



## Madison Adoption Associates

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### COMPLAINT POLICY AND PROCEDURES

Per Hague Regulation 96.41 a-g

#### **POLICY:**

Madison Adoption Associates (the “Agency”) permits any birth parent, prospective adoptive parent, adoptive parent, or adoptee (each a “complaining person”) to lodge a complaint or appeal about any services or activities of the Agency that such person believes are inconsistent with the Hague convention, Intercountry Adoption Act of 2000, the Universal Accreditation Act, State licensing requirements, or the Hague Regulations.

Madison Adoption Associates will not take any action to discourage a client or prospective client from making a complaint, expressing a grievance, questioning the conduct of, or expressing an opinion about the performance of the Agency or any person acting on behalf of the agency. The reputation of the Agency is of critical importance and we strive for 100% client satisfaction. It is the policy of the Agency to encourage open communication, and to promptly and proactively try to resolve any issue where a client is dissatisfied.

Madison Adoption Associates shall provide to prospective adoptive parents the ***Complaint Policy and Procedures*** with the initial information package. These procedures are also listed on the Agency website. Clients of Madison Adoption Associates receive this policy in the initial marketing materials, as part of the new client paperwork (see ***Rights and Responsibilities of Client and Privacy Practices***) and in the signed ***Adoption Services Contract***.

#### **PROCEDURES:**

Client agrees to provide Agency (c/o its “Associate Director”) with prompt written notice of any complaint regarding the Agency and its services. Any complaint is encouraged to be filed within 30 days of Client first becoming aware of the offending conduct. Any complaint must be emailed to the Associate Director at [Diana@MadisonAdoption.org](mailto:Diana@MadisonAdoption.org), Subject Line “Official Complaint”; or mailed in to the Delaware Office at the following address:

Madison Adoption Associates  
1009 Woodstream Drive  
Wilmington, DE 19810  
Attention: Associate Director

Madison Adoption Associates will investigate and respond to the complaining person in writing within 30 days of receipt of such complaint. The Agency will also provide expedited review under the following circumstances:

1. If the complaining person requests expedited consideration and demonstrates that matters are time sensitive facts; or
2. If the facts involve allegations of fraud (Hague Regulation 96.41(c)).



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The complaining person will receive a written reply within 7 (seven) days of receipt of an expedited complaint.

To the extent that the complaining person is dissatisfied with the response to the complaint, the complaining person may request reconsideration by writing to the Board of Directors via postal mail to the Delaware office (same address as above). If the Board of Directors does not respond within 15 days, the complaining person may submit their complaint to the Department of State's Complaint Registry in electronic format. The complaining person may lodge a complaint with the Hague Complaint Registry in accordance with Hague Regulation 96.70 as described at the following website: <http://adoptionusca.state.gov/HCRWeb/WelcomeForm.aspx>. Please note that the accrediting entity assigned to review and resolve complaints will verify that the complaining person has already attempted to seek resolution through the Agency's internal procedures prior to consideration.

Failure of the complaining person to respond shall constitute an acceptance of the response, deemed response or corrective action taken by Agency. The complaining person and the Agency may, by mutual written agreement, consent to an extension of time. If the matter is not resolved by the foregoing process, the complaining person and the Agency agree to mediate such unresolved matter using, as a mediator, a representative of the Office of Child Care Licensing, Delaware Youth and Family Center, of the Department of Services for Children, Youth and Their Families for the State of Delaware. The complaining person and the Agency agree that neither party shall make any statement to any third party (including, without limitation, such mediator, except to request mediation of an undisclosed matter) until the mediation conference commences. Mediation shall be non-binding, but no further legal or quasi-legal action may be taken by the complaining person until mediation is complete as stated in writing by the mediator. The costs of any mediation shall be split equally by the complaining person and the Agency.

**Mandatory Binding Arbitration:** In the event that mediation is unsuccessful in resolving any disputes or issues between the complaining person and the Agency, the dispute or issue shall be determined by binding arbitration in New Castle County, Delaware before a single arbitrator to be selected by JAMS (Judicial Arbitration and Mediation Services), unless the parties can mutually agree on an arbitrator from the JAMS list of neutral individuals. Either party may submit a dispute, claim or controversy arising out of or relating to this Policy or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this policy, to arbitration.

The arbitration shall be administered by JAMS pursuant to its Streamlined Arbitration Rules and Procedures. Judgment on the Award may be entered in any court having jurisdiction. This clause shall not preclude parties from seeking provisional remedies in aid of arbitration from a court of appropriate jurisdiction. Under no circumstances may any dispute, claim or controversy covered



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by this provision be filed with or otherwise submitted to any court for adjudication except as expressly provided for herein.

Allocation of Fees and Costs: The arbitrator may, in the Award, allocate all or part of the costs of the arbitration, including the fees of the arbitrator and the reasonable attorneys' fees of the prevailing party.

Diana Bramble, Associate Director of Madison Adoption Associates, will maintain a written record of each complaint, and the steps taken to investigate and respond to the complaint. Complaint summaries will be reviewed at each Board of Directors meeting. In addition, the Agency will make the complaint record available to the organization responsible for accrediting the agency on a semi-annual basis, or upon request.

Madison Adoption Associates will provide to its Hague accrediting entity and the Secretary of State on a semi-annual basis the following: a summary of all complaints received; an assessment of any discernible patterns in complaints received against Madison Adoption Associates, along with information about the systematic changes that have been made or that are planned to be changed.

Madison Adoption Associates shall utilize the complaint data as part of an overall quality improvement program which includes reviewing complaint data, using client satisfaction surveys, or comparing Madison Adoption Associates' practices and performance against the data contained in Secretary of State's annual reports to Congress.

All decisions by Madison Adoption Associates are always made in the best interests of the child, pursuant to the mission statement of the Agency.