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AMERICAN ACADEMY OF ASSISTED REPRODUCTIVE TECHNOLOGY ATTORNEYS

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GRIEVANCE DECISION

A Fellow has been privately reprimanded and directed to cease and desist from maintaining an office policy to withhold release of birth parent surrenders or consents if counsel fees remain due and owing to the Fellow from the proposed adoptive parent(s) or other responsible party.

The Board's findings were that such a policy violates the Academy's Grievance Procedure under Article IV, Paragraph 3 in that the withholding of such documents interferes with the administration of justice and may bring the Academy into serious public disrepute. The policy of withholding surrender or consent documents in order to induce the payment of counsel fees, the Board found, would delay termination of parental rights proceedings and finalization of adoption to the detriment of the child and all parties to the matter.

The Board of Trustees approved the Private Reprimand upon a finding of Misconduct on January 13, 2017, upon submission of the matter to the Board by the Grievance Chair under the Academy's Grievance Procedures.

Debra Guston
Grievance Chair