

CHINA DOMESTIC ADOPTION

By Joshua Zhong, Co-founder and President

Before 1992, there was no legal procedure for domestic adoption in China. Adoption, a taboo subject in traditional Chinese society, was usually conducted secretly behind a “closed door”. Adoption commonly occurred through private connections, such as among relatives or between adoptive parents and local children’s hospitals where the abandonment of female infants by their birth parents was, and still is common. In April 1992, the Chinese government published the Adoption Law, the first law of its kind in China’s modern history, to legalize and promote domestic adoption.

According to the Adoption Law, childless couple or couples who already have children but are in good financial standing are allowed to adopt another child. In contrast to international adoption, domestic adoption from an orphanage takes these basic steps:

1. An adoptive family registers their petition for adoption at a local orphanage of their choice;
2. The orphanage selects a child according to the adoptive family’s request and sends them a photo;
3. If the adoptive family accepts the match, they will come to the orphanage, bringing with them a health report and their citizen ID. The family will be allowed to take the pre-matched child home the same day;
4. The family is given about one month to take care of the child as a “trial period”. If the family is satisfied with the child, the orphanage and the family will sign an Adoption Agreement. The fee to the orphanage is calculated by multiplying the monthly government living allowance t an abandoned child receives, which is between 200 RMB (\$1=8 RMB) and 280 RMB, by the number of months the child has been in the orphanage. For example, if the child’s monthly living allowance is 250 RMB and she has been under orphanage care for ten months, then the adoption fee paid to the orphanage will be 2500 RMB, plus a donation of no specific amount;
5. After the agreement is signed, both parties will go to their city Civil Affairs Office to register the adoption relationship. Documents needed for the family’s registration are: Physical Exam Reports, Employment Verification, Education Verification, Financial Report, Resident Approval, Citizen ID, and Family Planning Certificate to verify the adoptive parents’ childless status. The registration fee is about 250 RMB. Official registration represents the legalization of adoption relationship.

The Chinese national adoption policy is to place more children from orphanage with Chinese families. The specific goal is to place eight children domestically for every two placed through international adoption. In fact, according to the China Center of Adoption Affairs, more than 28,000 children were placed domestically in 2000 and over 30,000 placed in 2001. However, this number falls far short of the goal the government hopes to achieve. Therefore, the government revised its adoption law last April to allow for families who already have one child to adopt another one, if they are financially capable.

This new rule hopes to encourage newly emerging wealthy families to adopt another child. Local orphanages are eager to send their children to this kind of “rich family” because their orphanage donation is usually larger.

Both of these adoptive groups, childless couples or “rich families”, are interested in adopting healthy and “pretty” children. Adopting a handicapped child is rather uncommon. The burden to take care of handicapped children has been a major challenge to orphanages across China, compounded by limited funding, a lack of qualified medical personnel, and weak support from the current medicare system, which seldom offers discounts for the care of children from orphanage.

It is unlikely that the government will meet its goal for domestic adoption unless, first, the government goes beyond the letter of the law to counter the traditional behind “closed door” adoption culture. They must help to create a positive image for adoption by promoting its benefit to families, society and, most importantly, to the abandoned children.

Second, the government needs to expand the definition and authority of social workers. A few years ago, China started social work departments in a few universities and even established a Chinese Social Workers Association. However, their goal is to provide and train future officials for general civil affairs operation. Adoption service is not a priority. Therefore, there is an urgency to establish an army of social worker focusing on adoption service and child protection. This will curtail the demeaning but common practice by orphanages and adoptive families of picking and choosing children like shopping at a super market, or allowing families to easily reject a child simply because a “family wants to try another one”. The social work system will also hold the adoptive families accountable through home study, parenting training and post placement follow-ups.

Third, the government should also provide medical assistance, financial help, and tax benefits and incentives to families who wish to adopt handicapped children. The rapidly rising cost of living in China today and the high cost of medicare drive people away from even considering adopting a child with special conditions. Most special need children will remain in the orphanage throughout their lives unless the financial burden is lifted.

Fourth, the government should actively promote foster care systems and enable most of the children from orphanages to grow up in a nurturing family environment. In addition, the old style of foster care practice must be reformed and replaced with a system that demands childcare training, accountability and supervision.

Fifth, the government should continue to open up and increase the number of international adoptions and use them as a positive example and a model for encouraging domestic adoption.

In the years to come, domestic adoption in China will play an increasingly important role in finding homes for abandoned children in orphanages. It will go hand-in-hand with international adoption, a success story in its own right, for many decades to come.

International adoption will enhance and assist the maturity of China domestic adoption system; and the growth of domestic adoption will offer a partial but important answer to the seemingly impossible societal problem of child abandonment.