Surrogacy struggle is the inspiration for this couple’s newly established fertility law business

From Pain to Passion

In this issue, we are profiling the surrogacy journey of parents Emily Dubin Field and Greggory Field and their gestational carrier, Melissa Fleck. Surrogacy was a life-changing experience, in more ways than one, for all three individuals.

Emily Dubin Field and Greggory Field never expected their road to parenthood would be so bumpy or take so long. Like many newly married couples, they were ready to start a family after buying their dream home, rescuing a dog, and feeling well established in their respective careers of nonprofit management and law.

After a year of trying the old-fashioned way, the couple began infertility treatment. They attempted everything reproductive medicine had to offer: medications, surgeries, intrauterine inseminations, and in vitro fertilization cycle after in vitro fertilization cycle. Nothing worked. They felt fortunate, however, to find a wonderfully compassionate fertility doctor in Dr. Ben-Ozer of the Tree of Life Center in Tarzana, CA.

Recalled Emily: “Nothing was working. Eventually our fertility doctor urged us to investigate other options, like adoption or surrogacy. Since we still wanted to use our three frozen embryos in storage, we decided to explore surrogacy. It took us awhile, however, to wrap our heads around the concept. I wondered how I could trust someone else to carry our baby.” Added Gregg: “So we decided to educate ourselves on the surrogacy process. We

About CSP
The Center for Surrogate Parenting, Inc. (CSP) is a world-renowned surrogate parenting program with offices in Encino, CA, and Annapolis, MD. CSP was established because we strongly believe that couples who are ready and willing to take on the responsibility of parenthood deserve that opportunity. Having a child with the help of a surrogate can be an exciting and fulfilling way to meet that need.

The surrogacy process allows a child to be biologically related to either one or both parents. It also gives the couple the opportunity to become involved in the pregnancy itself. And finally, since their child is conceived only because of their own existence, the true genesis of the child is its creation in the minds and hearts of the couple.
concluded that the end result – getting a baby – was what was important to us. If surrogacy did not work, we felt we then could move on to other steps, knowing we had done everything possible.”

Finding Their Team
Emily and Gregg interviewed three surrogacy agencies before deciding CSP was the right choice. They wanted an army of professionals and felt CSP, the largest, most established agency, could provide them with great connections. CSP staff made them feel more in control on a journey where the intended parents often don’t feel they have a lot of it.

CSP sent them the profile of first-time surrogate Melissa Fleck. The Fields knew immediately she was the right person to be their gestational carrier. In addition to the typical traits that make a potential surrogate attractive, such as Melissa’s full-term, uncomplicated pregnancies and living locally, Melissa’s and her husband’s relationship resonated with Emily and Gregg, who felt they had found kindred spirits.

After a successful match meeting where the two couples hit it off, they moved forward very quickly with the medical aspects of surrogacy. Melissa fortunately became pregnant after her first embryo transfer. Since the two couples lived near each other, Emily and Gregg were able to go to all of Melissa’s doctor appointments and support her during her pregnancy, while enjoying the experience as much as they could.

In addition to Melissa’s husband, the Fields also grew close to Melissa’s children. At the final appointment with their fertility specialist, Melissa was released to her OB/GYN. The event was a surrogacy family affair with Emily’s mother attending as well as Melissa’s children, a five-year-old boy and three-year-old girl. Dr. Ben-Ozer carefully explained to Liam, Melissa’s son, that his mother was not giving up a brother or sister, but rather helping Emily and Gregg to have a baby. Mentioned Emily: “Even though he was so young, the doctor talked to him in a language appropriate for his age. He was hilarious during the pregnancy, telling strangers that the baby was not theirs. He was so sweet and would kiss Melissa’s tummy every night.”

Surrogacy from the Intended Mother’s Perspective
For the intended mother who has longed to carry her own child but is unable to, surrogacy can be a roller coaster of emotions. She needs to have faith and trust in her surrogate while not driving herself crazy about things she cannot control. All of which is easier said than done.

“At it was hard not to have my guard up until we met Ava,’ said Emily. “Above all we worried about Melissa, the impact of the pregnancy on her family, and about her health and happiness throughout her journey. But what I lost in carrying Ava, we gained in our enduring friendship.”

Gregg continued: “Emily developed a wonderful relationship with Melissa. They would regularly connect with each other and Emily
often sent her gift certificates and other tokens of her immense appreciation. She even threw a shower for Melissa and her friends to show her appreciation.”

“A New Day Dawned With Ava’s Birth
Melissa went into labor on the 10-year anniversary of Emily’s father’s death. To the Fields, the birth of Ava, named in honor of him, signaled the birth of a new era, both literally and figuratively. Remembered Gregg: “The moment Emily saw Ava was so emotionally charged. Ava was born as midnight crossed over into a new day.”

In the year since Ava’s birth, Emily and Greggory have continued to honor Melissa and her unique place in their young family. Many of the photos in Ava’s nursery are of Melissa and her family. Melissa played a major role in Ava’s naming ceremony and birthday party, two events that recognized how Ava came to be because of Melissa’s special role as her surrogate mother.

Surrogacy Ambassadors
Emily has always been the type of person to learn from the experiences life has given her. After her father died, she channeled her sadness into helping others through grief counseling. With infertility and surrogacy, she and Gregg wanted to give back to others after they felt they had received so much. Described Gregg: ‘We felt so alone, with no one to talk to about surrogacy. We had to educate ourselves about the process because we did not know a soul who had gone through it. But soon, we became the go-to source to speak about this subject.”

“No that we have our miracle baby, we feel a deep calling to help. We took our professional backgrounds in relationship building, program management and the law into the realm of fertility law and consulting by creating our new business, Field Fertility.”

In addition to the Fields becoming ambassadors for the surrogacy field, Melissa too was able to make a big transition in her life: she is now working at the Center for Surrogate Parenting helping other women become surrogate mothers.

Intended parents, surrogate mothers and the surrogacy field are lucky to have all three of these passionate advocates working to help build more families via surrogacy.
Some may describe native Californian Melissa Fleck as a late bloomer to surrogacy. Unlike many surrogate mothers at CSP who dreamed about becoming a surrogate for years or who were influenced by a family member’s infertility struggle, the path to becoming a surrogate mother did not start for Melissa until after the birth of her second child, five-year-old Harper. After Harper’s birth, she and her husband, Kevin, decided their family was complete, but Melissa yearned to experience another pregnancy.

“Though my husband and I decided we didn’t want any more children, I had not come to terms with not being pregnant again. My brain said no more children for our family, but my heart and body didn’t understand,” recalled Melissa.

About a year later, Melissa mentioned to her husband that she was considering surrogacy. Though at first her comment was meant lightheartedly, Melissa couldn’t stop thinking that surrogacy might be what she was looking for. She had never met anyone who had been a gestational carrier, so there were a lot of unknowns, especially for her husband. He wanted to know all its downsides and negative aspects. So Melissa started researching online. She found that all the ‘horror’ stories about surrogacy occurred when couples and surrogates did not use a reputable agency. But the vast majority of what she learned was positive and focused on the beauty of the process.

Nonetheless, her husband was very hesitant about moving forward and asked Melissa to wait at least six months before making a final decision. But the wait did not lessen Melissa’s enthusiasm for proceeding. When it was over, she applied to the Center for Surrogacy Parenting. She felt that choosing an already established agency with a global clientele like CSP would guarantee her the best chance for success and a rewarding experience.

Finding a Local Couple in Her Backyard
Once she applied, Melissa’s journey progressed swiftly and smoothly. Within two months of her signing with CSP, Melissa and her husband “hit it off” at their match meeting with Emily and Gregg Field. Melissa became pregnant with a baby girl after their first embryo transfer. Because the couples lived close to each other, Emily and/or Gregg were able to make all of Melissa’s doctor appointments and she was able to see first-hand how they reacted to all the happy news of the pregnancy’s healthy progression.

For everyone, the emotional turning point was the delivery and Melissa’s handing over of newborn Ava to Emily and Gregg. Afterwards, the new parents were able to get their own room where they had alone time to bond with the baby as well as establish skin-to-skin contact.
Lifelong Bond
Emily and Gregg have kept Melissa and her family in the loop about Ava’s growth and progress. They send photographs and videos and meet frequently for social occasions. Melissa is Auntie Melissa and her husband is Uncle Kevin. Kevin, once uncertain about how surrogacy would affect his wife, has since become an enthusiastic supporter.

Emily and Gregg also keep pictures of Melissa in Ava’s nursery and are committed to making sure Ava knows Melissa’s role in her life. They also have given Melissa important roles in milestones like her ‘baby naming,’ a custom in the Jewish faith for baby girls. Describes Melissa: “The importance of our ongoing relationship has been both a surprise and a pleasure. At the beginning, I thought I was going to do this great thing and then move on. But the whole process has been unbelievably life changing, which has been the most unexpected part of my journey. Emily and Gregg have been incredible in demonstrating how much they value me.”

Melissa had worked in the medical device industry for many years, working her way up to sales supervisor. When her company moved to Texas, she had the opportunity to stay home with her children for several years. But when she decided to return to the corporate life in a similar position, she realized this environment was no longer right for her. “I was drowning professionally and stretched too thin at home. I needed more balance,” says Melissa.

Coincidentally she mentioned this to Emily, who encouraged her to let others know what she needed in her life, i.e., to put her dreams out in the universe. Sure enough and out of the blue, Melissa’s previous coordinator at CSP contacted her about an open position as a surrogacy coordinator. The rest – as they say – is history and Melissa was hired by the agency she had entrusted for her surrogacy journey.

In her new position, Melissa speaks to surrogacy candidates after they already have completed several of the steps in their application process. She always encourages them to understand what brought the intended parents to CSP, as well as all the hardship they have experienced. She advises them that being empathetic and understanding can help the surrogacy relationship go much smoother.

As Melissa describes, her surrogacy journey has brought her full circle to CSP: “I thought I would be a one and done surrogate. I was going to complete my journey and then it would be behind me. However, surrogacy became such a big part of my life that I didn’t want my involvement with it to end. Now, I have the opportunity to share my story and help other women have the same type of incredible experience.”

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Lila Seif, J.D., of Vorzimer Masserman
A Member of the Independent Legal Team

To ensure the surrogacy journey is a positive one for both intended parents and surrogate mothers, the Center for Surrogate Parenting works with one of the most experienced assisted reproductive legal firms in the field, Vorzimer Masserman.

In this issue of our newsletter, we would like to introduce you to Lila Seif, an associate who plays a vital role in coordinating a smooth legal process for our clients.

In the next issue, we will feature her colleague, Ms. Amani Hassoun, who focuses on the legal aspects of health insurance coverage.

Lila Seif, J.D.: Getting Everyone on the Same Page

Before she attended law school, attorney Lila M. Seif explored becoming a psychologist as an undergraduate at the University of California, Los Angeles (UCLA). But, she was also interested in law as a way to help others, so while attending UCLA, she worked as a legal assistant to a fertility attorney, which she found very rewarding. These two experiences led her to working at Vorzimer Masserman, where she has been employed since August 2015. There, she has found the perfect professional combination: using her legal skills while helping clients build their family through surrogacy.

“My early work as a legal assistant cemented my desire to pursue fertility law. Personally, I’ve always known that I want to become a mother one day, so knowing I can help others achieve parenthood was the avenue I wanted to pursue in the law.”

Representing Intended Parents, Lila drafts and finalizes intended parents’ surrogacy contracts alongside firm principal Andy Vorzimer. She negotiates with the surrogate’s attorney and collaborates with CSP on any issues that arise and which may be addressed in the contract.

After contracts have been finalized and while the surrogate mother is pregnant, Lila starts working on the finalization of parental rights: “We draft the court documents, and when necessary, I appear in court to obtain the judgment that declares the intended parents as the legal parents of the child, before birth. Also, as much as possible, we guide intended parents through the process of obtaining other necessary documents, such as birth certificates and passports for the child. My colleague Amani Hassoun handles any insurance issues. As a firm, we offer services from A to Z and we are by the intended parents’ sides from the time the match is finalized until they go home with their babies, and even beyond!”

Helping All Parties Get on the Same Page

An important aspect of Lila’s work includes making sure that all parties – intended parents and surrogate mothers – are on the same page with crucial issues. This can include deciding on how many embryos to transfer, the maximum number of babies the surrogate feels comfortable carrying, considerations about the possibility of selective reduction of embryos, and/or expectations about medical care, to name some of the sticking points of a negotiation. In addition, the contract can include guidelines
for general contact between the parties during the pregnancy, as well as postpartum, after the delivery of the child (children).

“I want to ensure that everyone is clear about all terms and obligations in the contract,” explains Lila. “It is important that all issues be discussed before a pregnancy is achieved.”

Trust is one of the most important pieces of advice Lila imparts to prospective parents. She encourages them to establish a good relationship with their surrogate mother and to have faith that CSP has found them an excellent candidate and has not cut corners.

Lila also counsels them to review the contract carefully, which is often as long as 30 pages and includes many pages of exhibits. They should ask questions and make sure they understand everything, especially if there is an expectation for the surrogate that should be in the contract. Conversely, surrogates also need to understand their contracts and obtain good legal representation. In addition, international clients need to consult with a local attorney in their home country so they can establish their parental rights there.

Though negotiating and finalizing contracts is challenging, Lila feels she is working in one of the most rewarding fields of law: “There is always a time crunch because intended parents want the contract to be negotiated as soon as possible, and we pride ourselves on finalizing contracts swiftly, without compromising our quality of work or the parties’ understanding of the terms and issues,” explains Lila. “There is nothing better than when we learn our clients have achieved their dreams, especially when clients stay in touch and share photos of their beautiful children. All of us here at Vorzimer Masserman are so lucky to have these opportunities.”

**About Lila Seif, J.D.**

Lila M. Seif is an attorney licensed to practice law in California. She obtained her Bachelor of Arts degree in Psychology from the University of California, Los Angeles (UCLA) and her Juris Doctorate from Southwestern Law School (Southwestern).

Before joining Vorzimer Masserman, Lila worked in the fields of adoption and fertility law. Prior to that, she worked for the State Bar of California where she was a significant part of the important task of regulating attorney licenses. She gained utmost respect for the trust clients place upon their attorneys and the issues clients face in relying upon counsel to protect their interests. Her experience has made Lila an approachable and likeable attorney who maintains the highest ethical standards.