SURROGACY AGENCIES — GUIDE

Questions to Ask a Surrogacy Agency: A Complete Interview Guide

50+ essential questions for intended parents to ask surrogacy agencies before committing. Organised by topic: fees, screening, legal, medical, communication, and red flags.

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Print this guide and bring it to every agency interview. Take notes on each answer for comparison.

1. Fees and financial transparency

1. What is your total agency fee, and what does it include?
2. Is the fee flat or milestone-based? What are the milestones and amounts?
3. What is your refund policy if no match is found within X months?
4. What is your refund policy if the journey ends early (miscarriage, surrogate withdrawal, etc.)?
5. Can you provide a written, line-item cost estimate for a typical journey?
6. What is the typical surrogate base compensation range you work with?
7. What reimbursement categories do you cover, and what are the caps?
8. Do you require intended parents to fund the full escrow upfront, or milestone-based?
9. Who is your escrow agent? Are they licensed and bonded? Can I verify?
10. What are the escrow management fees, and who pays them?
11. Are there any fees not included in your estimate (e.g., travel, legal, insurance, PGT-A)?
12. Do you offer financing or payment plans? Through whom?
13. What happens to escrow funds if your agency closes?

2. Surrogate screening and matching

1. What screening does the surrogate complete **before** we are matched?
2. Do you follow ASRM guidelines for gestational carrier screening? Which specific components?
3. Is the psychological evaluation done by a licensed mental health professional with third-party reproduction experience?
4. Do you conduct criminal background checks on the surrogate and her partner/spouse?
5. Do you perform home visits/social assessments?
6. How do you verify the surrogate's health insurance covers surrogacy? What if it doesn't?
7. What are your age and BMI requirements for surrogates?
8. How many surrogates are currently in your pool? How many are "match-ready"?
9. What is your average time from signing to match?
10. Can we specify preferences (location, age, previous experience, communication style)?

11. What happens if we decline a match? Do we go back in the pool?
12. How do you handle rematching if the surrogate withdraws or is medically disqualified?

3. Legal and contracts

1. Can you provide your template Gestational Carrier Agreement (GCA) for our attorney to review **before** we sign with you?
2. Can you provide your template Intended Parent–Agency Agreement for review before signing?
3. Can you provide your escrow agreement for review?
4. Do you require intended parents to use a specific attorney, or can we choose our own?
5. Does the GCA comply with the surrogacy statutes in the surrogate's state?
6. What is the process for establishing parentage (pre-birth order, post-birth order, adoption)?
7. Who pays for the surrogate's independent legal counsel?
8. What happens if the surrogate wants to terminate or reduce? What does the contract say?
9. What happens if we want to terminate the agreement? What are the financial consequences?
10. Does the contract address selective reduction for multiples?
11. What governing law and venue does the contract specify?
12. Are there confidentiality or social media restrictions in the contract?

4. Medical coordination

1. Which fertility clinics do you work with? Can we choose our own?
2. Do you have preferred rates or packages with any clinics?
3. How do you coordinate monitoring for the surrogate if she lives far from the clinic?
4. What is your policy on number of embryo transfers included?
5. What happens if the first transfer fails? What are the additional costs?
6. Do you coordinate PGT-A (genetic testing) and how is it billed?
7. How do you handle surrogate medical complications (OHSS, ectopic, bed rest)?
8. Who makes medical decisions during pregnancy — the surrogate, the intended parents, or the doctor?

5. Case management and communication

1. Will we have a dedicated case manager? What is their current caseload?
2. What is your guaranteed response time for emails/calls?
3. What is the update cadence during matching, medical process, and pregnancy?
4. Is there a client portal or app for tracking milestones and documents?
5. What is the 24/7 emergency contact protocol?
6. How do you facilitate communication between us and the surrogate?
7. Can we meet the surrogate before matching (video or in person)?
8. What support do you provide for the surrogate during pregnancy (counselling, support groups)?
9. How do you handle conflicts between intended parents and the surrogate?

6. Track record and references

1. How many years has your agency been in business?
2. How many journeys have you completed total? In the last 12 months?
3. What percentage of journeys result in a live birth?
4. Can you provide 3+ references from intended parents who completed in the last 18 months?
5. Can you provide references from surrogates (with their consent)?
6. Have you ever had a lawsuit, regulatory complaint, or BBB complaint? Details?
7. Are you a member of SEEDS, ASRM, or other professional organisations?
8. Do you carry professional liability insurance?

7. Insurance and risk management

1. How do you handle surrogate health insurance? Do you review policies for surrogacy exclusions?
2. What if the surrogate's insurance excludes surrogacy — what are the options and costs?
3. Do you require life insurance on the surrogate? How much? Who pays?
4. Do you require disability insurance for the surrogate?
5. What happens if the surrogate loses her job or insurance mid-pregnancy?

8. International intended parents (if applicable)

1. Do you work with intended parents from [your country]?
2. What additional legal steps are required for us to establish parentage in our home country?
3. Do you coordinate with immigration attorneys for the baby's passport/citizenship?
4. What are the travel requirements for us during the pregnancy and at birth?

9. LGBTQ+ intended parents (if applicable)

1. Do you have experience with same-sex couples and single parents?
2. Are there any states you work in where our family structure creates legal complications?
3. Do you work with clinics that are LGBTQ+-affirming?

10. Red flags — walk away if the agency:

- [ ] Refuses to share template contracts for attorney review
- [ ] Holds escrow funds directly (no independent escrow agent)
- [ ] Requires 50%+ of agency fee upfront before any matching
- [ ] Cannot name their escrow agent or provide escrow agreement
- [ ] Does not follow ASRM screening guidelines
- [ ] Will not provide recent intended parent references
- [ ] Pressures you to sign quickly ("surrogate availability is limited")
- [ ] Gives only a single "all-in" price without line-item breakdown
- [ ] Says "we handle everything, you don't need your own attorney"

- [ ] Has no professional memberships (SEEDS, ASRM, etc.)
- [ ] Cannot explain the parentage process in the surrogate's state
- [ ] Has pending litigation or regulatory complaints

How to use this guide

1. **Send it ahead**: Email the agency this list before your call so they prepare.
2. **Take notes**: Write answers in a spreadsheet for side-by-side comparison.
3. **Verify**: Cross-check claims (escrow agent licensing, SEEDS membership, clinic affiliations).
4. **Attorney review**: Have a family-law attorney review contracts **before** you sign.
5. **Trust your gut**: If an agency feels evasive or pressuring, keep looking.

Source for screening standards: ASRM, "Recommendations for practices using gestational carriers: a committee opinion", Fertility and Sterility 2022;118(1):65-74. **Source for fee ranges:** CNY Fertility, "Surrogacy Cost – The True Price of Using a Surrogate Mother", 2022-03-11. **Source for legal frameworks:** State surrogacy statutes; Uniform Parentage Act (2017).

Frequently asked questions

Should I ask all these questions in one meeting?

No. Use this as a checklist across multiple conversations. Prioritise the sections most relevant to your concerns. Share the list with the agency in advance so they can prepare thorough answers.

What if an agency refuses to answer a question?

Refusal to answer direct questions about fees, screening, contracts, or track record is a significant red flag. Reputable agencies welcome informed intended parents.

Can I negotiate agency fees?

Some agencies have fixed fees; others may adjust payment schedules or offer promotions. Always ask. Get any modifications in writing.