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June 30, 2004

Administrative Order No. 23
Series of 2004

SUBJECT: Guidelines on Post Adoption Services

I. RATIONALE:

In recent years, the Department has received an increasing number of inquiries for assistance in the search and reunion and referrals for counselling about issues on adoption.

Studies has shown that children relinquished for adoption have tremendous losses to grieve, traumas to heal, feelings and negative experiences to process and many significant questions to resolve within oneself.

Whatever may be the reasons, adoption means uprooting the children from their innate origins, thus affecting their essence and identity. Adoptees aggressively try to find ways to know his/her family background and to have access to personal information/records about the adoption.

It is indeed a challenge to address this concern. Through education and provision of pre-adoption services, adoptees and biological parent/s separated by adoption and the adoptive parents have now become more open and agreeable to share information and establish contact with each other. The "tracing of roots" is a means to enable the adoptees recover their self-worth and to experience the completeness of one's being. Likewise, the biological parent/s would have the opportunity to heal the loss and guilt feelings over the relinquishment of the child. As a participant to the effort to connect with their child's roots, the adoptive parent will be able to confront their fear of losing the adoptee.

In this context, it is timely to set right the preparations and procedures of post adoption services in compliance to local laws and international commitments governing adoption.

In view of the foregoing considerations, the guidelines on post adoption services is hereby developed/formulated for implementation.

II. LEGAL BASIS:

Local Laws

1. Section 32 of the Rules and Regulations to Implement Republic Act 8552, "Domestic Adoption Act of 1998"

Post Adoption Services – Post Adoption Services which shall include counseling shall be made available by the social workers of the Department, social services unit of the local government, child placing and child caring agencies to the adoptee, adoptive parent/s and the biological parents.

2. Section 52, Article VIII of the Implementing Rules and Regulations of R.A. 8043, "The Intercountry Adoption Law"

Post Adoption Services – The Board shall establish a program of post-adoption services in cooperation with local child caring and child placing agencies and foreign adoption agencies.

International Instruments

1. Article 9, The Convention on the Rights of the Child

State parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

2. The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.

Article 30

1. The competent authorities of a contracting state shall ensure that information need by them concerning the child's origin, in particular information concerning the identity of his/her parents, as well as the medical history is preserved.
2. They shall ensure that the child or his/her representative has access to such information, under appropriate guidance, in so far as is permitted by the law of that State.

III. OBJECTIVES:

To institutionalize a mechanism for the systematic delivery of post adoption services in order to:

1. Provide protection to the rights of the adoptee, adoptive parent/s and the birth parent/s.
2. Maintain the confidentiality and privacy of the adoption.



3. Prepare adoptee, adoptive parent/s and the birth parent/s prior to the search and reunion, if desired.
4. Provide supervised access to relevant information/records to adoptees and adoptive parent/s.
5. Define and support all other post placement, post adoption services as a resource for adoptees, adoptive parent/s and birth parents.

IV. DESCRIPTION:

Post Adoption Services shall refer to psycho-social and support services provided to the adoptee, adoptive parent/s and the birth parent/s by the social worker of the DSWD, ICAB, child caring/placement agencies trained on adoption and by other professionals e.g. psychiatrist/psychologist, etc. after the adoption has been legally completed.

The following services shall be made available to those interested to avail post adoption services:

1. Comprehensive counselling on any post adoption issue.
2. Intermediary services for adoptees/adoptive parent/s and birth families/siblings having post adoption problems and/or who need assistance in strengthening and preserving family relationship.
3. Assistance to interpret, clarify non-identifying information from available records.
4. Search and Reunion assistance according to policies regarding this process.
5. Heritage tours, support groups and networking facilities.

V. GUIDING PRINCIPLES AND POLICIES:

The provision of the post adoption services shall be governed by the following principles and policies:

1. The adoptee's best welfare and interest shall be the paramount consideration in all questions regarding any post adoption issue.
2. The adoptee has the basic right to search for his/her origin and identity, hence he/she should not be denied the opportunity to search and to know his/her roots.
3. The adoptive parent/s shall be protected from attempts to disturb his/her parental authority and custody over his/her adopted child.

4. The adoptive parent/s shall, with respect to the adoptee, enjoy the reciprocal rights and obligations arising from the relationship of parent and child.
5. The adoptee, adoptive parent/s and the birth parent/s shall be consulted in all matters related to the adoption and to secure their consent prior to the giving of information and/or search and reunion.
6. The search process shall only be initiated for purposes of establishing the “missing link” in the life of the adoptee and to resolve issues on heritage/origin, parenting and genetics/medical needs and for no other reason/s which may cause disruption or jeopardize the present status of those involved in the adoption.
7. The DSWD Central and Field Offices shall ensure that sufficient capacity exists within government and non-government agencies to handle adoption-related services including, but not limited to parent preparation, post placement and post adoption counselling.
8. The Department and other concerned agencies shall ensure the observance of the confidentiality of matters related to the adoption.
9. Non-identifying information e.g. medical records, circumstances which lead to the adoption of child but not necessarily divulging the identity of concerned individual, etc. may be made available to both the adoptive parent/s and the adoptee under 18 years old.
10. Identifying information e.g. names, address, personal background etc. may be shared only between and among the adult adoptee, adoptive parent/s and his/her birth parent/s and only if they give their written consent.
11. Extensive preparation which include counselling to both the adoptee and birth parent/s *is crucial* to any search process.
12. Support services must be made available to adoptee, adoptive parent/s and birth parent/s before and after the search is initiated.

VI. COVERAGE:

1. This guideline is applicable to adoption cases finalized in the Philippines under Article III, Section 7 of R.A. 8552, “Domestic Adoption Act of 1998,” and those processed thru the Intercountry Adoption Board under R.A. 8043, “The Intercountry Adoption Law.”
2. It shall also cover local adoption cases handled by the DSWD or any child placing agency licensed and accredited by the DSWD prior to the passage of R.A. 8552. Likewise, foreign adoption of a Filipino child processed by the Department of Social Welfare and Development (DSWD) and then DSWD’s, Philippine Intercountry Adoption Unit (PIAU) shall also be covered.



VII. IMPLEMENTING PROCEDURES:

A. Search

1. The intent to search may be allowed only upon written request made by either the adult adoptee 18 years or above, adoptive parent/s or the birth parent/s. A minor who is interested to search for his/her birth parent/s shall be represented by the adopters.
2. The written request shall be addressed to the Regional Director of the DSWD Field Office or the Executive Director of ICAB or the Head of the Child Caring Agency where the adoptee originated. These written request must be submitted to the ARRU who at the same time serves as the central coordinating office for post adoption services in order to maintain appropriate documentation and recording.
3. The applicant shall be required to submit available documents pertaining to the adoption such as original birth/founding certificate, amended birth certificate, placement authority.
4. Generally, the outline of the search process is as follows:
 - Initial contact (phone, letter, e-mail or personal visit) shall originate from adoptee, adoptive parent/s or birth parent/s.
 - Thorough review of all case materials pertaining to adoptee, birth parent/s and adopter and assessment of the most viable approach to meet the request and the need of the applicant.
 - Obtain written permission from concerned parties before sharing any identifying information from the records.
 - Provide counselling to the adoptee, biological parents, adopter/s and the immediate members of family to level-off expectations and to thresh out foreseen issues in the conduct of the search.
 - Proceed with extreme caution in any planned contact with birth parent/s; make sure the social worker or agency who dealt with the relinquishment process should initiate the contact.
5. The social worker shall personally inform the applicant on the result of the search. In case the search is non-successful the social worker is required to counsel and help the adoptee/adoptive parent/s/biological parents or whoever is the applicant to deal with frustrations. If necessary, the applicant may be referred to a psychologist or psychiatrist for in-depth diagnosis and/or therapy.



B. Meeting and Reunion

1. Approval/Consent from the birth parents, adoptive parents and the adoptee must be secured before contact and/or reunion with each other can be arranged.
2. When reunion is decided, preparations of all concerned must be carefully planned to avoid any possible negative experience. The social worker must also consider the decision and readiness of the adoptee and the biological parent/s on whether to involve the significant person/s in their present lives.
3. The timing of any approach to family members is very critical and incredibly important at this point. The social worker must be aware of the impact on all parties desiring contact. He/She must be able to offer a mediating approach to support people at this time, and to try and negotiate an agreeable outcome for all concerned, while at the same time providing support throughout the process.
4. The birth parent/s and the adoptee must be given time and space to arrive at a decision at how their lives will move on after the reunion.

C. Other Services

These include appropriate services to support Post Adoption issues of adoptees, adopter/s and birth parent/s such as:

1. Heritage Camp – planned, scheduled supervised activity for minor/adult adoptees to give them an opportunity to be with other adoptees:
 - Explore identity issues
 - Explore background issues
 - Explore culture of birth parents

Funds for this activity maybe sourced out from the adoptee and his/her family. However, the Field Office/LGUs/NGOs may generate funds for this purpose from other sources.

2. Heritage Tour – an opportunity for adoptees and their families to share the adoptees birth culture and heritage. There are two (2) types of Tours:
 - Family Tour – these are for minor adoptees and their families planned and scheduled in collaboration with DSWD, ICAB and the Child Caring Agency where the adoptee comes from.

- Motherland Tour – these are for adult adoptees, who are ready to explore and experience their birth heritage and learn more about their adoption history. Expenses that maybe incurred to execute this activity shall be borne by the adoptees and/or his/her family.
- 3. Intermediary Services – provide support to communication needs among adoptees, adoptive parent/s and birth families. The DSWD, ICAB or Child Caring Agency concerned, shall be the source of service to interpret context of communication among the group.
- 4. Post-Adoption Counselling – provide an opportunity to adoptees, adopters and biological parent/s to a counselling session when having problems or faced with post adoption issues e.g. telling, identity crisis, etc.
- 5. Adoption Support Group
 - Adoptive Parent Support Group, an organization of adoptive parents or other similar organizations organized by DSWD Field Office and/or by licensed child caring/child placement agencies in each region with the following function:
 - ⇒ Provide support to adoptive families through meaningful/ purposive interaction and socialization.
 - ⇒ Advocate for/or lobby in the interest of adoptive families and children.
 - ⇒ Conduct information campaign and promote a better understanding of adoption by the public.
 - ⇒ Act as resource speaker in adoption forum/group sessions and training programs.
 - ⇒ Assist in the recruitment of potential adoption families.
 - Adoptee Support Group, an organization for adult adoptees.

VIII. INSTITUTIONAL ARRANGEMENTS:

1. DSWD – Social Technology Bureau

- Formulate policies/procedures in consultation with partner agencies on post adoption services.
- Provide the necessary technical assistance to DSWD Field Offices/CCAs
- Facilitate and coordinate with SWIDB to conduct capability building for social workers on post adoption services.

- Monitor and evaluate status of project implementation.
- Document the best practices in the implementation of the project.

2. DSWD – Field Office/Intercountry Adoption Board

- Assess and determine the motivation of the applicant
- Provide appropriate services in accordance to the request made by adoptee, adoptive parents or biological parents
- Coordinate with the concerned local government units/child caring agencies
- Submit reports to Central Office ARRO, copy furnish the Social Technology Bureau
- Assist in the monitoring and evaluation of the implementation of the project.

3. Child Caring/Placing Agencies/Local Government Units

- Assist the DSWD – Field Office in the provision of services to applicants.
- Provide access to Field Office to the adoption records/documents of the child under their care.
- Provide assistance and give information on the locations/areas indicated on the records to the whereabouts of the person being searched.
- Report and coordinate with DSWD – Field Office on requests for adoption services they receive.

IX. RECORD AND DATA MANAGEMENT:

The Adoption Resource and Referral Office (ARRO) at the DSWD Central Office and the Intercountry Adoption Board (ICAB) shall serve as the central depository of local adoption and foreign adoption records/documents, respectively, for easy tracking and reference.

The Field Offices (FOs) must ensure the submission of proper and complete documentation of the regular adoption cases for purposes of good record keeping and for ARRO/ICAB to microfilm the data to preserve adoption records cognizant of the fact that at some point in the future the adoptee will someday look into such documentation.

Likewise, the FOs, ARRO and ICAB are tasked to maintain the confidentiality and preservation of such records. Thus, supervised access to information on adoption must not be made available without the approval of the Director of said agency based upon the written request made by either the adult adoptee, adoptive parents or biological parents. The records should not be disposed of at any given time.

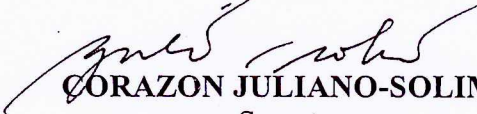
X. COORDINATION/NETWORKING:

The Department shall maintain close coordination and cooperation with partner agencies for exchange of information on adoption and in the provision of post adoption services to the adoptee, adoptive parent/s and the birth parent/s.

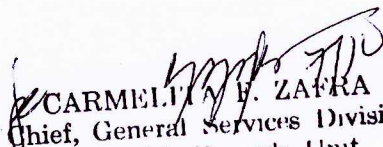
XI. EFFECTIVITY:

This Order shall take effect immediately.

Issued this 8th day of July 2004 in Quezon City.


CORAZON JULIANO-SOLIMAN
Secretary
Department of Social Welfare and Development

A CERTIFIED COPY:


CARMELITA F. ZAFRA
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