Why Egg Donor Agreements Are Important

Egg donations and surrogacy are a great option for people with infertility problems and this method is quickly growing in popularity. With this growth, some couples are experiencing legality issues once the babies are born and grow older. Because of this, it is a good idea to create some type of egg donor legal agreement so no parties can be at fault if conflicts arise.

Since there are medical differences between sperm and egg donation, the current sperm donation laws cannot be applied to egg donation. Without egg donation legislation, there have been many cases brought to court with informal or verbal agreements made between parties. Some demand child support, others want visitation rights. To avoid conflict, a legal agreement should be made.

It may seem easier, and cheaper, to make an informal agreement, especially if you are using a friend you trust. Yet it is safer for all involved to make a legal agreement and well worth the cost to avoid future troubles.

Some consider the consent forms signed at the egg donor clinic enough of a binding contract. Yet medical consent forms are not enough to make every person involved in the agreement, including future children, legally safe. They do not address marital status or location of birth, which could result in the father not being considered a legal guardian, or making a parent unable to use the embryos in case of death of the other parent.

The use of extra embryos after implantation is another area the medical consent form cannot cover. There are many options for the embryos, including freezing them, disposing of them, or donating them to medical research. An attorney is needed to draft a legal document to ensure the parents’ wishes are followed through in case of divorce or death.

If you are using an anonymous donor, a legal agreement is useful in order to keep current contact information. In case your child gets a hereditary disease, you need to have up to date contact information on the donor for blood or organ donation. There should also be a clause regarding what to do if such a disease comes up.

No matter what donation method you are using, it is important to know the legality surrounding each choice. There are a multitude of options, and each gets more complicated than the rest. An agreement allows you to not worry about future legal issues.

Since there are no egg donation laws in place, these legal agreements are the only source to refer to in case of future legal issues. Because of this, you need to ensure the agreement spells out everything clearly and leaves no loopholes. The cost and time is well worth a future free of worries and courts.

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