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## The Fabric of Families

By Sophie Braccini



The staff of Family Formation enjoys a holiday party  
Photo Sophie Braccini

What do Jesse Jackson, Leo Tolstoy and Steve Jobs have in common? They were adopted children. Adoption is no longer a family secret, but continues to be a delicate issue that touches upon primal emotions. To guide adopting and birth parents during the process there is a Lafayette law firm where the two partners, Diane Michelsen and Megan Cohen, have lived the process personally; one adopted children, the other gave her first born up for adoption. Today their firm, Family Formation, claims to have completed more than 5000 adoptions.

"Over ten years ago we decided to adopt a second child because I could not get pregnant after my first child was born," says Orinda resident Mindy Becker. "We worked with Diane Michelsen, and this changed my life so much that when I recently decided to go back to work I looked for a position in the adoption/foster family field."

Today Becker works as a case manager for Family Formation. She describes the process she and her husband went through as a smooth one, in which they felt listened to and respected in their choice. "I did my homework," she says, "There are different avenues to go about adopting a child. But after hearing Diane (Michelsen) give a

presentation and starting to build a rapport with her, we decided to work with her law firm."

Family Formation not only performs all the legal work pertaining to an adoption process, they are also able, through the network they've created over the years with hospitals, social workers and referrals, to locate babies who will be placed for adoption. Michelsen indicates that the delay to find a match between an adopting family and a birth parent varies from a few weeks to about six months. "We started working with Diane in May of 2000 and had our baby in October of that year," says Becker, who sends a yearly letter and pictures to the birth mother.

Megan Cohen found her way to becoming the second partner of Family Formation from her counterpart role in the adoption equation. As a 20-year-old college student she decided that she could not raise her first born son and found Michelsen to help her along the way.

"I later became a high school English teacher, got married and had two other children," says Cohen, "then I decided to go back to law school to work in the adoption field. When I got my degree I contacted Diane and we decided to work together." The adoption of Cohen's child was, like Becker's, an open adoption process, meaning that the birth mother and the adopting parents meet each other and decide on the level of interaction they want to have.

Michelsen, who is an adopting parent herself, is very passionate about open adoption. "The desire for secrecy is based in fear," she believes, "and if parents are afraid, the children will feel it. It is not healthy."

Another important part of Family Formation's practice is the facilitation of surrogate pregnancies. Surrogacy is a technique through which a woman bears a child for a couple that cannot do so themselves. There are two types of surrogacy, traditional and gestational. The traditional form involves the surrogate mother providing the ova - Family Formation does not deal with this type of procreation. For a gestational surrogacy, the intended family provides the embryo that is implanted in the surrogate's uterus. "Under California case law, the surrogate is bound to a contract," explains Michelsen, "the intended parents who provided the genetic material are parents from birth."

According to Cohen, parents who choose that route rather than adoption are those who want more control over the process. It is also more costly since the surrogate is compensated. "Being a surrogate is not for everyone," acknowledges Cohen, "but the first motivation of these women is to help others form a family. They often also have financial needs." The screening process is part of Family Formation's services. "We work on 20 to 25 such cases per year," says the lawyer, "and we always find surrogates. We are not about volume, we build families, one at a time."

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