

Colorado Law Office Address:
1434 Spruce Street, Suite 100
Boulder, CO 80302
Phone 303-756-4673
Fax 888-203-6124

Oklahoma Law Office Address:
201 N. Broadway, Suite 107a
Moore, OK 73160
Phone 405-880-5700
Fax 888-203-6124

New York Office Address:
100 Park Avenue
Manhattan, NY 10017

Under the Oklahoma Gestational Agreement Act, which went into effect June 1, 2019, the following will be required:

1. Mental Health Evaluation. Each Intended Parent and the Gestational Carrier must undergo a mental health evaluation. Under the Gestational Agreement Act, this is defined as: "...an in-person meeting with a licensed mental health professional for the purpose of educating the participants about the effects and potential consequences of their participation in a gestational carrier arrangement, and of evaluating any potential psychological issues and risks posed by a party to a gestational carrier arrangement, including but not limited to, the Intended Parent(s) or the Gestational Carrier's mental health, external and environmental factors, ability to manage relationships, potential attachment issues, and ability to carry out his or her obligations, rights and duties under a gestational carrier arrangement."

The Mental Health Professional(s) is defined as "an individual who: holds a master's or doctoral degree in the field of psychiatry, psychology, counseling, social work, psychiatric nursing or marriage and family therapy, and is duly licensed, certified, authorized or registered under the laws of a state to practice in the mental health field."

We must either file a copy of the report(s) from the Mental Health Professional(s), or in the alternative we can prepare an affidavit and send to the Mental Health Professional(s) for signing.

2. Affidavit from the Reproductive Endocrinologist. The Reproductive Endocrinologist must sign an affidavit stating that he or she has given advice to ALL parties on the following:
 - a. the rate of successful conceptions and births attributable to the procedure, including the most recent published outcome statistics of the procedure at the facility at which it will be performed,
 - b. the potential for and risks associated with the implantation of multiple embryos and consequent multiple births resulting from the procedure,
 - c. the nature of and expenses related to the procedure,
 - d. the health risks associated with, as applicable, fertility drugs used in the procedure, egg retrieval procedures and egg or embryo transfer procedures, and
 - e. reasonably foreseeable psychological effects resulting from the procedure.
-

Further, if one of the Intended Parents is female, the affidavit must also state that she is unable to carry a pregnancy to term, or is infertile, etc.

Our office will prepare the affidavit and send it to the Reproductive Endocrinologist for signing.

3. Affidavit of Attorney. All parties must be represented by an attorney licensed to practice law in the State of Oklahoma.
4. Marriage Certificate. If the Intended Parents and/or the Gestational Carrier is married, a copy of their marriage certificate must be filed with the court.
5. Proof of Citizenship. The Gestational Carrier must be a US citizen and a resident of Oklahoma, and a copy of her drivers license, and if married, her husband's drivers license, must be filed with the court. If the Intended Parents are US citizens, copies of their drivers licenses must be filed with the court. If Intended Parents are not US citizens, we must file copies of their passports.
6. Guardianship Provisions. Intended Parents must have made guardianship provisions for the prospective child by amending their existing estate planning documents or by executing estate planning documents containing such provisions if they previously had no existing estate planning documents, and will be required to sign an affidavit regarding said provisions.

Before we can begin work on the Gestational Agreement we will need the following documents:

1. Signed representation agreement
2. Payment of fees and costs
3. Completed intake form
4. Terms agreed to by Intended Parents and Gestational Carrier

We will need the following additional documents prior to completion of the final Gestational Agreement and validation documents:

1. Copies of all parties' drivers licenses or passports
2. Copy of Intended Parents' marriage certificate
3. Insurance review