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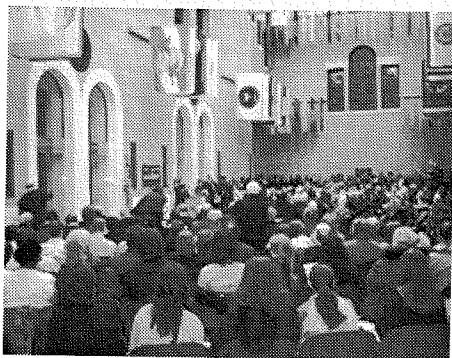
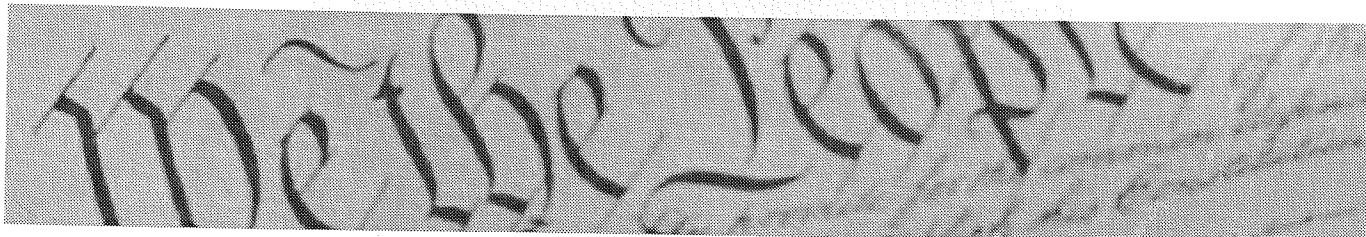
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## SUCCESS STORIES

*As appeared in the "Directory of Massachusetts Lobbyists 2008," published by Massachusetts Lawyers Weekly (January 2008).*

### A lobbying success story.

By Charles Glick

Human frailty dictates that "accidents will happen." Unfortunately, the making of law, a very human endeavor, is not immune to this tenet. A recent experience dealing with one such accident demonstrates the role that lobbyists can play in helping to avoid them and helping different parties address them once they happen.

In late fall of 2006, we were contacted by the Adoption Professional Association of Massachusetts, the statewide voice for non-profit adoption agencies. APAM's member organizations help make dreams come true for prospective parents and the children they adopt. A recent change in Massachusetts law, however, had the potential to devastate these agencies and their children.

A few months earlier, in the middle of the summer, a little-noticed provision was attached to a commerce bill that triggered a sweeping change in adoption and foster care placements in the state. That provision removed language that allowed only non-profit agencies to handle the placements of children for adoption and foster care. The new change opened the door to for-profit adoption and the offering of "financial incentives" to birth parents in exchange for the termination of parental rights, a process which APAM believes is not only exploitive, but morally and ethically reprehensible.

The Boston Globe, in an article about the change, said it was pushed by one human services company, "with help of well-connected lobbyists with ties to the State House and Republican circles." The same article quoted the director of one of the affected non-profit adoption agencies, incredulous that such a significant change in law was not preceded by a public hearing or even a bill filed, asking, "Who would have looked in a commerce bill for this?"

Some in the non-profit adoption world suspected that the change was initiated because the human services company, whose primary work had been in foster care, was now interested in doing "for-profit" adoption. APAM asked us how difficult it would be to reverse the change prior to the end of the session—less than three months away. Our initial task was to determine how and why the change was made. It happened that we had a relationship with the lobbyists for the company references in the Globe story. In talking with them, we were quickly able to ascertain that the company was interested only in allowing for-profit foster care and had never meant for its efforts to impact adoption. Unfortunately, the way the law was written, the change allowing for-profit foster care inadvertently allowed for-profit adoption as well. Fortunately, we were able to unmask the reason for the change before accusations made the situation even worse. It was a simple oversight.

Because was there a strong level of trust between our firm and the other lobbyists, we quickly agreed to work together to explain the oversight to policy makers and push for corrective action. Working with key lawmakers, who were similarly

anxious to close the door on for-profit adoption (particularly when it was never asked to be opened in the first place), we were able to enact legislation prior to the end of the session that reinstated the prohibition on for-profit adoption while maintaining the revised language for foster care.

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