

Adoption Procedure

The basic laws of adoption are the same throughout India. However, the procedure varies considerably from state to state. Please note that the procedure mentioned below is true for the process of adopting a baby through the VCA in Tamilnadu. Amounts and times mentioned may vary.

- 1) Register yourself at a Voluntary Coordinating Agency (VCA) or any orphanage. You can register at any number of places in more than one state.
- 2) For registration, the following documents are required:
 - a) Application form
 - b) Sterility certificate for both parents separately on a doctors letter head. Legally this is not a requirement but many courts ask for it anyway. If sterility is not the reason for adoption, a separate letter should state what the reason is.
 - c) General health or fitness certificate for each adoptive parent duly filled out-format available at VCA
 - d) Age proof for both parents
 - e) Original wedding invitation in case of a Hindu couple, otherwise a marriage certificate (from church/Darga or registry office).
 - f) Three recommendation certificates from friends
 - g) Certificates from two people, preferably family members indicating their willingness to take care of the child in the event the parents are unable to do so.
 - h) Salary certificates of both parents if both are working.
 - i) Proof of savings, e.g. LIC policy, property documents, etc.
 - j) Three passport size and three postcard size photographs of the adoptive couple with negative
 - k) Payment of fee for home study charge and registration.
- 3) Home study will be carried out. A social worker will fix up a time and visit you at you home. This is usually done within a month of the registration. She is required to see the house to make sure there is enough space for the child. She will also ask personal questions about why you want to adopt and your families and friends reactions to the process. Her job is to assess the environment the adopted child will grow up in.
- 4) Wait for VCA to contact you with a possible adoptive child. This normally takes more than three months for a girl child. The time for a boy child is longer.
- 5) Once contacted, visit the orphanage with a VCA representative to see the child.
- 6) At this point, you may take the child for further medical examination if you wish to. Someone from the orphanage will accompany you when you take the baby out for further test. Basic tests such as HIV, hepatitis B should already have been carried out by the orphanage. Any further tests that are done at this stage must be paid for by the adoptive parents.
- 7) If there are no medical problems, the child is yours for adoption! From when the child was identified to when she or he comes home can be less than a week. You can fix up a convenient day to collect the child from the orphanage. All further dealings are now only with the orphanage.
- 8) In order to take the child home, you have to pay the orphanage a maintenance fee that covers the cost the orphanage has spent looking after the child. This will include all medical expenditure as well. In Tamilnadu, the fee is Rs50 per day but many orphanages charge Rs100 day (they give you a bill for this) as they claim the fee of Rs50 is too low and does not cover their actual maintenance.

- 9) You may also be asked to pay a fee of several thousand rupees directly to the orphanage. They will not give you a receipt for this. This is for money they spend on incidentals and getting court work done- expenditure for which they get no bills either.
- 10) You will have to sign a foster care agreement at the orphanage before you can bring the baby home. After the baby has been with you for more than a month, you will receive another visit from a social worker. This is to check how the baby has adapted to its new surroundings. The social worker will have to be paid transport charges. This visit is supposed to happen as soon as possible but depends a lot on the social worker assigned to you and their case load.
- 11) The report of this visit has to be sent to the court. The orphanage will appoint a lawyer (approximate fees of Rs5000). You will need another set of documents
 - a) A fresh set of recommendations and medical certificates if the original documents are dated more than three months prior to the court date.
 - b) A wedding invitation or an original marriage certificate
 - c) A recent photograph of the baby and another photograph of the baby with the parents.
 - d) some form of identification for both parents
- 12) After receiving all the papers including the report of the second home visit, the lawyer will file the papers in court. After a month, a date for the final hearing will be set. Both parents and the child have to be present for the final hearing. After the judgement has been given, the deed of adoption will be issued.
- 13) Be prepared for random changes in court dates and the number of trips to the court before it is done. This depends heavily on the judge assigned and the orphanage-court rapport. It took us three trips to court before we actually had a hearing. For some of our friends, however, the process happened in just one hearing.
- 14) This deed can be collected after a few days from the lawyer. It will be issued on stamp paper.
- 15) The deed can now be used to register the child at a registry office. This can be done at any registry office but normally is done with the help of the orphanage at an office close to them. Both parents and the child will need to be present for the registration. The other items that you will need are:
 - a) the court order
 - b) registration fees
 - c) one witness
 - d) some form of identification for both parents
- 16) Once the registration is complete, the corporation office can be approached to give a birth certificate.

*Penguin publishes a useful book called 'The Penguin Guide to Adoption in India'. It costs Rs 150.