

**Expanding Your Family: A
Guide to Surrogacy and IVF Options in
Oregon**

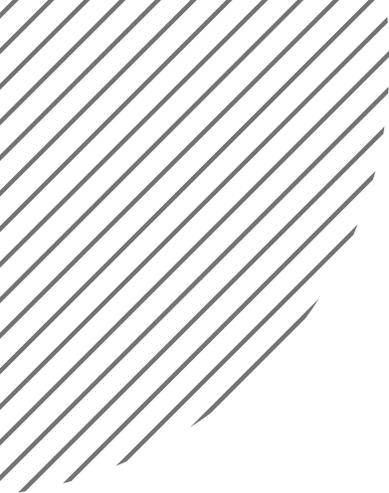


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Adding a child to your family is an exciting event. When couples aren't able to have a child on their own, they often look to other options such as surrogacy and in vitro fertilization (IVF). The laws surrounding these two types of reproductive technology vary greatly from state to state, so it is important to understand your rights.

Oregon is widely considered to be one of the most surrogacy and IVF-friendly states in the nation. It is even globally recognized as an attractive destination for people who are considering utilizing one of these options for expanding their family. Learning more about this process can help you to make smart decisions every step of the way.



Oregon Surrogacy Laws

The state of Oregon is considered one of the more progressive states when it comes to surrogacy. Unlike some other areas in the United States, there are no statutory laws nor case law precedents in place that prevent any form of surrogacy birth procedure from taking place. Oregon's contract law also allows for the intended parents and the surrogate to work out an arrangement is preferential for all of the parties involved. Oregon courts have also been favorable in enforcing these contracts once the baby has been born. Below are examples of how Oregon's laws are surrogacy-friendly and open to the process:

- **No Statutory Surrogacy Prohibitions** - Unlike many states, Oregon does not prohibit traditional or gestational surrogacy, nor do they forbid paid surrogacy.
- **Birth Certificates** - After a baby is born in Oregon, the hospital files a birth certificate with the state's Office of Vital Records. That certificate lists the name of the surrogate. This is in line with most of the states. However, Oregon law allows the birth certificate to be amended to remove the birth mother's name and list just the intended parents. Importantly, the intended parents can both be of the same sex. Oregon does not require, as many states do, that a woman needs to be listed on the certificate, which means that surrogacy can work for both straight and gay parents.
- **Flexible Contract Laws** - The vast majority of the decision-making power when it comes to setting up a surrogacy agreement falls on both the intended parents and the surrogate. While the courts won't allow an obviously coercive deal to be made, they are willing to let the people in the contract work out the details themselves in most cases.
- **Pre-Birth Order** - Oregon courts can issue an order prior to the birth, mandating that the intended parents are the true, legal parents of the child. This helps to avoid conflicts between the surrogate and the intended parents that might take place directly after the birth.



Options for Surrogacy

When considering gestational surrogacy and deciding what method to use, all of the following methods are allowed:

- Using the intended father's sperm to fertilize the intended mother's egg, which would then be placed into the surrogate for the remainder of gestation.
- Using a donor's sperm to fertilize the intended mother's egg.
- Using the intended father's sperm to fertilize a donor's egg.
- For men in a same-sex relationship, their sperm can be "mixed" and then used to fertilize a donor egg. This creates a situation that neither parent knows who the actual biological father, if they do not want to know. If the knowledge becomes needed for a medical or other situation, it can be easily determined by normal DNA testing methods.

All of these options are readily available in Oregon thanks to not only the state's permissive laws, but also the fact that this type of procedure is quite common in the state. Its popularity has grown to such an extent that a large number of both sperm and egg donors, along with potential surrogates, are able to be considered.

Advanced IVF Technologies

The fact that Oregon is so popular for surrogacy makes it a global leader when it comes to using the latest IVF technologies. The vast majority of surrogacy arrangements require the use of IVF in order to place the fertilized eggs into the surrogate. Even if surrogacy is not being considered, the various IVF technologies allow many couples who have fertility issues to take advantage of the widespread availability of IVF clinics.

Crafting a Surrogacy Contract in Oregon

While the laws in Oregon are very surrogacy-friendly, people still need to make sure that they have a strong contract in place in order to avoid any type of legal complication that may occur down the road. This is why it is critical to have an experienced attorney helping every step of the way. The following are some important issues to consider when having a contract written for surrogacy:

- **Details of All Parties** - The contract should provide as much information as possible about all the parties involved. This includes the surrogate, both intended parents, and if anyone else is involved (such as a donor), their information should be included as well.
- **Psychological Testing** - The contract needs to state that the surrogate mother will go through psychological testing (or has already) before becoming impregnated. This testing is to ensure they are mentally healthy enough to engage in this type of activity and commitment. Surrogacy can be very emotionally stressful for many women.
- **Number of Attempts** - IVF doesn't always take on the first attempt and it may be necessary to try several times. The contract should list how many attempts will need to take place before either party can back out of the agreement.
- **Covering Expenses** - The contract should identify how any surrogacy related expenses will be paid. If the surrogate has health insurance, this should be listed in the contract as well. Specifying what type of expenses will be covered is also very important.
- **What Happens at Birth** - The contract should specify that the intended parents will become the legal parents at birth. Identifying what, if any, rights and responsibilities the surrogate will have is also very important.
- **Unique Circumstances** - Each surrogacy or IVF situation is different, therefore each party needs to make sure their contract is written to reflect the exact situation. This is especially important if there are special conditions involved and will need to be clearly addressed.

If you need help having a surrogacy and IVF contract created, we are here for you. Our team has helped many people through this important process and would be honored to help you too. We will craft a strong contract that will protect all parties involved and help to avoid any type of disagreement or other problem in the future. Please [contact us](#) to schedule a consultation and learn more about this exciting experience.



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