

Adoption

in Prince Edward Island



*Prince
Edward
Island*

CANADA

Family and
Human Services

What exactly is adoption?

Adoption is a legal process which establishes new parent-child relationships which are recognized by law.

Adoption in Prince Edward Island is primarily governed by the *Adoption Act* and the *Intercountry Adoption (Hague Convention) Act*. These Acts detail the legal processes involved in adoption from the time a plan of adoption is made to the granting of an adoption order by a judge.

The intent of the legislation is to balance the rights of each party involved in the adoption, and to protect the well-being of the child.

Adoption is more than a one-time event. Adoption is a life-long process which impacts in varying ways and at different stages in the lives of the people involved.

How can an adoption be arranged?

The *Adoption Act* states that adoptions can only be arranged in one of three ways:

1. through the Director of Child Protection either via the Child Protection Act or the Adoption Act;
2. through a private adoption agent licensed by the Director of Child Protection; and
3. via a permit issued directly to birth parent(s) by the Director of Child Protection for a placement with relatives.

Where can an adoptive family go to adopt a child?

Families who wish to adopt a child can apply to the Adoption Program of the Department of Family and Human Services, or contact a licensed adoption agent to arrange for an adoption home study.

What needs to be done before a plan of adoption can proceed?

Before an adoption placement can take place, there are three standards that must be met according to the *Adoption Act* and Regulations.

1. Birth parents must receive counselling from an authorized adoption social worker.
2. An assessment of the prospective adoptive family must be completed.
3. Family and medical information on the child is gathered. The adoptive parents are provided with background information to help raise the child.

Is it possible to arrange an open adoption?

The *Adoption Act* allows for both open or closed adoptions. Birth parents and adoptive parents can arrange informal or formal agreements for various forms of continuing contact.

When do birth parent(s) sign the consents to adoption?

Consents to Adoption are signed anytime after the child is 14 days old.

Can a consent to adopt be withdrawn?

A Consent to Adoption can be withdrawn within 14 days of the signing.

Can a child be placed for adoption outside Prince Edward Island?

Yes, but permission is required from the Director of Child Protection to place a child out of province.

What are pre-hearing studies?

The law requires a pre-hearing study to be completed by an authorized social worker for adoptions of children under 18 years. This includes step-parent adoptions. The study must be provided to the court prior to an adoption hearing.

This adoption study provides the judge with information about the circumstances of the adoption, the care the child is receiving, and the ability of the adoptive parents to provide for the best interests of the child now and in the future.

What is adoption disclosure?

The *Adoption Act* outlines rules about the release of information to adopted adults, to birth family members and to adoptive parents. A separate information pamphlet explaining Post-Adoption Services is available.

For more information

This pamphlet contains general information about adoption and the *Adoption Act*.

For further information about:

- the Adoption Program of Family and Human Services
- names of licensed adoption agents
- names of authorized adoption social workers
- permits for relative placement
- adoption disclosure services
- international adoptions

contact:

Adoption Services
Department of Family and Human Services
161 St Peters Road, PO Box 2000
Charlottetown, PE C1A 7N8
Telephone: (902) 368-6511
Fax: (902) 620-3422

For further information on the legal aspects of adoption, contact your lawyer or the Lawyer Referral Service at (902) 892-0853 or 1-800-240-9798.