

The formation of an adoptive family is a child-centred process. Therefore, along with the qualities necessary for child-rearing, couples need to demonstrate the capacity to undertake the special responsibilities of adoptive parenthood.

1. AGE CRITERIA

- a) For adoptive applicants with Family Spirit Adoption Services, either the forty-fifth birthday of the younger partner or the forty-seventh birthday of the elder partner ends the possibility of a placement. This age criteria apply whether the placement is for a first or second child. Applications must be received prior to this time, taking into consideration that the Preparation, Lodgement of Application and Assessment phases usually take between 9 to 12 months.
- b) In the case of children with special needs the age criteria of adopting parents is at the discretion of the Principal Officer.

2. RELATIONSHIP

Applicants for adoption with Family Spirit Adoption Services must meet the requirements of the Adoption Act 2000.

Furthermore, applicants should have been married for a minimum of two years OR been in a de facto relationship for one year AND married for one year prior to the placement of an application for adoption.

3. MEDICAL

- a) Both applicants need to undergo full medical investigations and are required to provide medical evidence of good health.
- b) If either applicant suffers from a chronic illness, evidence should be submitted that the applicant's life expectancy and his/her ability to care for a young child will not be adversely affected by the illness.
- c) An applicant's health status should not detract from the child's quality of life.

4. INFERTILITY

- a) A medical diagnosis of infertility, whether primary or secondary, is an eligibility requirement. This includes unexplained infertility.
- b) All infertility treatment **must** have ceased at least 12 months prior to an assessment for adoption starting. An approved couple, wishing to pursue infertility treatments, will be placed on hold until all such treatments have ceased and the couple is able to demonstrate a readiness to be considered for an adoption placement.
- c) Applicants are required to demonstrate accommodation of the impact of infertility upon each of them as individuals and as a couple.
- d) Where a pregnancy is considered undesirable for reasons of health or because of genetic risks involved, a statement from the applicant's doctor is required.

5. RELIGION

Applicants are not required to have any specific religious background, however, the wishes of the birth parents regarding the religious upbringing of the child will at all times be respected.

6. CULTURE

According to the Adoption Act 2000: *Without limiting matters that may be taken into account, the decision maker must take into account whether a prospective adoptive parent of a different cultural heritage to that of the child has demonstrated the following;*

- a) the capacity to assist the child to develop a healthy and positive cultural identity
- b) knowledge of or a willingness to learn about, and teach the child about, the child's cultural heritage
- c) a willingness to foster links with that heritage in the child's upbringing
- d) the capacity to help the child if the child encounters racism or discrimination in school or the wider community.

Furthermore, couples wishing to adopt an Aboriginal/Torres Strait Islander child must meet the requirements of the Aboriginal and Torres Strait Islander child placement principles as determined in the Adoption Act 2000.

7. OTHER CHILDREN

- a) Applicants should have no more than one child for whom they have primary parental responsibility. Applicants may lodge an application when their first child reaches 1 year of age, however, a placement will not normally occur until the first child has reached 2 years of age. In principle, Family Spirit ensures that there is a 2 year gap between children entering an adoptive family, whether that is through birth or through adoption.
- b) In the case of children with specific needs this criteria is at the discretion of the Principal Officer.
- c) Applicants **must** advise the Agency should a pregnancy occur, **as soon as the pregnancy is confirmed**, at any time after application and up until the making of an adoption order.

8. FINANCES

- a) Sound financial circumstances of applicants should be established.
- b) Couples need to have an adequate income from one salary alone for the first twelve months after placement in order for one partner to remain at home after placement for the child to establish the attachment of the child to the new adoptive parents.
- c) Applicants should have adequate accommodation for a child. This does not mean that applicants should necessarily own their own home.

9. RESIDENCY

Family Spirit places children born within New South Wales or placed for adoption in New South Wales. Prior to the Adoption Order, these children are under the guardianship of the NSW Director General of the Department of Human Services.

Applicants must reside in the state of New South Wales at the time of making their application and until such time as an Order of Adoption is made through the Supreme Court.

Applicants must be Permanent Residents of Australia at the time of application.

Applicants must be of good repute.

10. OPENNESS IN ADOPTION

- a) Applicants must demonstrate a capacity to understand and meet the principles of the Adoption Act 2000. That is;
 - I. *the best interests of the child, both in childhood and in later life, must be the paramount consideration,*
 - II. *adoption is to be regarded as a service for the child, not for adults wishing to acquire the care of the child,*
 - III. *no adult has a right to adopt the child,*
 - IV. *if the child is able to form his or her own views on a matter concerning his or her adoption, he or she must be given an opportunity to express those views freely and those views are to be given due weight in accordance with the developmental capacity of the child and the circumstances,*
 - V. *the child's given name or names, identity, language and cultural and religious ties should, as far as possible, be identified and preserved,*
 - VI. *if the child is Aboriginal – the Aboriginal child placement principles are to be applied,*
 - VII. *If the child is a Torres Strait Islander – the Torres Strait Islander child placement principles are 'to be applied'.*
- b) Applicants need to demonstrate a willingness and commitment to be involved in information exchange and/or meetings with the child's birth family, **throughout the child's life.**
- c) Applicants need to demonstrate a willingness and commitment to promote an atmosphere of openness about adoption in general within their immediate family.

11. PREPARATION FOR ADOPTIVE PARENTHOOD

- a) Prior to lodging an application to adopt, applicants must participate in education and preparation seminars provided by the Agency.
- b) Applicants need to be aware of the importance of working with the Agency towards meeting the ongoing needs of the adopted child and demonstrate an ability to do this.
- c) Applicants need to demonstrate an understanding of and commitment to non-punitive child rearing, accepting the Agency's policy of utilising parenting strategies, which exclude corporal punishment. Applicants need to accept the broad principles and requirements regarding care and discipline as contained in the Agency's Code of Conduct for Foster Carers.

12. LODGING AN APPLICATION

- a) Applicants must only lodge an application with one adoption agency at any one time.
- b) Couples who have previously applied to foster or adopt a child through another agency will be requested to provide consent for Family Spirit to access details.

13. LODGING A SECOND APPLICATION

Applicants may lodge a second application when their first child has been placed with them for at least one year. A second placement will not normally occur until the first child has been living with the adoptive family for two years. Exceptions to this may be when biological siblings or a sibling group require an adoptive placement.

Adoptive parents interested in a second application need to submit the same documents as originally required with a modified Family Profile reflecting changes since placement. Applicants must attend a Second Time Around Seminar prior to any placement of a second child but do not need to re-attend an Information Seminar or Group Preparation Program. Exceptions to this may involve applicants transferring from another Agency.

14. FEES

- a) Administrative and assessment fees are payable to Family Spirit at different stages of the adoption process.
- b) Legal fees are payable to the Agency Solicitor for preparing and submitting the application to the Supreme Court. These fees may be varied from time to time.
- c) Administrative and legal fees may be varied from time to time. Fees paid to Family Spirit Adoption Services are non-refundable.
- d) The current fee structure is conveyed at the Information Session and at the Group Preparation Program, or is available at any time on enquiry.

FAMILY SPIRIT ADOPTION SERVICES

ADOPTION APPLICATION PROCEDURE

STEP 1: INFORMATION SESSION

This may take the form of a Seminar or an individual interview at the Agency where couples wishing to adopt a child through this Agency have the opportunity of hearing about adoption practice today. Couples who attend and wish to be considered for attendance at a Group Preparation Program will be asked to complete a questionnaire which acts as an "Expression of Interest".

STEP 2: GROUP PREPARATION PROGRAM

The Group Preparation Program is a full 3 day seminar that assists participating couples in their understanding of the special needs of the adopted child, the role of the birth parents and the responsibilities of the adoptive parents. At the end of this weekend couples are given an "Application to Adopt". It is at this point, couples who have decided they can meet the requirements of adoptive parenthood and wish to continue with the adoption process, may lodge an application to adopt through this Agency.

STEP 3: LODGEMENT OF APPLICATION/ASSESSMENT INTERVIEWS

When an application to adopt a child has been lodged with this Agency, time is required to register the file and submit medical reports to the Agency consultant before the assessment procedure begins. The assessment consists of a number of interviews conducted by the Agency Adoption Workers with the couple over a period of time. Once the assessment is completed, an application may be approved and a couple are then available to be considered. Approved couples are also asked to attend a Post Approval Meeting.

PLEASE NOTE:

- **Approval of an application to adopt a child does not guarantee placement.**
- An application can only be lodged with ONE adoption agency at any one time.
- All infertility treatment MUST have ceased prior to a couple being eligible to be considered for placement.

STEP 4: POST APPROVAL MEETING

This is a one day session to which couples who have recently been approved to adopt a child through this Agency are invited. Couples are informed of Agency procedures at the time of placement and the legal requirements after placement. Further, couples are updated on relevant adoption issues.

STEP 5: PLACEMENT

When a child is placed for adoption through this Agency, the identified needs of the child are of paramount importance. A number of couples who can best meet a particular child's needs are selected from the Agency's "pool" of applicants as the adoptive parents. Birth parents are usually involved in this selection process through the use of adoptive parent profiles of a non-identifying nature, from which they select a family. It is not possible to advise couples of the length of the waiting period.

STEP 6: ANNUAL REVIEW

Each year approved couples will be invited to an information session, where their situation is confirmed and application updated if necessary. The Agency does not charge a fee for this review.

STEP 7: RE-ASSESSMENT

If a waiting period of four (4) years has elapsed, couples will be required to undertake a formal update of their assessment according to the Adoption Act 2000.

**FAMILY SPIRIT ADOPTION SERVICES
ADOPTION FEE STRUCTURE**

Fees are payable to Family Spirit Adoption Services for adoption application, assessment, placement and post placement services. Family Spirit Adoption Services is committed to supporting adoptive families on a continuing basis.

FIRST APPLICATION FOR ADOPTION OF AN INFANT

(see below for the legal fees)

The total fee for a first application with this Agency is \$4,000. The Agency requests that this be paid in installments as follows:

Group Education Program	\$ 600.00	<i>(workshop Administration Costs only)</i>
Lodgment of Application	\$ 650.00	
Assessment Interviews/Report	\$ 2,000.00	
Placement/Post Placement	\$ 750.00	
Post Approval seminar	\$ 150.00	

SECOND APPLICATION FOR ADOPTION OF AN INFANT

(see below for the legal fees)

Fees for a second application with this Agency are \$3,200. The Agency requests that this fee be paid in installments as follows:

Lodgment of Application	\$ 650.00
Second time Around Seminar*	\$ 150.00
Assessment Interviews	\$ 1,650.00
Placement	\$ 750.00

**This seminar may be subject to the GST on the hire of the room*

LEGAL FEES PAID BY APPLICANTS TO THE SOLICITOR FOR INFANT ADOPTIONS

These fees are determined by the solicitor but are usually in the range of \$2,000 to \$3,000 (not inclusive of GST). Legal fees will be subject to the GST and will be advised by the solicitor directly to the applicants. The legal fees refer to disbursements, preparation of affidavits and other necessary documents required by the Supreme Court on an individual basis. In addition there will be an associated cost to the Supreme Court for filing of the documents within the court. This fee, of approximately \$800 is payable directly to the solicitor at the time of the application for the adoption order, unless there has been a Preliminary Hearing.

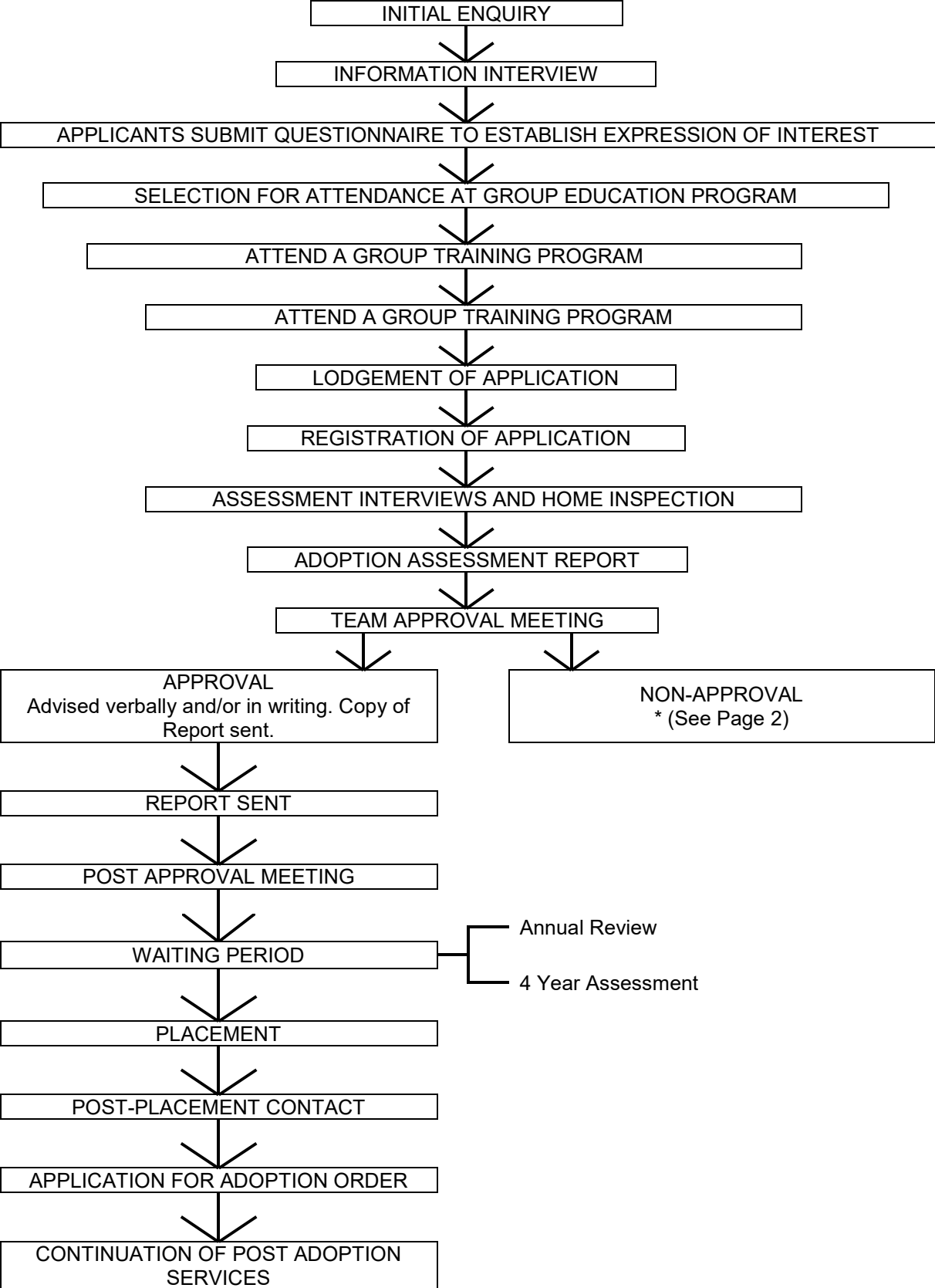
If a Preliminary Hearing has occurred prior to placement, additional fees of approximately \$1,200 will be payable to the Agency in order to refund amounts paid in advance by the Agency to the solicitor. This includes approximately \$900 for the court filing fee and \$800 for the associated legal costs including the solicitor's appearance in court. This payment should be made to the Agency prior to the application for the adoption order.

PLEASE NOTE:

- Fees paid to Family Spirit are non-refundable.
- Fees may be subject to change
- Family Spirit Adoption Services
- April 2011

FAMILY SPIRIT ADOPTION SERVICES

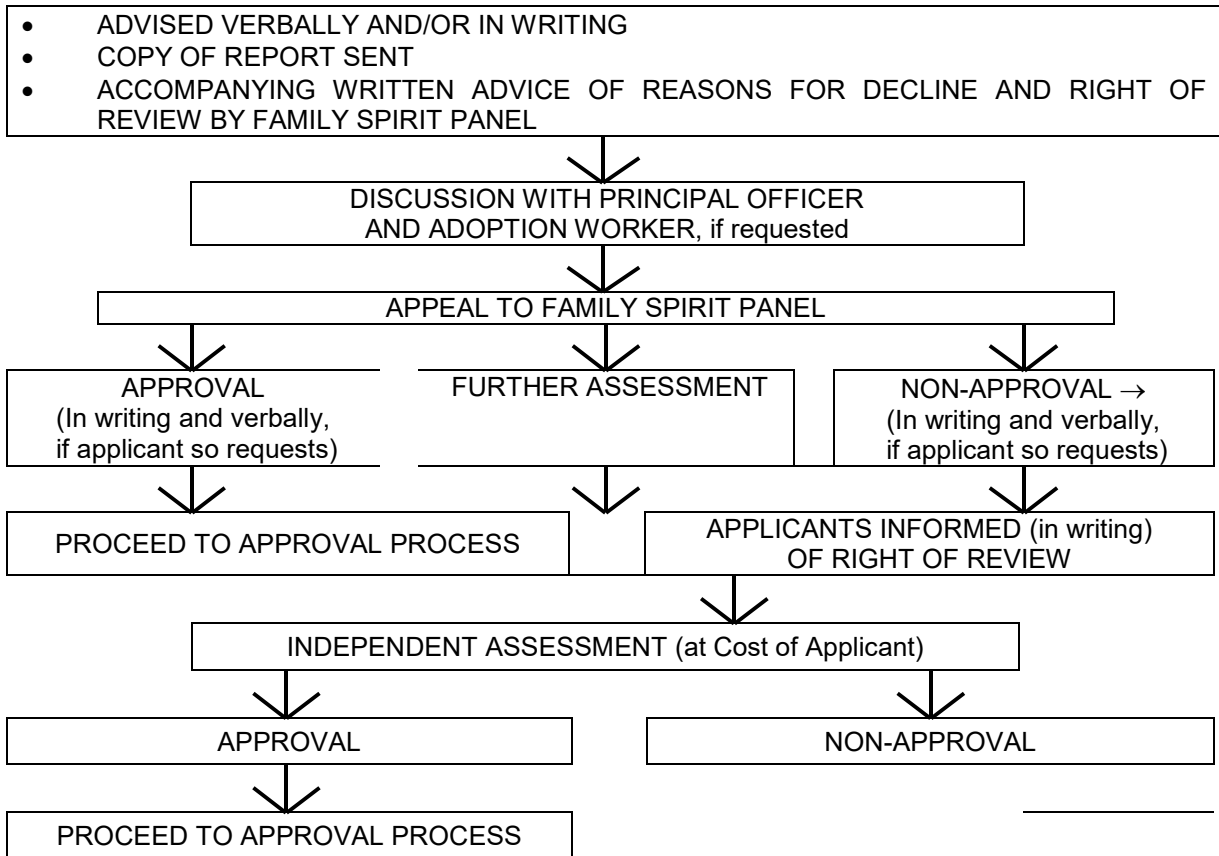
APPLICATION, ASSESSMENT, APPROVAL AND PLACEMENT WITH ADOPTING PARENTS



**Please Note: Couples may also be deferred for approval pending the outcome of identified issues (eg via referral to an external counsellor).*

PROCESS OF REVIEW

WHERE THERE IS A NON-APPROVAL OF APPLICANT



A Look at Open Adoption for Prospective Adopters

If you are just starting to think about adoption, the prospect of meeting your child's birth parents and perhaps staying in contact with them as your child grows up may seem strange, frightening, or just one more hoop you are expected to jump through in the arduous process of becoming a family.

You are not alone in feeling that way. Yet for both practical and philosophical reasons, open adoption, in which the birth and adoptive families have ongoing contact with each other, is an idea you should explore and become more comfortable with.

You are probably aware of the practical reasons. Many birth parents will only consider placing their children with adoptive parents who agree to send them letters or photographs, or allow occasional phone calls or visits. But adoptive parents should not agree to open adoptions if they just view it as a way to get a baby. Before entering into open adoptions, adoptive parents need to believe that there are not only practical reasons to do so, but real benefits for their child.

To understand the benefits of open adoption it is first necessary to understand the history of confidential adoption and its limits. Confidential adoptions began in the first quarter of this century as a way to protect birth mothers and adoptees from unforgiving public attitudes toward them. Sealed adoption records kept birth parents and adoptees from suddenly appearing in each other's lives to reveal the truth.

As society's attitudes changed, the fact that a child was adopted became common knowledge in the community. Birth parents stayed in their communities through their pregnancies. The original need to keep the birth parents away from the adoptee so that the secret of his origin would not be revealed became unnecessary.

At the same time, we began to learn more about what it was like for children to grow up having been cut off from their origins. We learned this was a significant loss unrelated to how much adoptees loved their parents. We learned that children sometimes felt abandoned, unwanted, and rejected by their birth parents; that it was more difficult for them to form a personal identity when they had little information about their genetic origins; and that adoptees developed fantasies - sometimes troubling ones - to fill in the missing pieces in their personal histories.

Although many adoptees in confidential adoptions worked through these challenges successfully, some people began to wonder if it was necessary to put adoptees through them when the original reason for keeping adoptions confidential was no longer valid. Open adoptions have developed as a result.

It would be a mistake to suggest that open adoptions are a cure-all for the deficiencies of confidential adoptions. Open adoptions provide adoptees with the opportunity to know they are loved and valued by the people who gave them life. But there is nothing about exchanging names, addresses, or telephone numbers that will guarantee this. Only a relationship can accomplish this. For open adoption to be effective, both the adoptive and birth family have to understand that the primary reason for it is for the child. This means that even when the relationship is difficult, each person makes an effort to work through the problems.

Open adoption will complicate your life the way relationships often do. And it's true that people who give birth rather than adopting do not have this particular complication. But that doesn't justify avoiding or discarding it. When we adopt, we not only sign up for a different way of forming a family, but we sign up for a different way of being a family. Our children have unique needs that non-adopted children do not have and we must make a commitment to doing whatever is necessary to meet those needs.

Often adoptive parents find that when they are committed to that goal, open adoptions provide rich opportunities for joy and growth - as relationships often do.

The open adoption relationship is like the relationship we have with our in-laws. They may not share our lifestyle or political views. They may even be exasperating. But we make the effort to build a relationship with them because we have in common the love of a single person. Your spouse is connected to his or her family regardless of whether you like them or not. They fill a part of his or her life that you can never fill. They have a connection whether you acknowledge it or not. And it would be an unnecessary loss for your spouse to have to give up one of you to gain the other.

When you get married you are probably looking more for a partner than for in-laws. The idea of in-laws may even be intimidating. You've probably heard stories of the interfering mother-in-law. Or perhaps you've heard about spouses who couldn't let go of the apron strings and commit to the relationship.

These are many of the same worries prospective adoptive parents have with open adoption. They worry that the child will be confused about who his parents are, or play one set of parents against the other. They worry about losing their privacy if the birth parents call or visit. They worry that the birth parents won't be able to let go of the child - that they will want the child back. They worry that they will be constantly competing with the birth parents for their child's love.

Every adoptive parent, whether in a confidential adoption or an open adoption, fears someday losing their child physically or emotionally to the birth parents. They fear that if they are measured against the birth parents, they might be found inadequate. Confidential adoptions were begun to protect birth parents and adoptees from society's attitudes. But by suggesting that adoptive families need protection from the birth parents, the adoption system has implied that only if this barrier exists can adoptive families feel secure and be a real family.

Accepting open adoption requires that prospective adoptive parents first face the basic fears that all adoptive parents have, but are able to bury if the adoption is to be confidential. This can be accomplished through pre-adopt education classes (provided through adoption agencies, conferences, or independent educators), books and tapes, and through personal contact with birth and adoptive parents - especially those in open adoptions. Once those fears have been addressed, the risks that open adoption presents are similar to those in any relationship. And the skills that can be used to address those risks are skills that many of us already are using in relationships or can acquire with a little assistance.

However, comfort with open adoption really develops when the concept is no longer an abstract idea but a relationship with real people - when adoptive parents meet the

right birth parents. The commitment becomes even greater when the child grows up and the adoptive parents see that the love between the adoptive parents and the child is strong and is not threatened by the birth parents' presence.

This is a copyrighted article, based on material first published in Adopted Child newsletter.