

## Step-Parent Adoption

### Useful Address

#### The Adoption Board

Shelbourne House  
Shelbourne Road  
Dublin 4  
Tel: 01 - 2309300

[www.adoptionboard.ie](http://www.adoptionboard.ie)

E-mail: [adoptioninfo@health.irlgov.ie](mailto:adoptioninfo@health.irlgov.ie)

#### Barnardos Adoption Advice Service

Hyde Square  
654 South Circular Road  
Dublin 8  
Tel: 01 - 454 6388  
Tuesday and Thursday: 10am - 2pm  
[www.barnardos.ie](http://www.barnardos.ie)  
E-mail: [adoption@barnardos.ie](mailto:adoption@barnardos.ie)

treoir

14 Gandon House, IFSC, Dublin 1.

LoCall: 1890 252 084

Telephone: 01 6700 120  
E-mail: [info@treoir.ie](mailto:info@treoir.ie)  
[www.treoir.ie](http://www.treoir.ie)

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LoCall: 1890 252 084



# Step-Parent Adoption

## Introduction

Where a woman has a child outside marriage and goes on to marry a man who is not the father of her child there can often be a strong desire to establish a legal link between her husband and her child. The only way of doing this in Ireland is for the child to be adopted by the married couple. They will then both become adoptive parents of the child. This is called step-parent adoption.

This means that

- the biological mother becomes the adoptive mother of her own child
- the step-father becomes the adoptive father with all the rights and responsibilities to the child as if the child had been born into the marriage
- the family can all have the same surname
- the biological father has no further rights or responsibilities to the child and will have no possibility of getting rights in the future.

The child will have a certificate which is a copy of the entry in the Adopted Children's Register. This will replace the long form birth certificate. The short form birth certificate will not show that the child is adopted.

## Reasons for step-parent adoption

For a child, the fact that s/he has been adopted shows the commitment of the adoptive father to the child and his willingness to take on responsibility for her/him. Adoption can also give a child a sense of security in the family unit.

The adoption creates a legal family unit with constitutional protection as if the child had been born into that family unit.

Adoption gives full parental rights and responsibilities to the adoptive father and this is especially important in the event of the death of the mother.

## Other aspects of step-parent adoption

Adoption completely severs all legal links between the child and her/his birth father. This means that following the adoption the birth father has no legal right to have contact with his child. The adoptive parents may agree that the father can stay in touch but if this agreement breaks down he cannot go to court to look for access.



Adoption changes the identity of the child and obscures her/his birth details. Children need to know the truth about themselves. They need to know who they are, where they came from and where they fit in. Where a child is in a family with a father who is not his/her birth father, it is important that this fact is acknowledged and that opportunities are found to discuss these issues with the child in an open and honest manner. Even if a child has had no contact with the birth father it is good for the child to know about him.

## How to apply for adoption

Apply directly to the Adoption Board at the address overleaf. If the Adoption Board is satisfied that adoption is appropriate and that all legal requirements are met then the adoption order will be granted.

In order to determine if adoption is appropriate a social worker from the Adoption Board will make a number of visits to the family home. This is to ensure that the child and the step-father are bonding well. Children aged seven and over will be consulted before an adoption order is made. The social worker will want to talk to younger children to ensure that they understand what is happening.

## The birth father

Birth fathers are **consulted**, if possible, about the adoption of their children even if they are not joint guardians of their children. If there are compelling reasons for not contacting the father, the Adoption Board may accept a sworn affidavit from the mother to that effect. There may be some changes to this if the Adoption Bill 2009 becomes law.

Where the child's birth father is a legal guardian (either through a Statutory Declaration or a Court Order) his **consent** to the adoption is required. If the father has applied to the court to become a guardian then the adoption proceedings are put on hold until the outcome of the court hearing for guardianship.