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Requirements for Adoption Application Dossiers Submitted by Foreigners

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Submitted by Foreigners
June 30, 2017

Relative government departments and adoption agencies in receiving states,

In order to adapt to the new trends in inter-country adoption, further streamline our work and facilitate the submission of adoption application dossiers by foreign adopters and adoption agencies, CCCWA developed this *Requirements* according to the *Adoption Law of the People's Republic of China*, *Measures for Registration of Adoption of Children by Foreigners in the People's Republic of China*, and the *1993 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*, as well as the practice of paper review of CCCWA.

A foreigner who applies to adopt a child from China shall submit an adoption application dossier to CCCWA through the government of the country where he or she resides or an adoption agency delegated by the government of the said country according to the following requirements.

I. Required Papers

- (1) Application letter for inter-country adoption;
- (2) Birth certificate;
- (3) Marital status certificate;
- (4) Occupation, income and financial status certificate;
- (5) Physical examination certificate;
- (6) Criminal/ Non-criminal record certificate;
- (7) Home study report;
- (8) Certificate certifying the approval of the inter-country adoption by the competent authority of the country where the adoption applicant resides;
- (9) Copy of passport;
- (10) Two passport photos and six family life photos (if the photos have been uploaded to CPIS in jpg format, the hard copies are not required).

All the above-mentioned papers, except items 9 and 10, should be issued by the competent agencies of the country where the adopter resides and, authenticated by a diplomatic department of the country where the adopter resides or by an agency authorized by the said diplomatic department, and authenticated by the embassy or consulate of the People's Republic of China stationed in that country.

Foreigners who have continuously lived in China for more than one year for work or study and are to adopt children in China shall submit the documents stipulated in the preceding paragraph (except item 5), and shall also submit certificates indicating such particulars of the adopter as marital status, profession, income or property condition and whether they have ever been subjected to criminal punishment, which are issued by their Chinese employer, and certificates of health examination issued by medical units at or above the county level.

Foreigners who apply to adopt a step child are only required to submit items 1, 2, 7 and 9 mentioned in the preceding paragraph and a marital certificate of the applicant and the birth mother or father of the adoptee as well as two passport photos.

II. Contents and Format

1. Application letter for inter-country adoption

- i. The application letter for inter-country adoption should be written personally by the adoption applicant instead of being written by others or by adoption agencies according to formatted texts.
- ii. The application letter shall be signed by the adoption applicant in his or her own hand.
- iii. The application letter shall include the following contents: name of adoption applicant, date of birth, place of birth and nationality, reasons for adoption, clear desire and requirements for the adoptee, a statement by the applicant promising not to abandon or maltreat the child to be adopted, a statement by the applicant committing to ensure the equal rights for the adopted child as the biological ones and ensure that the adopted child be properly raised and educated and grow healthily, and a statement by the applicant promising to submit post-placement reports according to CCCWA requirements.

2. Birth certificate

i. An adoption applicant must provide his/her birth certificate or a copy of the birth certificate (provide separately in the case of a married couple) produced by the competent governmental body or civil registry of the place of birth.

ii. If there is no such a body to produce the birth certificate, a copy of the original birth certificate notarized by the local notary office or notary should be provided.

3. Marital status certificate

i. Married couples who apply to adopt shall provide a marital status certificate produced by the competent governmental body in the wedding place.

ii. A single adoption applicant should provide certificate of being unmarried issued by competent governmental body or a personal statement of being single and non-homosexual, unless the law of the country where the applicant resides prohibits the issuance of such statement of being non-homosexual.

4. Occupation, income and financial status certificate

i. An adoption applicant should provide a certificate of occupation produced by the employer or the organization with which the applicant works. The certificate of occupation should include the following: occupation and position of the applicant, term of employment, annual income and prospects for continued employment (provide separately in the case of a married couple).

ii. If the applicant is an employer him/herself or is self-employed, he/she should provide the certificate of occupation and annual income produced by a licensed accountant. If the applicant is a licensed accountant him/herself, he/she should provide the certificate of occupation and annual income produced by another licensed accountant.

iii. If an applicant is retired, he/she should provide a certificate of retirement, including the date of retirement, annual income before retiring, whether he/she still has income after retiring, and income status, etc.

iv. The certificate of income and financial status should be filled in according to the attached Table 1 (the annual income of an applicant should be consistent with that stated in the certificate of occupation. If not, an additional statement should be provided).

v. The currency used in occupation, income and property status should be the one used for settlement by the resident country of the adoption applicant.

5. Physical examination certificate

i. An adoption applicant should provide a physical examination certificate produced by a licensed doctor (provide separately in the case of a married couple).

ii. The physical examination certificate of the adoption applicant should be filled in according to the format of Table 2. The certificate should be written clearly and neatly. If the writing is illegible, it shall be deemed as invalid.

iii. If an adoption applicant is on certain medication for a long period of time, the name and function of the medicine should be specified.

iv. If an adoption applicant used to suffer from a certain serious disease or undergo certain surgical operation, a check report shall be produced by a licensed doctor, specifying when the disease was contracted or when the operation was performed, what kind of disease or operation, the process of treatment and results or result of the operation, whether or not the patient has fully recovered, whether or not the patient has to continue to take medicine to control the disease and a conclusion whether or not the applicant is suitable for raising a child.

v. If a single adoption applicant has a co-habitant of the opposite sex, he/she shall provide a physical examination certificate of the co-habitant.

vi. The physical examination certificate (the date when the examination was taken) should be issued within one year before the application dossier is received by CCCWA.

6. Criminal/ Non-criminal record certificate

i. An adoption applicant should provide a criminal/non-criminal record certificate produced by the local police in his/her country with a signature of the qualified official (provide separately in the case of a married couple).

ii. If an adoption applicant has lived or worked for at least one year in other countries or regions within the recent five years, he/she should provide a criminal/non-criminal record certificate produced by all the resident countries or regions.

iii. A single adoption applicant who has a co-habitant of the opposite sex should provide a certificate of criminal/non-criminal record of the co-habitant.

iv. The certificate of criminal/non-criminal record should be issued within one year before the application dossier is received by CCCWA.

7. Government approval

i. An adoption applicant should provide a valid document of approval produced by the resident country's government for adopting a child from China.

ii. An applicant who applies to adopt a step child should provide a valid document of approval for adopting a child from China or a

certificate agreeing the entry and naturalization of the adoptee produced by the resident country's government.

iii. An adoption applicant who has been continuously working or studying in China for more than one year should provide a valid document of approval produced by the competent authority of his/her country or the embassy or consulate in China of the said country for adopting a child from China.

iv. The government approval should be within validity period.

8. Home study report

i. Agency and people who prepares the reports

(1) The home study report should be prepared by a licensed social worker with a government department or adoption agency after home visits.

(2) The report should be written in the letterhead of the agency if it is prepared by an adoption agency.

(3) American adoption agencies which prepare the reports should be accredited according to the Hague Convention or by Council on Accreditation for adoption or services for families and children.

ii. Required contents

(1) Meetings and interviews, including the time, place and ways of meetings and talks between a social worker and the adoption applicant. A social worker must meet and talk face to face with an adoption applicant and at least one home visit is required. Video chats are not classified as face-to-face interviews.

(2) Adoption training. This includes time, manner, content and effect of the adoption training received by adoption applicants. Time of training should be no less than 12 hours. Applicants who wish to adopt a special needs child should receive trainings specified for caring for special needs child, such as surgeries and treatment, rehabilitation and care, care for an older children, etc.

(3) Adoption motivation. This includes the reasons for making the decision to adopt a child and the reasons for adopting a child from China, the understanding of inter-country adoption, the understanding and mental preparation for the possible risks and delays involved in inter-country adoption, for the prospective adoptee, and for the possible post-adoption ill-adaptation of the adopted child.

(4) Family background/personal introduction. This includes the educational background, work experience, hobbies, religious belief, off-hour activities and the relationship between parents and among brothers and sisters.

(5) Religious beliefs. This includes the religious beliefs of the adoption applicants, and the attitude toward choosing the religious beliefs of the adoptee.

(6) Marital status. This includes how the husband and wife look at each other, their attitude toward marriage and methods to revolve problems arising from marriage, their satisfaction level about their marriage; if the applicant has been married before, it should specify the situations of the previous marriages, such as widowed or divorced, and reasons. If the applicant is single, it should include the attitude to the current status as a single and the attitude toward possible future marriage and how to treat the adopted child after marriage in the future; If the law of the country where the applicant resides prohibits the issuance of a statement of non-homosexual, the social worker should specify this in the report.

(7) Children. This should include whether there are any wedlock children, non-wedlock children or adopted children, their sex, age, hobbies and education level. In the case of having children from the previous marriage, it should be specified as to whether they live together with the adoption applicant. When there are children of over 10 living in the house, their opinions of inter-country adoption should be included.

(8) Health conditions. It includes whether or not the adoption applicant has any serious diseases, whether there is any disability that makes the applicant unable to take care of him/herself, whether there is any mental or psychological disease and whether the disease or diseases constitute factors unfavorable for raising a child. The health conditions of the adoption applicant should be identical with the *Physical Examination Certificate* and Examination Report produced by the licensed doctor. The social worker should assess whether the applicant's health condition is suitable for raising an adopted child.

(9) Family financial conditions. It should include the income and expenses of the applicant, such as annual income, investment income, family assets, liabilities, living expenses, and whether the income and expenditure are balanced. The social worker should assess whether the financial conditions of the applicant are suitable for raising an adopted child.

(10) Any record of abuse, violence or crime. This includes whether the applicant has a history of excessive drinking, drug abuse, medicine abuse, domestic violence, sexual abuse and children abuse (even if it did not result in arrest or conviction), whether the applicant has a criminal record (including arrest or conviction), whether the applicant has received any punishment, whether the applicant showed repentance or correction after punishment. The social worker should assess whether the applicant is eligible for adoption and any adult family member living together has unfavorable impact on the adopted child.

(11) Living conditions. This includes the current residence conditions, the size of the residential house, community environment, educational facilities in the community, medical facilities and public service facilities in the community, especially the attitude of the community toward accepting adopted children of other races, the conditions of each residential house, including the assessment of the suitability of the living conditions for children, with a statement of whether the living space conforms with the requirements of the local government (if there is any).

(12) Nurturing plan. This includes the applicant's relationship with children, parenting experience, the nurturing method planned for adopted child; in the case of adopting special needs children, it should clarify the mental preparation, expectation and the ability of raising such children. The social worker should assess whether the adoption applicant is suitable for adopting a child based on the nurturing plan.

(13) Status of co-habitants or non-family-member co-habitants. If the adoption applicant has any non-family-member co-habitant, the relations between them should be clarified, including the reasons for co-inhabitation and whether the co-habitant takes part in the applicant's family life. If yes, specifications should be provided according to item 10, including the co-habitant's attitude towards the applicant's adoption of a Chinese child. The social worker should assess whether this will affect the adopted child negatively. For a single applicant who is co-habiting with non-family member of the opposite sex, the social worker should inquire about the relation between the two and provide a clear conclusion as to whether they are homosexuals.

(14) Guardian/caring commitments. This includes the designation of a guardian/care-giver in case things unpredictable happen to the applicant or the applicant passes away of pre-mature death, the description on the age, profession, marital status, children, health and income of the designated guardian/care-giver. The social worker should assess whether the designated guardian/care-giver is suitable for the guardianship and caring of the adopted child. The guardian/care-giver designated by a single applicant must produce a written statement on the consent for acting as the guardian/care-giver.

(15) Whether the adoption applicant used to be rejected as prospective adoptive parent or has any unfavorable home study report. If yes, reasons of rejection and the unfavorable reports should be provided.

(16) Assessment and recommendation. The social worker should make a genuine assessment of the general conditions of the adoption applicant and give a recommendation on whether or not the applicant is suitable for adopting a child from China and the desired age and health conditions of the child to be adopted.

3. Attached documents

i. No less than three recommendation letters, which should be written by people familiar with the adoption applicants (e.g. friends, neighbors, employer, colleagues, community or churches, family doctors, adult children of the family, kindergarten or teacher of the minor children, etc.). Recommendation letters should be objective, true, and detailed to reflect the writer's knowledge of the applicants' personalities, marital relation, parenting skills and effects, etc.

ii. Written consents to care for the adopted children provided by the guardians/care-givers appointed by a single applicant.

iii. Psychological assessment report. If the social worker finds the applicants with the following circumstances, a professional psychological test and evaluation should be recommended and an assessment of suitability to adopt should be included:

(1) The applicant has received or is receiving psychological counseling, training or therapy;

(2) The applicant may have potential emotional problems which can cause negative impact on the adoption, such as excessive drinking problems at youth (even if he/she has given up drinking for over ten years), being mentally or physically abused, having suffered great emotional loss or trauma (e.g. wars, disasters or major events), etc.;

(3) The applicant has problems such as mania, depression, bipolar affective disorder, anxiety, phobia, autism, but with minor symptoms and under good control. The psychological report should be submitted together with the home study report.

This document shall enter into force as of the date of issuance.

China Center for Children's Welfare and Adoption

Annex:

Form 1: Certificate of Financial Status

Form 2: Certificate of General Physical Examination for Adoption Applicant

 Form 1 CERTIFICATE OF FINANCIAL STATUS.doc

 Form 2 CERTIFICATE OF GENERAL PHYSICAL EXAMINATION.doc