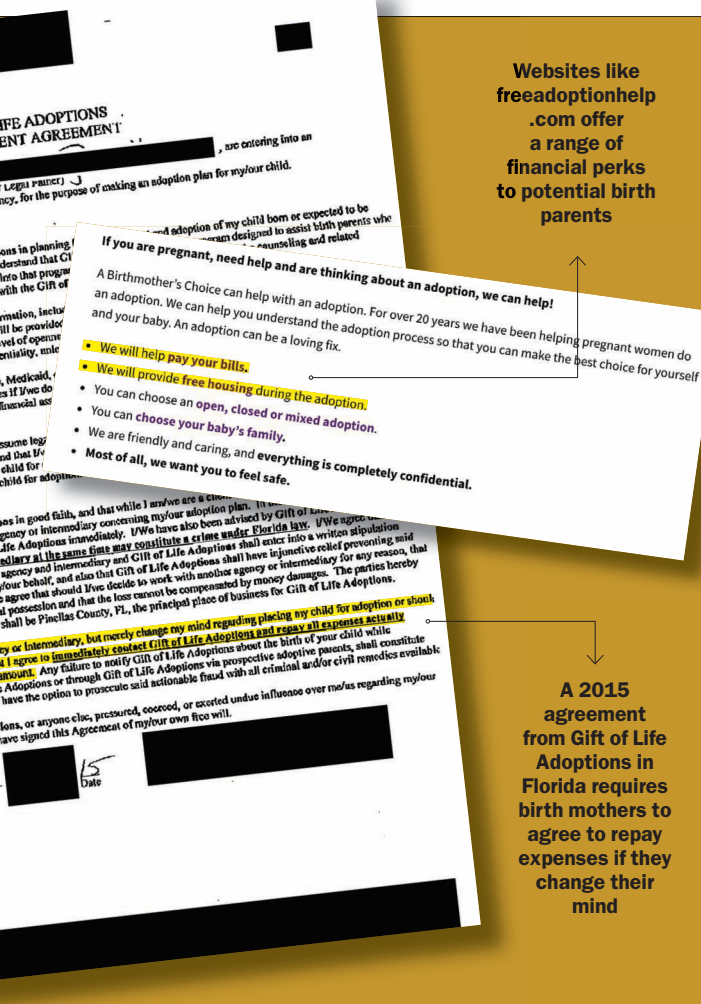
adoptive parents and the advent of the Internet, has helped enable for-profit middlemen—from agencies and lawyers to consultants and facilitators—to charge fees that frequently stretch into the tens of thousands of dollars per case.

A 2021 ANLC agreement, reviewed by TIME and Newsy, shows that prospective parents were charged more than \$25,000 in fees—not including legal costs for finalizing the adoption, birth-mother expenses and other add-ons (like gender specification). The full tab, say former employees, can balloon to more than double that.

“The money’s the problem,” says Adam Pertman, author of *Adoption Nation* and president of the National Center on Adoption and Permanency. “Anytime you put dollar signs and human beings in the same sentence, you have a recipe for disaster.”

Even though federal tax credits can subsidize private adoptions (as much as \$14,300 per child for the adopting parents), there is no federal regulation of the industry. Relevant laws—governing everything from allowable financial support to how birth parents give their consent to an adoption—are made at the state level and vary widely. Some state statutes, for example, cap birth-mother expenses, while others don’t even address the issue. Mississippi allows birth mothers six months to change their mind; in Tennessee, it’s just three days. After the revocation period is over, it’s “too bad, so sad,” says Renee Gelin, president of Saving Our Sisters, an organization aimed at helping expectant parents preserve their families. “The mother has little recourse.”

Liversidge founded the nonprofit AdoptMatch, which



describes itself as a “mobile app and online resource” that aims to “increase an expectant parent’s accessibility to qualified adoptive parents and ethical adoption professionals.” She says the hodgepodge of state statutes invites abuse: “Anyone that knows or learns the system—it doesn’t take much—can exploit those loopholes very easily for financial gain.”

**THIRTEEN FORMER ANLC EMPLOYEES**, whose time at the organization spanned from 2006 to 2015, were interviewed for this story. Many asked to remain anonymous, out of fear of retaliation from the Gindis or ANLC. (The couple has filed multiple suits, including for defamation, over the years.) “The risk is too great for my family,” wrote one former employee in a text to TIME and Newsy. But whether on or off the record, the former employees told largely similar stories of questionable practices at an organization profiting off both adoptive and expectant parents. “These are such vulnerable people,” says one former employee. “They deserve more than greed.”

The Gindis have long faced questions about their adoption work. In 2006, the Orange County district attorney filed a scathing complaint contending that while operating Adoption Network, the couple had committed 11 violations, including operating as a law firm without an attorney on staff and falsely advertising Carol as having nursing degrees. Admitting no wrongdoing, the Gindis agreed to pay a \$100,000 fine.

Since around that time, the Gindis’ exact involvement with ANLC has been difficult to discern amid a web of other

companies, brands and titles. They both declined interview requests, but Allan did respond to emailed questions, explaining that he plays what he termed “an advertising role” for ANLC, including for the company’s current president, Lauren Lorber (the Gindis’ daughter), who took over the law practice in 2015. Before that, an attorney named Kristin Yellin owned ANLC. Former employees, though, say that despite an outwardly delineated setup, Allan in particular has remained heavily involved in ANLC operations. As far back as 2008, even though Yellin was the titular owner, “everyone knew that Allan Gindi ran it,” according to former employee Cary Sweet. (Sweet and other employees were plaintiffs in a 2010 discrimination and unlawful business practices lawsuit against ANLC. The company denied the allegations and the parties settled for an amount that Sweet says she isn’t allowed to reveal but called “peanuts.”)

In an interview, Yellin bristled at the idea that Allan Gindi was in charge during her ownership period, saying, “I realized what the Gindis’ role was and how to put boundaries on that.” Lorber, who declined an interview for this story, wrote via email that Allan has been a “leader” in adoption marketing. He maintains, also by email, that over a 25-year period, each attorney for whom he has provided his “highly specialized marketing services” has been “more than satisfied.” In an earlier text message, Allan also characterized the reporting for this story as “an attack on the wonderful work that Adoption Network has done and continues to do.”

Sweet, who worked with both expectant and adoptive parents at ANLC from 2008 to 2011, says she wasn’t aware of Klupp’s experience but remembers a situation involving a staff member’s threatening to call child protective services on a mother if she didn’t place her child for adoption. In a 2011 deposition taken as part of Sweet’s lawsuit, Yellin stated that the employee in question had told her that they had conveyed to the mother that “if you end up not going through with this, you know social services will probably be back in your life.” Yellin said that she found the comment inappropriate in context but did not perceive it as threatening or coercive.

Lorber, who has owned ANLC since late 2015, wrote in an email that she’s unaware of any incidents in which birth mothers were told they would have to pay back expenses if they chose not to place their child. But Klupp isn’t the only expectant mother to say she felt pressured by ANLC. Gracie Hallax placed two children through ANLC, in 2017 and 2018. Although the company arranged for lodging during her pregnancy (including, she says, in a bedbug-infested motel), she recalls an ANLC representative’s telling her that she could have to pay back expenses if she backed out of the adoptions. Madeline Grimm, a birth mother who placed her child through ANLC in 2019, also says she was informed that she might have to return expense money if she didn’t go through with the adoption. “That was something that I would think of if I was having any kind of doubt,” she says. “Like, well, sh-t, I’d have to pay all this back.”

The experiences described by Klupp, Hallax and Grimm fit a pattern of practices at ANLC that former employees say were concerning. Many describe a pervasive pressure to bring people—whether birth parents or adoptive couples—

in the door. This was driven, at least in part, they say, by a “profit sharing” model of compensation in which, after meeting certain targets, employees could earn extra by signing up more adoptive couples or completing more matches. Former employees say birth mothers who did multiple placements through ANLC were sometimes referred to as “frequent flyers.” (Lorber and Yellin both say they have never heard that term.)

“The whole thing became about money and not about good adoption practices,” says one former employee. As they saw it, ANLC made a priority of “bringing in the next check.”

Adoptive parents, former employees say, were sometimes provided inaccurate statistics on how often the company’s attempts to matchmake were successful. “They almost made it seem like birth mothers were lining up to give their babies away,” says one. “That’s not reality.” (Yellin says in the 2011 deposition that the data were outdated, not inaccurate.) Clients pay their fees in two nonrefundable installments, one at the beginning of the process and another after matching with a birth mother. As a result, former employees say, if the adoption fell through, there was little financial incentive for ANLC to rematch the parents, and those couples were routinely not presented to other birth mothers. “Counselors were being pressured to do this by the higher-ups,” claims one former employee, recalling instructions to “not match couples that are not bringing in money. Period.”

**SOME PROSPECTIVE ADOPTIVE PARENTS** whom the company deemed harder to match—those who were overweight, for example, say former employees—were given a limited agreement that timed out, rather than the standard open-ended contract. There was also a separate agreement for those willing to adopt Black or biracial babies, for which the company offered its services at a discount. (In her 2011 deposition, Yellin acknowledged that there were multiple versions of the agreement and providing staff with obesity charts. When asked if obesity was a reason clients got a limited agreement, she said, “Specifically because they were obese, no.” In regard to whether what a couple looked like was considered, she responded, “I can only speculate. I do not know.”)

Former ANLC employees also allege the company would encourage pregnant women to relocate to states where the adoption laws were more favorable and finalizations more likely. “I believe it’s called venue hunting,” one recalls. And while that former employee made sure to note that ANLC did produce some resoundingly positive, well-fitting adoptions, they say the outcome was largely a matter of luck, “like throwing spaghetti on a refrigerator to see if it’ll stick.”

Yellin acknowledges that when she took over the company in 2007, “there was a feeling that some of the adoption advisers had felt pressured just to make matches.” But she says she worked to address that and other issues. Yellin says she put an end to the use of the limited agreement, and denies that ANLC ever advised birth mothers to relocate to other states to make an adoption easier. She also says she wasn’t aware of any instances of birth mothers’ being coerced into placing their babies. Other practices, though, she defended. Charging lower fees to parents willing to adopt babies of any race makes business sense, Yellin says. “Their marketing costs were lower.

That’s just the reality of it.” Lorber maintains that fee structure stopped in 2019. More broadly, she noted that of the thousands of parties that ANLC has worked with over the years, the complaint rate is less than half of 1% and “that is one track record to be proud of!”

But ANLC’s practices over the years could have legal implications. Experts say that reports of any organization’s putting pressure on birth parents to go through with an adoption would raise concerns about whether those parents placed their children under duress—which can be grounds for invalidating consent and potentially overturning adoptions. And ANLC may be violating consumer-protection laws with a clause in its agreement that makes clients “agree not to talk negatively about ANLC’s efforts, service, positions, policies and employees with anyone, including potential Birth Parents, other adoption-related entities or on social media and other Internet platforms.” The federal Consumer Review Fairness Act of 2016 makes contract clauses that restrict consumer reviews illegal, as does the 2014 California “Yelp” bill.

“It would certainly be unlawful,” says Paul Levy, an attorney with the consumer-advocacy organization Public Citizen, who reviewed the agreement. “If they put this in the contract, what do they have to hide?”

**STORIES OF ENTICEMENT** and pressure tactics in the private-adoption industry abound. Mother Goose Adoptions, a middleman organization in Arizona, has pitched a “laptop for life” program and accommodations in “warm, sunny Arizona.” A Is 4 Adoption, a facilitator in California, made a payment of roughly \$12,000 to a woman after she gave birth, says an attorney involved in the adoption case. While the company says it “adheres to the adoption laws that are governed by the state of California,” the lawyer, who asked to remain anonymous because they still work on adoptions in the region, says they told A Is 4 Adoption’s owner, “You should not be paying lump sums. It looks like you’re buying a baby.”

Jessalynn Speight worked for ANLC in 2015 and says private adoption is rife with problems: “It’s much more rampant than anyone can understand.” Speight, whose nonprofit Tied at the Heart runs retreats for birth parents, worries that the industry sometimes turns into a cycle of dependency, as struggling women place multiple children as a means of financial support. (The same incentive may also encourage scamming adoptive birth parents, with purported birth parents who don’t actually intend to place a child for adoption or are never even pregnant.) Anne Moody, author of the 2018 book *The Children Money Can Buy*, about foster care and adoption, says the system can amount to “basically producing babies for money.”

Claudia Corrigan D’Arcy, a birth-parent advocate and birth mother who blogs extensively about adoption, says she routinely hears of women facing expense-repayment pressures. Some states, such as California and Nevada, explicitly consider birth-parent expenses an “act of charity” that birth parents don’t have to pay back. In other states, though, nothing prohibits adoption entities from trying to obligate birth parents to repay expenses when a match fails.

“How is that not blackmail?” D’Arcy asks, emphasizing that in most states, fraud or duress can be a reason for invalidating a



birth parent's consent. According to Debra Guston, adoption director for the Academy of Adoption & Assisted Reproduction Attorneys, conditioning support on a promise to repay or later demanding repayment if there is no placement is "at very least unethical."

States are ostensibly in charge of keeping private-adoption entities in line. Agencies are generally licensed or registered with the relevant departments of health, human services or children and families. Attorneys practice under the auspices of a state bar. But even when misdeeds are uncovered, action may be anemic and penalties minimal. In 2007, Dorene and Kevin Whisler were set to adopt through the Florida-based agency Adoption Advocates. When the agency told the Whislens the baby was born with disabilities, the couple decided not to proceed with the adoption—but they later found out that the baby was healthy and had been placed with a different couple, for another fee. After news coverage of the case, Adoption Advocates found itself under investigation. In a 2008 letter to Adoption Advocates, the Florida department of children and families (DCF) wrote that it had found "expenses that are filed with the courts from your agency do not accurately reflect the

^  
*Jessalyn Speight  
was troubled by her  
work as an employee  
at ANLC*

expenses that are being paid to the natural mothers in many instances." Although DCF temporarily put the organization on a provisional license, a spokesperson for the department says that after "enhanced monitoring for compliance," it relicensed the company, and there have been no issues or complaints since. (When contacted, Adoption Advocates' attorney replied that the company is "unable to respond to your inquiries regarding specific individuals or cases.")

More recently, in 2018, the Utah department of human services (DHS) revoked the license of an agency called Heart and Soul Adoptions, citing violations ranging from not properly searching for putative fathers (a requirement in Utah) to insufficient tracking of birth-mother expenses. Rules prohibit anyone whose license is revoked from being associated with another licensed entity for five years. But a year later Heart and Soul owner Denise Garza was found to be working with Brighter Adoptions. DHS briefly placed Brighter on a conditional license for working with Garza but has since lifted all sanctions and never assessed any fines.

Enforcement is even harder when middlemen operate as consultants, facilitators or advertisers or under any number of other murky titles that critics believe are sometimes used to skirt regulations. There is little clarity on who is supposed to oversee these more amorphous intermediaries.

Jennifer Ryan (who sometimes goes by "Jennalee Ryan" or "Jennifer Potter") was first a "facilitator" and is now a kind of middleman to adoption middlemen. Her "national online advertising service" refers expectant parents to lawyers (including her own son), facilitators and other intermediaries; as of November 2020, the company was charging these middlemen fees starting at \$18,800 for each birth-mother match (with the idea that the cost is passed on to families). Ryan declined an interview but, in an email, she says she does approximately 400 matches annually. Among the websites Ryan operates are Chosen Parents and Forever After

Adoptions, which both include a section that lists babies for adoption, sort of like a Craigslist ad. One example from last August: "AVAILABLE Indian (as in Southeast Asia India) Baby to be born in the state of California in 2021... Estimated cost of this adoption is \$35000."

**MANY ADVOCATES SAY** they would like to see reforms to private adoption in the U.S. Even Yellin, a proponent of private-sector involvement in the adoption space, says there probably ought to be more regulation. But calls for systematic change have remained largely unheeded, and agreeing on exactly what should be done can be difficult.

Some believe the problem could be addressed with greater federal-level oversight—pointing to the foster-care system, which a division of the U.S. Department of Health and Human Services helps administer, as an example (albeit an imperfect

one). But Liversidge notes that family law has traditionally been a state issue and says that is where fixes should, and will likely need to, occur. She wants to see improvements such as an expansion of mandatory independent legal representation for birth parents, better tracking of adoption data and the reining in of excessive fees.

Illinois attempted to take a strong stand against adoption profiteering in a 2005 adoption-reform act, which barred out-of-state, for-profit intermediaries from engaging in adoption-related activities in the state. But Bruce Boyer, a law professor at Loyola University who championed the legislation, says, “We couldn’t get anyone to enforce it.” Only after much pushing and prodding, he adds, did advocates persuade the state to pursue a case against what Boyer called the “worst” offender: ANLC.

The Illinois attorney general filed a complaint in 2013 alleging that ANLC was breaking the law by offering and advertising adoption services in the state without proper licensing or approval. To fight the suit, ANLC retained a high-profile Chicago law firm, and within months, the parties had reached a settlement. ANLC agreed that it would not work directly with Illinois-based birth parents, but it did not admit any wrongdoing and called the resolution “fair and reasonable.” Boyer disagrees. “They caved,” he says of the state. “There were no meaningful consequences that came from a half-hearted attempt.” The attorney general’s office declined to comment.

What few changes have been made in adoption law are generally aimed at making the process easier for adoptive parents, who experts say tend to have more political and financial clout than birth parents. At the core of the inertia is lack of awareness. “There’s an assumption in this country that adoption is a win-win solution,” says Liversidge. “People don’t understand what’s going on.”

Many proponents of change would, at the very least, like to see private adoption move more toward a nonprofit model. “It’s a baby-brokering business. That’s really what it’s turned into,” says Kim Anderson, chief program officer at the Nebraska Children’s Home Society, a nonprofit that does private adoptions only in Nebraska (with a sliding fee based on income) and which rarely allows adoptive parents to pay expenses for expectant parents.

Whatever shape reform ends up taking—or mechanism it occurs through—advocates say it will require a fundamental shift and de commodification of how the country approaches private adoption. “A civilized society protects children and vulnerable populations. It doesn’t let the free market loose on them,” says Liversidge. Or, as Pertman puts it, “Children should not be treated the same as snow tires.”

Yellin kept working with ANLC as an attorney until late 2018. By then, she says adoption numbers had dropped significantly because of increased competition and a decreasing number of expectant mothers seeking to place their babies. But the company seems to still be very much in the adoption

business. During the pandemic, Adoption Pro Inc., which operates ANLC, was approved for hundreds of thousands of dollars in stimulus loans, and its social media accounts suggest it has plenty of adoptive-parent clients. According to data from the search analytics service SpyFu, ANLC has also run hundreds of ads targeting expectant parents. For example, if you Googled the term “putting baby up for adoption” in January 2021, you might get shown an ANLC ad touting, “Financial & Housing Assistance Available.”

Meanwhile, Allan Gindi continues to play an advertising role for ANLC (and to use an “@adoptionnetwork.com” email address). Court documents connected to a bankruptcy case show that, in 2019, Gindi expected to make \$40,000 per month in adoption-advertising income. (He says that number was not ultimately realized but did not provide any more details.) Lorber’s LinkedIn profile says that ANLC is a “\$5 million dollar per year” business. “And that’s just one family in Southern California,” remarks Speight, who used to work for ANLC and who runs a birth-parent support nonprofit. “Think about all of the other adoption agencies where couples are paying even more money.”

**‘Children should not be treated the same as snow tires.’**

**ADAM PERTMAN,**  
PRESIDENT,  
NATIONAL CENTER  
ON ADOPTION  
AND PERMANENCY

**KLUPP’S FACEBOOK FEED** still cycles through “memories” of posts she made when she was placing her son through ANLC. They’re mournful but positive, she says; in them, she tended to frame the decision as an unfortunate necessity that put her son in a loving home. “I thought everything was really great,” recalls Klupp, who has since immersed herself in the online adoption community. What she’s learned has slowly chipped away at the pleasant patina that once surrounded her adoption journey; such a shift is so common, it has a name, “coming out of the fog.”

“They take people who don’t have money and are scared, and they use your fear to set you up with an adoption that you can’t back out of,” Klupp says of the industry. “I’m sure even the parents that adopted my son ... didn’t know half the stuff that went on behind the scenes. They probably paid this agency to find them a baby, and that’s what they cared about. And this agency takes this money from these people who are desperate.” Klupp isn’t anti-adoption; in fact, she’s been trying to adopt out of foster care. The problem, she says, is the profit. Today, she believes she has a better understanding of the extent to which ANLC influenced her and now views her decision as, at the very least, deliberately ill informed, if not outright coerced. She says she’s taken to deleting the Facebook posts about her son’s adoption as the reminders pop up—they’re too painful.

“It seems like the agencies have some universal handbook on how to convince doubtful moms,” she says. “I know in my heart that I would have kept my son if I had had the right answers.” —*With reporting by MARIAH ESPADA and MADELINE ROACHE*

*This story was reported and published in partnership with Newsy*

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