

If you live in Riverside County and you are considering surrogacy, you are already juggling a lot: emotions, finances, medical information, and a thousand what if questions. Underneath all of that, there is usually one central worry that everyone shares, whether you are an intended parent or a surrogate:

When the baby is born, who are the legal parents, and will the law actually honor what we agreed to?

California is one of the most surrogacy friendly states in the country, and Riverside courts regularly handle surrogacy matters. That does not mean you can rely on handshakes or assumptions. The answer to "Who are the legal parents in a surrogacy arrangement?" Depends on timing, paperwork, and whether the arrangement meets California's legal requirements.

This guide walks through how parentage is established in surrogacy, what that looks like in Riverside, and how agencies, lawyers, and the court system fit together. I will also touch on practical questions I hear often, like cost ranges, how surrogates are compensated, and how long the process takes.

California is unusually friendly to surrogacy

There is a reason you see people ask, "Why is California a popular state for surrogacy?" The short answer is that California law explicitly supports gestational surrogacy for a wide range of intended parents.

Here are the basics that matter most:

California allows gestational surrogacy for married couples, unmarried partners, single intended parents, and same sex couples. Courts in Riverside County are accustomed to issuing pre birth orders for all of these family types. Whether the intended parents are genetically related to the baby or rely on donated eggs or sperm, California courts can still recognize them as the legal parents if the agreement is properly structured.

The key statute is California Family Code section 7960 and the following sections. It lays out the requirements for a valid gestational surrogacy agreement, including that both the surrogate and the intended parent or parents must sign the contract before any embryo transfer. Each side must have independent legal counsel. When those conditions are met, courts in Riverside and across the state generally treat the intended parents as the legal parents from birth, even if one or both are not genetically related.

That framework shapes everything else: who is listed on the birth certificate, who makes medical decisions for the baby, and what rights the surrogate retains.

Gestational vs traditional surrogacy: why it matters for parentage

Before talking about legal parents, you have to be clear on which type of surrogacy you are talking about. Families sometimes use "surrogate" as a catch all term, but the law divides it into two categories with very different implications.

Gestational surrogacy is what most agencies and clinics in Riverside handle today. In gestational surrogacy, the surrogate is not genetically related to the child. An embryo created using the intended parents' egg and sperm, or donor gametes, is transferred to the surrogate's uterus. From a legal standpoint, gestational surrogacy is straightforward in California, and it is the model the statute was built around.

Traditional surrogacy is much rarer, especially with agencies, because the surrogate uses her own egg. She is both the genetic and the gestational mother. That changes the legal analysis, because a woman who gives birth and is

genetically related to the child generally has parental rights by default. Traditional surrogacy arrangements in California tend to be handled with extra caution or avoided altogether by most reputable agencies.

When parents ask, "What is the difference between gestational and traditional surrogacy?" In a legal consultation, the conversation usually becomes, "Do not assume that what you read about gestational surrogacy protections applies to traditional, because it often does not." For Riverside families, that distinction will heavily influence whether a judge is willing to grant a pre birth order, and how secure your parental rights will be.

How California defines the legal parents in surrogacy

In a typical Riverside gestational surrogacy case that follows California law, the intended parents are treated as the legal parents. The surrogate is not. That is the goal, but you only reach it if several legal requirements are met.

The core pieces are:

First, a written gestational surrogacy agreement that complies with California Family Code. It must be signed and notarized before any medications are started for the embryo transfer cycle. It needs to identify at least one intended parent, the surrogate, and lay out the rights and obligations of each party, including how medical decisions will be made during pregnancy.

Second, independent legal representation for the surrogate and the intended parents. The law is clear that each side must have their own lawyer who reviews the agreement and explains it. In practice, if you show up in Riverside Superior Court without being able to show that separate lawyers were involved, you risk the judge refusing to issue a parentage order.

Third, a court order establishing parentage, typically a pre birth order. This is the piece that actually answers the question: who are the legal parents? In most cases, the intended parents' attorney will file a petition in Riverside County several months into the pregnancy, attach declarations and the signed surrogacy agreement, and request a judgment that declares the intended parents to be the legal parents from birth.

Once that order is signed, it directs the hospital and the Department of Public Health to list the intended parents on the birth certificate. The surrogate and her spouse or partner, if she has one, are specifically declared not to be the legal parents.

If all of this is done correctly, the legal parentage question is settled before the baby is born. When the baby is delivered at Riverside Community, Loma Linda, Kaiser, or any other local hospital, staff already know whose names go on the birth certificate and who has authority to make decisions for the newborn.

The surrogate's rights in California

The fact that the intended parents become the legal parents does not mean the surrogate has no rights. It simply means her rights are focused on her own body, her health, and the terms of the contract, rather than parental rights over the child.

In California, a surrogate has the right to her own independent legal advice before she signs. She has the right to informed consent about medical procedures, medications, and pregnancy care. Even with a surrogacy agreement, doctors cannot force her to undergo a c section, selective reduction, or termination; they must follow medical ethics and her consent.

The contract typically spells out what the surrogate and intended parents have agreed about sensitive issues such as reduction in the case of multiples or termination if serious abnormalities are detected. A good agency and attorney will walk through these scenarios before matching, to reduce the chance of conflict later. But from a legal

standpoint, the surrogate retains control over what happens to her body, and disputes are usually resolved as contract issues, not as custody battles.

Financially, the surrogate has a right to the compensation and reimbursements promised in the contract, as long as they are legal under California law. In Riverside County, most experienced gestational surrogates receive base compensation that often ranges from about \$45,000 to \$70,000, with variations based on experience, twins, and specific agency practices. That is in addition to reimbursements for maternity clothing, travel, lost wages in some cases, and medical expenses that insurance does not cover.

One question that comes up often is, "What rights does a surrogate have in California if she changes her mind and wants to keep the baby?" In a properly drafted gestational surrogacy arrangement that meets statutory requirements, the law is clear that parentage belongs to the intended parents, not the surrogate. Changing her mind does not give her parental rights. However, she can still raise concerns about health, safety, or breach of contract, which the court will address separately.

Do you need a lawyer for surrogacy?

Technically, someone could try to move forward without attorneys, but in California that is both risky and often ineffective. The statute requires that both the surrogate and intended parents have independent counsel before embryo transfer if you want the protections of sections 7960 and onward. Inevitably, when people ask, "Do you need a lawyer for surrogacy?" What is really behind that question is, "Do we truly need to spend the money?"

From a practical point of view in Riverside County, judges expect that a surrogacy arrangement involving a pre birth order will have been reviewed by counsel on both sides. If there is no proof of this, the judge may decline to issue the order or may require additional hearings and documentation. That delay can stretch into the postpartum period, creating uncertainty for the baby's medical decisions and documents.

Lawyers also handle details that families rarely think about until something goes sideways: what happens if one intended parent dies during the pregnancy, how decisions are made if the baby has complications after birth, what happens if the surrogate's insurance changes or drops coverage, and how disputes are resolved if someone does not follow through on payment or medical recommendations. The attorney's fee is not just about a stack of paper. It is about crafting a plan that the Riverside court is willing to enforce.

How the surrogacy process works, from a legal and practical angle

Families in the Inland Empire often start with a broad question like, "How does the surrogacy process work?" They may have read about it, but until you break it into concrete phases, it remains abstract and overwhelming.

At a high level, you can expect several phases:

First is the decision and learning phase. Here, intended parents explore whether surrogacy makes sense medically, financially, and emotionally. They consult fertility specialists, sometimes in Riverside, sometimes in Los Angeles or Orange County. They may talk to more than one surrogacy agency and at least one lawyer. This is where you start asking, "How do I choose a surrogacy agency?" And "Are surrogacy agencies worth it, or should we go independent?"

Second is the matching and screening phase. Once you choose a path, the clinic, agency, or attorney coordinates medical screening, psychological evaluation, and background checks. Surrogates in California must meet specific requirements: generally having had at least one prior uncomplicated pregnancy and delivery, being in good health, and being a non smoker with a stable lifestyle. Things that may disqualify someone from being a surrogate include certain chronic health conditions, untreated mental health issues, or lack of social support.

Third is the legal and medical preparation phase. Once a match seems right, lawyers on both sides draft and negotiate the gestational carrier agreement. At the same time, the fertility clinic finalizes protocols, medications, and timing for embryo transfer. Remember, the contract must be signed before the surrogate begins medications for the cycle.

Fourth is pregnancy and court proceedings. After embryo transfer, if pregnancy is established, the medical team follows regular obstetric care, usually with a Riverside based OB during the second and third trimesters. At about mid pregnancy, the intended parents' lawyer files for a pre birth order in Riverside County Superior Court (or another California county, depending on where the surrogate lives or will deliver). No one usually appears in person; the judge reviews the paperwork and signs the judgment if everything is in order.

Finally, birth and post birth follow through. When the baby is born, the hospital follows the court order for birth certificate information. The surrogate receives follow up care and any final compensation or reimbursements, and the intended parents begin life with their child as the legal parents from the first moments.



Southern California Surrogacy

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From the first consultation with an agency or lawyer to bringing home the baby, a full surrogacy journey often takes 15 to 24 months. A significant portion of that is waiting: waiting to be matched, waiting for screening results, waiting for a successful transfer, and of course, waiting through the pregnancy itself.

How long does it take to be matched with a surrogate?

In Riverside and neighboring counties, the matching timeline can vary widely. Ask any agency, "How long does it take to be matched with a surrogate?" And you will usually hear a range, not a promise.

For intended parents who are flexible about certain criteria such as surrogate location within California, number of embryos to transfer, and basic lifestyle preferences, matching can be as quick as three to six months after

completing screening and paperwork. For those with narrow preferences, it can take closer to a year or more.

From the surrogate's perspective, it is similar. When someone asks, "Can you choose who you are a surrogate for?" The answer is yes, within the reality of available matches. Agencies typically present profiles of intended parents, and surrogates may say yes or no based on their comfort with things like family structure, contact expectations, or geographic distance. That mutual choice helps create smoother journeys, which ultimately reduces legal and emotional conflict.

Agency vs independent surrogacy

A recurring question in Riverside legal consultations is, "What is the difference between an agency and independent surrogacy?" And, right behind it, "Are surrogacy agencies worth it?"

Agency surrogacy involves a third party organization that recruits and screens surrogates, coordinates medical and psychological evaluations, facilitates matching, and often helps manage communication, travel, and escrow or trust accounts for compensation. Intended parents pay agency fees for this coordination, which can range from roughly \$20,000 to \$40,000 or more, depending on the agency and services.

Independent surrogacy means the intended parents and surrogate connect without a full service agency. They may meet through personal networks, online communities, or more limited matching platforms. They still need a fertility clinic and lawyers, and often a separate escrow or trust company to handle funds. The overall cost can be lower without an agency fee, but the intended parents shoulder a lot more coordination.

For some families, an agency offers peace of mind and practical bandwidth. It can be especially valuable if you are out of state, if you and the surrogate are not local to each other, or if you want experienced staff to catch issues early. For others, especially if you already have a trusted person willing to be a surrogate, independent surrogacy may be the better fit. The important part is that, in either model, you still need proper contracts and court orders to answer the parentage question.

When people ask, "What should I look for in a surrogacy agency?" Or "How do I find a reputable surrogacy agency near me?" I suggest paying attention to three things in particular: transparency about finances, depth of experience with California surrogacy law, and how they treat surrogates day to day, not just in marketing materials.

A short checklist of questions to ask a surrogacy agency

When you sit down with agencies in Riverside or larger Southern California hubs, it helps to have a concrete set of questions. This is one of the few places a compact list is genuinely useful.

- How many surrogacy journeys has your agency completed in California, and how many in Riverside County specifically?
- What is included in your surrogacy agency fees, and what costs will we pay separately to the clinic, lawyers, and escrow company?
- How do you screen surrogates, and what are your minimum requirements to become a surrogate in California?
- How do you coordinate with attorneys to make sure pre birth orders are properly obtained, and what happens if a problem comes up with the court?
- What support do you provide to surrogates and intended parents during pregnancy and after birth, emotionally and logistically?

The way an agency answers those questions often tells you more than a glossy brochure ever will.

When people ask, "What is the best surrogacy agency in Riverside?" The honest answer is that there is no single best option for everyone. Some families prefer a boutique agency with intense hands on attention, while others appreciate a larger organization with multiple staff for different roles. The best choice is the one whose philosophy, transparency, and experience match your needs and risk tolerance.

Cost, compensation, and insurance in California surrogacy

Money is a sensitive but unavoidable topic. Intended parents in Riverside often arrive with a set of intertwined questions: "How much does surrogacy cost in California?", "How much does a surrogacy agency charge?", "How much do surrogates get paid in Riverside?", and "Are there financing options for surrogacy?"

Total surrogacy costs in California frequently land in the range of \$120,000 to \$200,000 or more. The wide range reflects variations in clinic fees, agency fees, surrogate compensation, legal fees, insurance, and the unpredictability of how many embryo transfers are needed.

Within that total, surrogacy agency fees, when you use an agency, are commonly in the tens of thousands of dollars. Ask specifically, "What is included in surrogacy agency fees?" Some agencies bundle in psychological evaluations, support groups, coordination of insurance reviews, and post birth support. Others mainly handle matching and some coordination, leaving you to arrange more services directly.

Surrogate base compensation in Riverside and other parts of Southern California averages in the mid five figures, with first time surrogates sometimes beginning around \$45,000 and experienced surrogates, or those carrying twins, earning significantly more. Additional payments usually cover invasive procedures, lost wages under certain circumstances, maternity clothing, and other pregnancy related needs. Agencies and attorneys structure these payments carefully so that they comply with California law and do not look like baby selling, which is illegal.

Insurance is one of the thorniest parts. When intended parents ask, "Is surrogacy covered by insurance in California?" The frustrating answer is, "Sometimes, partly, and it depends on the plan." Some health insurance policies explicitly exclude surrogacy. Others will cover pregnancy related care even when the pregnancy is for surrogacy. Still others cover the surrogate's prenatal care and delivery, but not the newborn's care if the newborn is not the policyholder's child. Intended parents often purchase additional insurance through specialized brokers to reduce exposure to massive NICU bills if the baby is born prematurely or with complications.

As for financing options, a few agencies and clinics work with lenders who offer fertility and surrogacy loans. Some families rely on a mix of savings, loans, help from extended family, or home equity. From a legal standpoint, how you finance the process matters less than making sure that any promises between family members are documented clearly enough not to interfere with the surrogacy contract and parentage orders.

Who can use a surrogate in California?

California law does not limit surrogacy to married, heterosexual couples. That is one reason intended parents from around the country and abroad look for surrogacy agencies in Riverside County and the broader region.

Single intended parents can absolutely use a surrogacy agency. Courts in Riverside routinely grant parentage orders listing a single intended mother or father when the arrangement meets statutory requirements. Same sex couples also use surrogacy in California, with both partners listed as parents in many cases, even when only one is genetically related. For male couples, egg donation is part of the medical plan, and parentage orders are crafted with that in mind.

There are some nuances when intended parents live outside the United States or plan for the child to have citizenship in another country. In those cases, you need lawyers who understand both California surrogacy law and the other country's parentage or citizenship rules. But from the perspective of Riverside County courts, the door is open to a wide variety of modern families.

Legal parentage at birth: how a pre birth order works

All of these pieces come together in the moment that matters most to families: the birth.

With a properly issued pre birth order, when the baby is born, the intended parents are the legal parents. Hospital staff in Riverside receive the order ahead of time. They know that the intended parents will be on the birth certificate, that they consent to medical care for the newborn, and that discharge will be to them, not to the surrogate.

In practical terms, this means:

The intended parents' names go directly onto the original birth certificate, even if neither is genetically related to the child. There is no need for a post birth adoption in most gestational surrogacy cases that follow California Family Code requirements.

The surrogate and, if applicable, her spouse or registered domestic partner, are expressly excluded as legal parents. They do not have an ongoing legal duty to support the child, and they do not have parental rights to custody or visitation, unless a separate agreement and court order is created later for some unusual reason.

If the intended parents are out of state or international, they still become the legal parents at birth for California purposes. They then work with their home state or country's system to have that status recognized, often with help from international family law counsel.

Occasionally, when a pre birth order cannot be obtained in time, lawyers seek a post birth parentage order. This can happen if the agreement did not fully comply with the statute, if there were delays in filing, or if someone is contesting something. In that case, there can be a temporary period where the surrogate appears on paperwork as the mother by default, and then the court later corrects it. Those are precisely the situations families want to avoid, and robust advance planning usually does.

Finding help in Riverside County

Riverside County is large, and families often ask, "Where can I find a surrogacy agency in Riverside?" And "Are there surrogacy agencies in Riverside County, or do we have to go to Los Angeles?"

There are agencies that either base operations in Riverside County or work frequently with local clinics and hospitals. There are also many agencies elsewhere in Southern California that routinely coordinate with Riverside area surrogates and intended parents. What matters more than a physical office location is their familiarity [Riverside Best Surrogacy Agencies](#) with Riverside courts, local OB practices, and nearby hospitals.

A practical approach is to interview a mix of local and regional agencies and attorneys. Ask each of them how many cases they have handled in Riverside County, what their experience has been with local judges on pre birth orders, and how they navigate the region's specific logistics, such as travel within the Inland Empire or coordination with particular hospitals.

Separately, every intended parent or surrogate should have their own attorney who practices in assisted reproduction law and is comfortable with California statutes. A general family law practitioner who mainly handles

divorce and custody can be an excellent lawyer, but still less prepared for the technicalities of surrogacy agreements and parentage petitions.

Bringing it back to the central question

By the time a surrogacy journey reaches delivery in Riverside, the question "Who are the legal parents in a surrogacy arrangement?" Should no longer feel hypothetical. If the process has been managed carefully, with a valid gestational surrogacy agreement, independent legal counsel, and a pre birth order in place, the answer is precise.

The intended parents are the legal parents from birth. The surrogate is not, even though she carried and delivered the baby. Her rights are protected through the contract, medical consent, and fair compensation, but parentage rests with the people who set out at the beginning to build their family through surrogacy.

The law cannot remove all emotion from that moment. It can, however, provide enough clarity that everyone involved can focus on what matters most: a safe pregnancy, a healthy delivery in a Riverside hospital, and a child who arrives into a legal and emotional structure that was thoughtfully built long before the first contraction.