What is the Gestational Carrier Contract (GC Contract)?

The Gestational Carrier Contract is the agreement between the gestational carrier (GC) & her spouse (if she's married) and the intended parents. The contract acts as a roadmap for the surrogacy journey, and a statement of rights and obligations between and among the parties.

The contract will serve as the basis for the legal relationship between the parties who are coming together to bring the intended parent(s)' child(ren) into the world by way of gestational surrogacy.

Surrogate submits her compensation request to the agency.

The agency and/or attorney drafts the initial contract.





The intended parents have the opportunity to discuss the initial draft with their agency and attorney. Once the intended parents approve the initial draft, it's sent to the surrogate's lawyer for review with the surrogate.

The surrogate's attorney then sends back the contract with requested revisions and/or edits.

The intended parents are given the GC Contract with the surrogate's revisions for review. They will have an opportunity to discuss these revisions with their agency and/or attorney.







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Once the intended parents have reviewed the GC Contract, they have either accepted the changes, or accepted some of the changes and requested some further revisions.

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This version of the contract is then sent to the surrogate's attorney. The contract is usually finalized at this stage. Occasionally, the contract may go back and forth one more time with some revisions but the essential terms are done and agreed to by this point.

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The GC Contract is then put into a final form for execution by all parties.



The agency and/or attorney will follow up to make sure the contract is correctly signed and escrow is fully funded, in which legal clearance is sent to the IVF clinic.





Once legal clearance is sent to the IVF clinic, the clinic will set up the medical calendar for the surrogate that will lead to the embryo transfer.

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