



COLLECTIVE
SURROGACY

- Comparing Agencies -

Top 10 questions to ask surrogacy agencies (and the answers to look for!).

#1. How do I choose my parent match?

A good match is the best way to ensure a positive outcome, and you should never be pressured to accept a match who isn't the right fit for you. Each agency will attract different types of intended parents to their program and will facilitate the match process in its own way.

Look for an agency that...

- ... has **multiple intended parents waiting for a match** at any given time, as well as the **type of family** you prefer to work with (same sex, male/female, domestic, international, etc.)
- ... focuses on finding the right match for you based on **process preferences** (single embryo transfer, communication expectations, etc.) AND **personality fit**.
- ... allows you full autonomy to accept or pass on a potential match.

CS match process... Our agency has a list of parents from different geographies and backgrounds who are waiting for a match. Our intended parents are all planning for single embryo transfers, are working with a U.S. fertility clinic, have background checks completed, meet with a psychologist, and want an open, trusting relationship with their surrogate. During screening, we talk in detail with you to determine the types of parents who may be the best fit for you before going into matching.

#2. How does the agency support me?

Using an agency should mean full-service support from start to finish.

Look for an agency that...

- ... **monitors all aspects of the process**, including other professionals (legal, medical, etc.)
- ... helps with **scheduling appointments and booking travel**.
- ... **facilitates and monitors all payments** owed to you to ensure they arrive on time.
- ... **communicates** updates at least weekly and is **available** to you at all times.

Our CS team monitors and organizes all steps of the journey from start to finish. All parties are updated regularly with what to expect in upcoming steps, and we are here to support you through anything that may come up. We are available by email daily and have a **24/7 phone line** for emergencies.



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#3. How many points of contact will I have?

Surrogacy is a multi-step journey with many different people involved, both inside and outside the agency. Large agencies (total team size over 30) tend to feel more transactional with more team turnover and a higher likelihood of being bounced around to different coordinators.

Look for an agency that...

- ... **minimizes your points of contact** start to finish to three at the most (ideally two).
- ... has **low team turnover** to minimize the likelihood of changing coordinators mid-journey.
- ... is **small to medium** in size (and also highly experienced!)

Our CS team values knowing our clients personally, therefore we structure our support to keep our clients' points of contact to **two** at the most. You will know your coordinator, and your coordinator will know you! Our program is intentionally small to be able to provide the highest levels of care to our clients. Our team loves what they do and have all been involved with surrogacy, as a professional and/or a surrogate, for many years.

#4. Do I choose my attorney?

Agencies typically refer surrogates to an attorney to represent them through the legal phases of the journey. The attorney should be highly experienced in this area of law and in the correct legal venue. The correct legal venue will typically either be your state, or the state where the parents live.

Look for an agency that...

- ... provides **more than one** attorney referral for you to choose from (when available).
- ... does NOT send all of their surrogates to a single attorney outside the correct legal venue.
- ... allows you to **ultimately choose** your own attorney even if outside of the referred list.

CS attorney referral process... we provide at least two attorney referrals in your state (or another state if that is chosen as an appropriate alternative venue), and the surrogate then chooses the attorney she prefers, either on the provided list or someone else - so long as the attorney has experience with surrogacy law.



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#5. Does the agency (or a law firm connected to the agency) represent the intended parents?

When the agency, or law firm associated with the agency, (meaning the law firm has a common owner to the agency or a partnership with the agency), this can result in the agency representing the parents' interests above the surrogate's interests.

Look for...

- ... referral of the parents to an **outside attorney not formally associated** with the agency.
- ... in the **correct legal venue** (again, typically your state of residence or the parents').

CS does not represent either the parents or surrogate in the contract process. All parties are referred out to independent attorneys in the correct legal venue. CS does provide its template surrogacy contract as a starting point for the attorneys - this ensures all agency-specific terms the parties expect and agreed on during matching are included correctly.

#6. How does the agency help if there is ever an issue between me and the intended parents?

Balancing the needs and interests of the surrogate and parents (which at times may be different) can be a challenging thing for an agency to do successfully.

Look for an agency...

- ... that **supports both the parents and surrogate equally**.
- ... **does not remain neutral or hands off** if an issue comes up between you and the parents.
- ... takes an **active role in helping to mediate** in those situations.

Our view is that the agency can and should represent and support the interests of **both** the parents and the surrogate. From years of experience, we also know that the agency is in the best position to help mediate potential issues to solve them quickly and positively. Your legal contract will outline what to do in most situations and sometimes the attorneys will be involved to help clarify things, but your agency should also be mediating and supporting all parties at all times.



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#7. How does the agency protect me financially?

Your agency is in the best position to protect you and your family financially. Your agency sets most financial terms of your match, and these are then written into your contract by the attorneys.

Look for...

- ... an agency using a **professional escrow service**.
- ... a rule that the **minimum balance in escrow** must always be any **remaining fee owed to you plus an adequate amount for your anticipated expenses**.
- ... an **agency willing to take responsibility** for non-payment of your costs in the rare event the parents are unable or unwilling to pay - this risk should be taken by the agency and not the surrogate since the agency is one who sets and monitors the escrow rules.

CS process... We use a professional escrow service to handle all escrow accounts. The surrogate will have online access to this account to monitor payments. CS requires the parents place the surrogate's full fee plus \$15,000 for anticipated expenses in the account before the first embryo transfer is scheduled. Our program's payment rules offer top protections against any financial loss.

#8. Do you require me to sign an exclusivity agreement?

Agencies have an interest in confirming that a surrogate is committed to the process before spending money on prescreening and matching you with intended parents. They will therefore sometimes require surrogates to sign an exclusivity agreement with the agency, but these should not be overly restrictive.

Look for...

- ... an agency that does not require any exclusivity until you are matched.
- ... if the agency does require an exclusivity agreement...
 - ... have it **reviewed by an attorney** (many will do this free of charge).
 - ... be sure it doesn't prohibit you from **stopping the process** prior to pregnancy.
 - ... be sure it doesn't prohibit you from **posting honest reviews** about the agency.

CS does not have an exclusivity agreement. There is an exclusivity commitment that is signed when you are matched with intended parents that simply verifies you are committed to the match and are not pursuing surrogacy elsewhere. It does not have any other restrictions or consequences.



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#9. Is the surrogate benefit package negotiable when I am reviewing the contract with my attorney?

Almost all agencies will have surrogates sign their Surrogate Benefit Package during prescreening. This will outline fee amounts and expense reimbursement terms. Many agencies make these **non-negotiable**, however sometimes changes are needed to ensure your family isn't at financial risk during the process. Your attorney is the best one to point out these areas of risk to you.

Look for an agency that...

- ... allows you to **negotiate expense reimbursement terms** after you meet with your attorney.
- ... allows **reasonable negotiation of fee amounts** based on your individual needs.

CS makes clear to intended parents that most financial terms in the Surrogate Benefit Package **remain negotiable** until the surrogate is able to meet with her attorney to review those terms. The base gestational fee is non-negotiable, however all other amounts may be negotiated if adjustments are needed to meet the surrogate's needs.

#10. Who owns the agency and how much experience do they have?

There are many agencies that are highly experienced and great at what they do. These agencies will know how best to support you in the journey and through the twists and turns that can happen.

Look for...

- ... an agency owned and managed by someone with **10+ years of experience** in the field.
- ... an agency owner with **professional credentialing** (psychologist, attorney, or other field where they must adhere to professional ethics requirements - remember that agencies are unregulated and anyone (from anywhere in the world) can start a U.S. surrogacy agency).
- ... agency owner with a **positive reputation** among fellow professionals and clients.

Our agency was founded in February 2022, but is owned and managed by a leading expert in the surrogacy field, Keely Seaverson. Keely is an attorney, trained mediator, and experienced business leader who built and operated a large Midwest surrogacy agency for over 15 years. This agency gained a top reputation among professionals, parents, and surrogates during Keely's time there. Keely is happy to have returned to a smaller agency model where she can more personally guide and support the CS team and clients through all steps of each journey.



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A message from our Founder + CEO:

Dear Surrogates,

You are the center of the surrogacy process - surrogacy as a family-building option exists only because of you and your kindness. I want you to know that you have significant power to make the rules for how the surrogacy process works, both for your benefit and the benefit of the parents you are helping.

Choosing the right agency that is facilitating this process in the way you feel is best and for the right reasons is one moment in the journey when you exercise that power. Remember, you are interviewing your agency - they are not just interviewing you - it's okay to ask hard questions to feel confident you are protected and supported in this process the way you should be. Whether you choose Collective Surrogacy as your partner in this journey or not, we are here to support you, so please never hesitate to reach out.

We wish you the best of luck as you take these first steps in helping another family through surrogacy and are grateful the world is made a better place because of people like you.

Wishing you well!

Keely Seaverson