

Adoption in Ireland today

for birth parents considering adoption

This is the second booklet in a
series of three for birth parents
considering adoption

Funded by
crisispregnancyagency



This booklet focuses on infant adoption.
For information on step-parent adoption and family adoption contact the Adoption Board on 01 230 9300 or go to www.adoptionboard.ie.

Booklets in this series:

Introduction to adoption for birth parents

- available in English in print and in Latvian, Lithuanian, Mandarin Chinese, Polish and Romanian on www.treoir.ie/publications/html

Adoption in Ireland today for birth parents considering adoption

Workbook for parents in the adoption process

To get copies of the booklets

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Introduction

to the adoption process

This booklet is for parents who are seriously considering placing their babies for adoption. It may also be useful for professionals working with these parents.

To make reading this booklet easier we are using 'he' and 'him' for the baby.

What is adoption?

Adoption is a legal process that allows a parent (usually the mother) to place her baby with another family permanently. It ends the legal relationship between the mother, the father if he is a guardian, and their baby and marks the beginning of a new and legal relationship between a baby and his adoptive parents. A baby becomes a member of the adoptive family as if he was born into that family.

Why would I think about placing my baby for adoption?

Having thought about all your different choices, you may believe that having your baby adopted will result in a better life for your baby.

Who arranges adoptions?

Adoption is carried out through adoption agencies that are registered and approved by the Adoption Board. It is very carefully regulated. Social workers in these agencies thoroughly assess the adoptive parents, not just for their ability to provide a loving home for a child but also for their willingness to share information about the birth parents with the baby as he grows up. Throughout the adoption process, a social worker will work with and support you, the parent(s), and a different social worker will work with the adoptive parents.

It is illegal in Ireland to place a baby directly with another family for adoption unless it is with a close member of the family (a grandparent, brother, sister, uncle or aunt of the baby). In these cases the member of the family adopting the baby must apply directly to the Adoption Board for an adoption order.

Who makes the adoption legal?

The Adoption Board (Authority) is the government agency that regulates the adoption process and grants adoption orders.

Who can place a baby for adoption?

- A mother who is not married to the father of her baby, whatever her nationality, can place her baby for adoption in Ireland. The baby must be living in Ireland.
- A married mother can only place her baby for adoption if her baby is not her husband's baby.
- In exceptional circumstances other legal guardians can place babies for adoption. Check with the Adoption Board.

Has the father any rights in terms of the adoption?

All fathers, even if they are not legal guardians of their children, have a right to be told about and asked for their views on the adoption. See page 9.

If the father is a legal guardian, his consent to the adoption is needed.

How long does the whole adoption process take?

The amount of time an adoption takes depends on what issues may arise during the process. For example, it may take some time to find the father if he has changed address. Children are usually placed with the prospective adoptive parents between the ages of 3 and 6 months. Adoption orders are usually made within 6 to 14 months after the baby is placed with the prospective adoptive parents.

Will anyone else be contacted about the adoption?

If you are over 18, usually no one else, apart from the father, needs to be contacted about the adoption. If you are under 18, you should speak to the social worker from the adoption agency as s/ he may need to contact your parents or guardians in certain circumstances.

How much does it cost?

Adoption services in Ireland are free to everyone.

You will be fully supported throughout the adoption process by the adoption social worker. Support may also be available from crisis pregnancy counsellors, hospital social workers and Health Service Executive social workers.

Steps

if you are thinking about adoption

It is useful to be in touch with an adoption agency as early as possible in your pregnancy. A crisis pregnancy counsellor (see page 16) or a hospital social worker can refer you or you can contact an adoption agency directly yourself - see page 17.

The social worker in the adoption agency will help you understand the legal side of adoption and will encourage you to explore your thoughts and feelings about the adoption and the reasons why you are thinking of placing your baby for adoption.

No matter how late in your pregnancy you contact the adoption agency, they will provide you with a full and professional adoption service if you are thinking of placing your baby for adoption.

Medical care during pregnancy

It is important to receive medical care as early as possible in your pregnancy. If you are thinking about adoption, it is also important to contact the social worker in the hospital as soon as possible in the pregnancy so that she can support you and help work out how you and your baby can be cared for in the hospital. If there is no social worker available in the hospital, you can talk to the midwife or doctor about what you want. They will help you plan for your stay in hospital when your baby is born.

Hospital staff are highly trained and are familiar with dealing with the wide range of circumstances that can arise during a pregnancy. If you haven't told anyone about your pregnancy the hospital staff will respect your request for confidentiality and will provide you with the care and support you need. Your wellbeing and that of your baby is their primary concern.

Before your baby is born

Adoption takes a number of months, so there is plenty of time to explore the issues and possibilities before you sign all the documents and the adoption is complete. It is important that you are sure that adoption is the best decision for you and your baby before you agree to place him with an adoptive family.

The decision to place your baby for adoption is for parents alone. The social worker in the adoption agency will not influence your decision in any way, but will support you in whatever decision you make. However, it is useful to remember that it is better for your baby if you do not wait too long in making a final decision about his future.

Having talked through all the possibilities, you may decide that adoption is not the best choice for you and your baby. In that case the social worker will tell you where you can get support to help you bring up your baby.

What happens after your baby is born?

After your baby is born, if you have already contacted an adoption agency the social worker from that agency will visit you in hospital to discuss further your feelings and plans. If you have not already contacted an adoption agency, let the social worker or another member of the hospital staff know, and they will put you in touch with an adoption agency.

You will be encouraged to see and care for your baby while in hospital. The idea is that this will help you make an informed decision that is best for you and your baby.

As you are your baby's guardian, you will be involved in all aspects of your baby's care in hospital, for example, medical treatment, the date your baby leaves hospital and so on.

Who registers your baby's birth?

The law says that the parents must register their baby's birth. It is usually the mother who does this. Each hospital

has a member of staff who will tell you how and where to register your baby's birth. You will have to choose a name for your baby. It is important for children and recommended for children's sense of identity that the names of both parents are on the birth cert. If a father's name is on the birth certificate this does not give him any legal or guardianship rights in respect of your baby.

Leaving the hospital and foster care

If, when you leave hospital, you are still thinking about adoption, your baby can be placed directly from the hospital into temporary foster care with a family who will care for him in the short term. You will be encouraged to go with the social worker to place your baby with the foster family. You will also be encouraged to visit him in foster care.

It is also possible for you to take your baby home from the hospital while you continue to explore your choices.

When your baby goes to foster care, you will be asked to sign some forms. One of these forms gives your consent for your baby to be fostered and other forms allow for any medical treatment your baby may need while he is in foster care. These are not adoption forms. You are still your baby's legal guardian and any major decision about your baby will need your consent.

Steps

if you are going ahead with adoption

There is a legal process which must be followed in adoption.

The social worker in the adoption agency will guide you through this. S/he can also offer counselling and support during this time. It is important that you stay in touch with the social worker throughout the adoption process.

Initial consent to the adoption

Mothers

At some point within a few weeks or months after the birth of your baby, when you feel you are sure about your decision to have your baby adopted, you will be asked to sign the initial consent form. This form, which is called a 'Form 10' gives your consent to the agency to place your baby for adoption. The adoption social worker must witness you signing this form.

While your baby is still in temporary foster care and has not yet moved to the adoptive family, you can withdraw your initial

consent to the adoption and have your baby returned to you at any time.

Fathers who are not legal guardians

If you are not a legal guardian of your baby, the adoption agency social worker must make every effort to try and find out your views on the proposed adoption.

If you agree with the proposed adoption, you will be asked to sign a form saying whether or not you want to be heard by the Adoption Board about the proposed adoption.

If you do not want your baby adopted, you may need to get legal advice as you may have to go to court.

If the mother knows you are the father but refuses to identify you to the adoption agency, the social worker will talk to her about the difficulties which could arise when having your baby adopted, for example, the adoption could be delayed or overturned at a later date.

If the mother

- has no way of contacting the father
- does not know who the father is
- feels in her particular circumstances that it would not be a good idea for her or the adoption agency to contact the father

the adoption agency will ask for the approval of the Adoption Board to place the

baby with the prospective adoptive parents without consulting the father.

The Adoption Board will only agree to the placement of your baby with the prospective adopters if it is satisfied that every effort has been made to contact you and find out your views on the adoption.

Fathers who are legal guardians

Only if you are a legal guardian of your baby is your consent needed for the adoption. If you agree with the adoption, you must sign the initial consent form (Form 10) at this stage in order for the adoption to go ahead. A father becomes a legal guardian either by signing a joint guardianship consent form with the mother or by applying for and getting joint guardianship rights in the local district court. A legal guardian has a right to make decisions about important areas in the child's life.

Background information

If you continue with the adoption, both parents will need to give as much information as possible to the social worker about themselves and their families, for example, talents, skills, characteristics, family history and so on.

You can also give information on why you are placing your baby for adoption. All this is very important information for your baby and will also help the adoptive parents when telling your baby about you and why you placed him for adoption. This information will be given to the prospective adoptive parents to share with your baby at a later date.

You will be encouraged to write a letter for your baby to have in the future. You can also

leave photos or a gift which will be given to the prospective adoptive parents for your baby.

Medical history

It is very important for your baby's adoptive parents to have a detailed medical history on both parents in case your baby needs medical treatment at any time in the future.

Choosing the adoptive family

All families applying to adopt a baby have to prove to the adoption agency that they are suitable to be an adoptive family and that they can give a child a secure and loving family home. Each adoptive family goes through a thorough and careful assessment process with the adoption agency to check not just their ability to provide a loving home for a child but also their ability to share information about you as your child grows up.

You will be encouraged to be involved with the adoption agency in choosing a family for your baby. The social worker will discuss with you the kind of family in which you want your baby to grow up. You may have strong feelings about religion, cultural background, whether there are other children in the family, the interests of the adoptive parents and what kind of contact you would like to have with your baby.

The adoption agency will give you information on a number of couples and their families. If you wish you can meet the prospective adoptive parents as part of the selection process before your baby is placed with them. You may also be able to meet the social worker who assessed the couples for adoption and they will answer any questions you may have.

Your baby's placement with his new family

Before your baby is moved from the foster home, the prospective adoptive parents will visit him there. They can also bring your baby to their home a number of times before your baby goes to live with them permanently. Visiting allows your baby to get to know his new parents before the move, and also allows the adoptive parents to get to know your baby's routine. This allows them to start to care for your baby, which will help develop a strong bond between them. As a result, your baby will feel secure in his new home with his new parents. Babies are usually placed with the adoptive parents between the ages of 3 and 6 months but sometimes there can be delays in the adoption process and they will be older.

After you have signed the initial consent form (Form 10), and you are ready for this step, your baby will be moved to the prospective adoptive parents after the Adoption Board has agreed to the placement.

Can I get my baby back?

Once your baby is with the adoptive family, if you ask to have your baby back, it is possible that the prospective adoptive parents may refuse to return your baby, particularly if your baby has been with them for some time and has settled in well. You may have to apply to the High Court where the court will decide who will bring up your baby based on what is in the baby's best interest.

Applying for the adoption order

Once your baby has settled in with his prospective adoptive parents, and with

the agreement of the adoption agency, the adoptive parents will apply to the Adoption Board for an adoption order.

An adoption order will normally not be made until your baby has been with the adoptive parents for at least 6 months. Social workers from the adoption agency, as well as from the Adoption Board, will visit your baby in his new home before the adoption order is made to make sure that he is being well cared for and has bonded with his new family.

Final consent to the adoption

Mothers and fathers who are guardians

When the prospective adoptive parents apply for an adoption order, you will be asked to sign the final consent form (Form 4a/3a). This form gives your consent to the Adoption Board to make the adoption order. Before signing this form you will be interviewed by an 'authorised person' appointed by the Adoption Board who will make sure that you fully understand the effect of the adoption. (The authorised person is someone appointed by the Adoption Board to help you understand the whole process.) S/he will fill in a form called a 'questionnaire affidavit' with you, making sure you fully understand what the adoption means - that it is transferring all your legal rights and responsibilities to your baby from you to the adoptive parents. S/he will also make sure that you are not under any pressure from anyone to place your baby for adoption.

You will then be asked to sign the actual final consent form (Form 4a/3a). This form must be witnessed (signed) by a commissioner for oaths. This is a person who is legally authorised to sign documents to show that

the signature on the document is genuine.

If you do not sign the final consent form, but you have already signed the initial consent form, the adoptive parents may apply to the High Court to ask the Judge to allow them to adopt your baby without your signed, final consent. The court will decide if the adoption can be completed based on what is best for the baby. It is important to remember that it is not good for babies to be left in a situation where their futures are uncertain.

Can I change my mind?

Even if you have signed the final consent form, you can ask to have your baby back up until the point when the adoption order is made. However, the prospective adoptive parents could refuse to hand your baby back and you would then have to apply to the High Court to have your baby returned to you. The High Court will decide whether your baby stays with the adoptive parents or is returned to your care based on what is best for your baby.

Making the adoption order

When the Adoption Board is satisfied that everything is in order, it will make the adoption order. This means that your baby is now legally the baby of the adoptive parents. All rights and responsibilities for your baby are transferred to the adoptive parents permanently. This is the end of the legal adoption process.

An adoption certificate will be issued to the adoptive parents which names them as your baby's adoptive parents. The child will then use the adoption certificate in the future and it has the same function as an original birth certificate. The original birth record

will only be available by an order of the court or the Adoption Board.

As long as everything has been done correctly and the adoption order has been made, it is not possible to get your baby back.

Feelings after the adoption

You can experience a range of feelings when you part with your baby – loss, grief, sadness, guilt, anger, anxiety, loneliness and relief. All these feelings are normal.

The losses associated with adoption affect people in different ways. Some of the losses that you may feel are a general loss of a future together, loss of the parenting role, not being there to see the first step, first day at school and so on. Often you may feel like you are grieving as if your baby had died.

Remember that grief is a positive response to a loss as it allows you to come to terms with the loss. It is a normal process that helps you realise that what has happened is real. It also helps you to cope with the loss as part of your daily life. Grief can also cause physical symptoms such as not being able to sleep, not wanting to eat and feeling aches and pains.

There is no easy way around the grieving process. It is important to remember that everyone goes through it in their own way and in their own time. Having the opportunity to express your feelings and receive good support is an important part of the grieving process. Support from friends and family can be particularly helpful. Your adoption social worker or post adoption support services will be available to offer ongoing support and counselling after the adoption.

Contact

between those involved in the adoption

In the past, secrecy surrounded the adoption process. Now many parents who place their children for adoption want to receive information from time to time to see how their children are getting on. Current research (from *Safeguarding the Rights and Wellbeing of Birthparents in the Adoption Process*, 2006, Evan B. Donaldson Adoption Institute, New York) suggests that some parents feel that a 'clean break' would be easiest for them to cope with. Others feel that living with the uncertainty of not knowing what became of their children can be the most difficult factor for parents to cope with. Receiving information about their children may help to bring them peace of mind. Where birth parents choose the adoptive family and have continuing contact (open or semi-open adoption) or receive information about the child, it can result in lower levels of grief, regret and worry along with more peace of mind with their decision.

There are 2 choices in having contact following adoption:

Open adoption

Open adoption involves face-to-face contact between you, the child and the adoptive family. This can take place with the support of the adoption agency or you can agree it yourself with the adoptive parents.

Semi-open adoption

Semi-open adoption (or 'letterbox' contact) is where you can share information and letters through the social worker in the adoption agency. There is no face-to-face contact between you, the child and the adoptive parents.

Any contact arrangements made between both sets of parents are not part of the legal adoption process. If anyone changes their mind about the arrangements the contact cannot be legally enforced.

Closed adoption

Closed adoption is where there is no contact at all between you and the adoptive family.

If you have chosen a closed adoption and change your mind later on, you can get in touch with the adoption agency to see if you can arrange contact with the adoptive family.

What happens after the adoption?

All adoption agencies provide a post-adoption service because they know that adoption is a life-long process. They welcome you getting in touch at any stage in the future for support, advice and counselling.

You can also get support and counselling from a crisis pregnancy counsellor following the adoption.

It is important for you to keep your address details and phone number up to date in the adoption agency so that the agency can contact you at any time in the future if it needs to.

An adopted child under 18 can, together with his adoptive parents, contact the adoption agency which arranged the adoption for information, support and counselling.

Contact in later years

When your child reaches the age of 18 years both you and he can request contact with each other through the adoption agency which arranged the adoption or through the Adoption Board's Information and Tracing Service.

You can also apply to join the Adoption Board's **National Adoption Contact Preference Register**. This Register was created to make it easier for adopted people and their birth families to contact each other where this is what they both want. The Register allows you to choose what level of contact you wish to have. There is an option for you to have no contact with your child if that is your wish, or for your child not to have contact with you if that is what s/he wishes. Contact through the Register will only be made where both you and your child register. If an adopted person and a birth parent are matched on the Register, they will be referred to the adoption agency for support, counselling and mediation. Your details will not be given to anyone else without your permission. You must be 18 years of age or over for your name to be entered in the Register.

After reading this booklet you may feel that the whole process of adoption is overwhelming. If you make the decision to place your baby for adoption, you will have someone with you every step of the way. Adoption services in Ireland are very well regulated and controlled. Everyone takes care to provide the best possible service to birth parents, adoptive parents and, above all, children.

For a list of crisis pregnancy counselling and adoption agencies and services, see pages 16 to 17.

Useful contacts

Adoption Board/ Authority

Dublin 4

01 2309300

adoptioninfo@health.irlgov.ie

www.adoptionboard.ie

The Adoption Board is the government agency which regulates the adoption process and grants adoption orders.

Crisis pregnancy counselling agencies

Free, non-judgemental and trustworthy crisis pregnancy counselling

Ballinasloe Crisis Pregnancy Support Service

Callsave 1850 200 600

ballinasloeeps@hse.ie

Cura

Callsave 1850 622 626

curacares@cura.ie

www.cura.ie

Dublin Well Woman Centre

Lower Liffey Street: 01 872 8051

Ballsbridge: 01 660 9860

Coolock: 01 848 4511

info@wellwomancentre.ie

www.wellwomancentre.ie/
pregnancy.html

Femplus Clinic

Dublin 15

01 821 0999

info@femplus.ie

www.femplus.ie

Irish Family Planning Association

Callsave 1850 49 50 51

post@ifpa.ie

www.ifpa.ie/eng/pregnancy-
counselling

Kerry Crisis Pregnancy Counselling Service

Family Planning and Women's
Health Clinic, Tralee

066 712 5322

tftp@eircom.net

Kerry Counselling Centre,

Tralee

066 712 2931

kerrycounsellingcentre@

hotmail.com

www.kerrycounsellingcentre.ie

South West Counselling

Centre, Killarney

064 6636416

info@southwestcounselling.ie

www.southwestcounselling.ie

Life Pregnancy Care

Callsave 1850 281 281

lifenational@eircom.net

www.life.ie

Text 086 663 8253

Mayo Pregnancy Support and Counselling Service

LoCall 1890 20 00 22

mayopsc@hse.ie

Midlands Crisis Pregnancy Counselling Service

Freephone 1800 20 08 57

crisispregnancy.counselling@

hse.ie

One Family

LoCall 1890 66 22 12

info@onefamily.ie

www.onefamily.ie

Pact

Dublin 14

Callsave 1850 67 33 33

info@pact.ie

www.pact.ie

Sexual Health Centre, Cork

021 427 6676

info@sexualhealthcentre.com

www.sexualhealthcentre.com

*West Cork Crisis Pregnancy
Counselling Service*
LoCall 1890 252 359
wccss@eircom.net

Youth Health Service, Cork
021 422 0490/1
yhs@hse.ie

Registered adoption agencies

*Professional agencies
registered by the Adoption
Board to arrange adoptions*

Cúnamh
Dublin 2
01 677 9664
info@cunamh.com
www.cunamh.com

Pact
Dublin 14
Callsave 1850 67 33 33
info@pact.ie
www.pact.ie

*St Catherine's Adoption
Society*
Co Clare
065 6828 178
info@clarecare.ie
www.clarecare.ie/adoption.
html

St Mura's Adoption Society
Co Donegal
074 9122 047
stmuras@eircom.net

Health Service Executive Adoption Services

Local adoption offices

Website: http://www.hse.ie/eng/Find_a_service/Children_and_Family_Services/Adoption_and_Tracing/

Cork
021 4858 650

Donegal
074 9122 047

Dublin, Kildare, Wicklow
01 8387 122

Galway
091 548 430

Kerry
066 719 5628

Laois, Offaly
057 9370 700

Limerick, Clare,
061 206 820

Longford
043 3350 783

*Louth, Meath, Cavan,
Monaghan*
041 983 2963

Mayo
094 904 2511

Roscommon
090 6637 578

Sligo, Leitrim
071 9136 550

*Waterford, Wexford,
Kilkenny, Carlow, Tipperary*
051 8600 48

Westmeath
043 3350 584

Information for unmarried parents who are keeping their children

Treoir
The National Information
Service for parents who are
not married to each other

LoCall 1890 252 084
info@treoir.ie
www.treoir.ie

Produced by representatives of

Ballinasloe Crisis Pregnancy Support Service, Coombe Women & Infants University Hospital, Cúnamh, Health Service Executive Regional Adoption Service North East, Mayo Crisis Pregnancy Support Service, National Maternity Hospital, Pact, Rotunda Hospital, Treoir and University Hospital Galway.

Disclaimer

While every effort has been made to ensure that the information is accurate, no responsibility can be accepted by the network of organisations which produced this booklet for any error or omission. There is no substitute for seeking information directly from the Adoption Board or an adoption agency. The information in this booklet is not to be considered legal advice.

Funded by the Crisis Pregnancy Agency

The Crisis Pregnancy Agency is a statutory body set up to formulate and implement a strategy to address the issue of crisis pregnancy in Ireland. The Agency's second Strategy, *Leading an integrated approach to reducing crisis pregnancy 2007-2011* outlines seven strategic priorities.

This resource has been funded as part of the Agency's fifth priority, which aims to 'improve the range and nature of supports central to making continuation of pregnancy more attractive and ensure that women, their partners and families are fully informed about these supports.' For further information on the Agency, visit www.crisispregnancy.ie.

The opinions and views outlined in this document are not necessarily the opinions and views of the Crisis Pregnancy Agency.

 **Coombe Women & Infants University Hospital**
Cúramh na Mairbh agus na Mairbh agus na Mairbh
Caring for Women and Children

Cúnamh 

**The Rotunda
Hospital**
Dublin


Heilmeannacht na Seirbhíse Sláinte
Health Service Executive



**National
Maternity
Hospital**

Pact 
ceirnic pailiúnta na mairbh

The National Federation of Societies for
Unmarried Parents and their Children


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