



ADOPTION BOARD
48 DUKE STREET
KINGSTON
JAMAICA WEST INDIES
TELEPHONE: 876-922-1751
Email: adoption@cpfsa.gov.jm
Website: www.childprotection.gov.jm

Dear Applicant:

Guidelines for Adoption Application in Jamaica (Form A)

The Adoption Board is the only body that has responsibility for adoption of children in Jamaica. The Child Protection & Family Services Agency (CPFSA) prepares and processes all applications for presentation to the Adoption Board for their consideration.

The guidelines below are intended to assist you with the completion of your application to adopt a child in Jamaica.

Please note that an application form is to be completed for each child that is to be adopted. In many instances, original or notarized documents are required. Failure to provide all the necessary documents, properly notarized, will result in delays in processing your case. You are required to complete and submit a complete adoption package, as such, a list of all the required documents is provided on pages 9-13 of this guideline.

Note 1

GENERAL

1.1 Adoption is the process by which a child's biological parental rights are transferred to the adopted parents. Persons who complete the adoption of children become the legal parents of the child they have adopted and all the legal rights of the biological parents are transferred permanently to the adoptive parents.

1.2 There is no cost for application forms or for any of the services provided by the CPFSA in the processing of an adoption application. However, the CPFSA and the Adoption Board are not responsible for any costs incurred in obtaining home studies, DNA tests, medical reports or police reports.

1.3 Eligibility for Adoption

1.3.1 For a child to be eligible for adoption in Jamaica, the child must be over 6 weeks old and under 18 years old. Please note that applications must be received at least eight (8) months before a prospective adoptee attains their eighteenth (18th) birthday for local and commonwealth applicants and sixteen (16) years old for United States applicants.

1.4 Who can adopt a child?

1.4.1 Jamaican citizens and citizens of Scheduled Countries (listed above) are eligible to adopt a child once they meet the following requirements:

- a) Applicants must be 25 years old and over. If the applicant is related to the prospective adoptee the applicant can be under 25 years old but over 18 years.
- b) Single females. Single males cannot adopt female children unless he is biologically related or he can show special circumstances that would convince the Adoption Board and the Court to dispense with this provision of *The Children (Adoption Of) Act*.
- c) Married couples.
- d) A married person can adopt singly once he or she can prove that
 - i. the spouse agrees, or
 - ii. the spouse cannot be found, or
 - iii. the couple is separated and the separation is likely to be permanent, or
 - iv. the spouse is physically or otherwise incapable of giving consent, or
 - v. the spouse is unreasonably refusing to give consent

A prospective adopter provides proof of these situations via affidavits, medical reports, declaration of separation, and any other pertinent documentation; the Adoption Officer can provide guidance with what documents and certificates are necessary according to the particulars of the applicant's situation.

- e) If you are divorced, a copy of the certified decree absolute must be submitted.

1.5 An adoption can only be granted if:

1.5.1 You are (in the case of two applicants, at least one of you is) domiciled in list of Scheduled Countries listed in *The Children (Adoption Of) Act*. Scheduled countries are: USA, Sweden, Denmark, UK, Canada and other Commonwealth Countries which includes fifty-four (54) countries in Africa, Asia, the Caribbean and Americas, Europe and the Pacific.

1.6 There are two types of Adoptions granted by Court in Jamaica

1.6.1 Application for an Adoption Order: An Adoption Order provides for the completion of an adoption in Jamaica. Section 10 (5) states that Subject to subsection (6), an adoption order shall not be made unless the applicant and the child reside in the Island.

1.6.2 Application for a Licence: This gives the proposed adopter(s) care and possession of the child to take to their home country to complete the adoption.

1.7 Children who go abroad on a Licence

1.7.1 The Licence gives prospective adoptive parents the right to take the child with them to the country where they reside. This Licence should be kept for immigration purposes.

1.7.3 The Licence requires that with the child's arrival in the adopter's country, the adopter has a responsibility to notify the Primary Adoption Service Provider who will be supervising the placement immediately upon the child's arrival in that country.

1.7.4 A written notarized statement should be signed by the proposed adopter(s) agreeing to (1) post-placement supervisory visits and (2) informing the Adoption Board of the finalization of the adoption. This written statement should be submitted with your Home Study at the submission of your application.

1.7.5 Subject to the provisions of the Licence, post-placement reports must be submitted at the required intervals to the CPFSA and to the Adoption Board.

1.7.6 The adoption must be completed within two years. If the time expires, and the adoption is not completed, the process must be restarted. Neither the CPFSA nor the Adoption Board has any powers under the Act to grant any extensions to the period of the Licence.

1.7.7 A child who goes abroad on a Licence keeps their original identity until they are adopted by the applicant.

1.7.8 After obtaining an Order overseas, a copy should be sent to the Adoption Board.

Note 2

IMPORTANT ADOPTION CRITERIA:

2.1 Birth Parents' Consent and the Court

2.1.1 The birth parents, if they are alive, have to agree to the adoption of their child, and to sign court documents provided by the CPFSA indicating their consent. If the birth parents are thought to be alive but cannot be found, the court can be asked to dispense with their consent. If the birth parents are considered to be withholding their consent unreasonably, or if the birth parents are incapable of consenting (for example if the birthparent is mentally ill or otherwise incapacitated), the court can also be asked to dispense with the birth parents' consent.

2.2 The court can dispense with consent of any parent or guardian if it is satisfied that:

a) The parent(s) or guardian(s) lack capacity to give consent; or

- b) The parent or guardian who is required to maintain the child has failed to do so and has abandoned the child; or
- c) The parent or guardian of the child has been the subject of a court order to pay maintenance and has failed to do so; or

2.3 Applicants are not expected to provide the parents' consent to the proposed adoption when submitting documents requested. The parents' consent and signatures will be secured by the Adoption Officer responsible for the case.

2.4 If the child you are adopting is already the subject of a Fit Person Order (this means the child is a ward of the State), the Child Protection & Family Services Agency will obtain the consents from birth parents required by the court.

2.5 Adopting Your Biological Child

2.5.1 If you are applying with your partner to adopt your biological child, (who is not the biological child of your partner), you will need to satisfy the court that:

- a) The other biological parent has granted his or her consent to the adoption; or
- b) The other biological parent has died; or
- c) The other biological parent cannot be found; or
- d) The other biological parent is unfairly withholding consent.

Note 3

STAGES OF THE ADOPTION PROCESS:

Submitting your Adoption Application

3.1 Obtain an application form from the CPFSA website www.childprotection.gov.jm. Click on Adoption and Forms to download the forms. Return the completed forms in hard copy with supporting documents to the CPFSA Corporate Office, 48 Duke Street, Kingston.

3.2 In accordance with *The Children (Adoption Of) Act*, adoption applications are usually assigned in the Parish and Family Court in the parish where the child lives.

3.3 Applications received without an identified child are known as Request Case Applicants. When the application is received, applicants will be placed on a waiting list. Applications will be assessed and requests filled on a "first-come-first-serve" basis, though this may vary according to the specifications of the applicant's request, for example the age range and gender of the child they wish to adopt, if they wish to adopt siblings, and if they are willing to accept a child with special needs.

- 3.4** A written acknowledgment of the application will be sent to you within four weeks of receipt of the application package. At the time of the acknowledgement of your application by way of a Notice, you will be provided with a case number and the name of your Case Worker, a CPFSA Adoption Officer, who will advise you of the status of your application and any appointments that will be scheduled in order to process your case.
- 3.5** For local adoptions, that is, Jamaicans who are domiciled in Jamaica, an officer will visit your home to determine its suitability (this is known as a “home visit”). Home visits may also be done by Adoption Officers to the location where the prospective adoptee is living, as deemed appropriate by the Adoption Officer to gather the information necessary to prepare the Case Committee Report.
- 3.6** Once the assessment of all documentation required is obtained, all consents and interviews gathered, the case is now ready for the Case Committee Report to be prepared.
- 3.7** A Case Committee Report along with the application form and supporting documents will be prepared by the Case Worker and submitted through the Adoption Coordinator to the Adoption Board for its consideration.
- 3.8** If the Adoption Board refuses the application, this will be communicated in writing, setting out the reasons for the refusal. The Applicant(s) can apply to the Board for a reconsideration or appeal to the Supreme Court. Please note that appeals to the Board or to the court must be done before the expiration of fourteen (14) days of receipt of the notice of refusal.
- 3.9** Approved cases are then prepared for court. The Adoption Officer/Case Worker will make the necessary arrangements for Court and communicate this with the Applicants.
- 3.10** After the Adoption Order is issued by the Court, the Adopter will take this document to the Registrar General’s Department (RGD), where they will apply for the child’s adopted birth certificate. It should be noted that once a child has been adopted, their former identity is no longer admissible and their former birth record is sealed.

Note 4

COMPLETING THE APPLICATION FORM

4.1 Names

- (a)** If the name you have entered on the application form is different from the name in a supporting document e.g. due to marriage or change of name by deed, please attach a continuation sheet explaining the reason for the difference, and an original copy of any supporting documents (such as the deed).

4.2 Occupation

- (a) The occupation you give on the form will appear on the Adoption order and will be entered in the Adopted Children Register. Please note that failure to give full details may result in a delay in issuing the child's adopted certificate.
- (b) It is important that you enter the full title of your occupation (or former occupation if you are retired), for example, '*secondary teacher*' or '*ballet teacher*', not '*teacher*'. '*Self employed carpenter*', not '*self-employed*', '*retired police officer*,' not '*retired*'. Abbreviations or general descriptions such as '*self-employed*', '*part-time worker*', or '*retired*', are not accepted.
- (c) Please also note that company names cannot be entered in the Adoption Register and it is not sufficient to enter that you are an 'employee' or 'worker' with a particular company, you must give your occupation. If you are unemployed or currently unable to work because of disability, you should give your last occupation.

4.3 The Child

- (a) Please enter the full name of the child you are applying to adopt, if you have the child and wishes to apply to the Board to adopt that child (i.e. family adoption). You must enter the full name and the surname of the child exactly as they are shown on the birth certificate.
- (b) If the child you wish to adopt was not placed with you for adoption by the Adoption Board through the Child Protection and Family Service Agency, you must put this in writing as to how the child came into your care and attached the information to the adoption application form.
- (c) You will be asked whether you wish the child to have a different name once the application is granted by the Adoption Board. The information will be inserted on the Order that will be finalised in the court. This name will be entered on the Adoption Register at the Registrar General Department.

4.4 Family adopter(s)

- (a) Enter your relationship to the child you are applying to adopt, for example, step-parent, grandparent, aunt, uncle, other relative (please specify). If you do not currently have any relationship to the child other than prospective adopter, please enter 'none'. You will need to provide documentary evidence to show how you are related to the child; this can be in the form of birth certificates. The Registrar General in Jamaica can assist with a genealogy map.

4.5 About the child's parent(s) or guardian

- (a) You will need to supply the Agency with the names, addresses and contact telephone number of the child's biological parent to prevent delay in processing the application.

- (b) If the child has no guardian, enter 'not applicable' otherwise give the details of any person appointed to look after the child.
- (c) The parent or guardian will be required to attend the adoption hearing.
- (d) The parent or guardian will be interviewed during the adoption process by a caseworker from the Child Protection and Family Service Agency. Parents or guardians are required to present a valid identification when interviewed. A valid passport, driver's license or national I.D. will be accepted.

Note 5

HAGUE CONVENTION ON ADOPTION (*SPECIAL NOTE FOR OVERSEAS APPLICANTS*)

5.1 If you are resident in USA, Canada and the United Kingdom, you will need to comply with the requirements under the Hague Convention on Inter-country Adoption.

5.2 Please note that Jamaica is not a signatory to the Hague Convention on Inter-Country Adoption and as such the CPFSA instructed by the Adoption Board of Jamaica is the only government entity that is so authorized to assess and investigate adoption applications.

5.3 USA Applicants

Applicants who are citizen in the USA must obtain (2) two services (1) a Primary Adoption Service Provider and (2) a Hague compliant Home Study in accordance with the Universal Accreditation Act 2014. Additionally, for applicants in the USA, please consult with the USCIS prior to making an application with the CPFSA for an adoption and filing an immigration petition. **The CPFSA will not be responsible for adoptions failure to meet US Immigration Petition criteria.**

5.4 Canadian Applicants

Canadian applicants must seek the services of an adoption agency that is licensed by the Canadian authority for inter country adoptions.

5.4.1 For applicants residing in the province of Ontario, you must contact either Family by Adoption Inc. or Cornerstone Adoption Agency. All other provinces must make contact with your local authorities informing them of your intentions to do an adoption in Jamaica.

5.5 UK Applicants

UK residents need to contact the Department of Education that has responsibility for inter-country adoption to determine their eligibility and suitability to adopt a child outside of the UK before they can submit an adoption application to the CPFSA. The UK will issue a certificate of approval to proceed with the application.

Note 6

FURTHER INFORMATION

All Adoption application form should be mailed or delivered to:

Adoption Coordinator
Child Protection & Family Services Agency
Corporate Office
48 Duke Street
Kingston, Jamaica
Tel: 87-922-1751
Email: adoption@childprotection.gov.jm

Application forms can be handed into our regional offices and it will be sent to the Corporate Office

The Regional offices of the Child Protection & Family Services Agency are located as follows –

South East: - 40 Duke Street, Kingston, Tel. 922 1751
Parishes in the Region- Kingston & St. Andrew, St. Catherine & St. Thomas

Southern: - Lot 19 Caledonia Mall, Mandeville, Manchester, Tel. 922 1751
Parishes in the Region- Clarendon, Manchester and St. Elizabeth

Western: - 4 Kerr Crescent, Montego Bay, St. James, Tel. 922 1751
Parishes in the Region- Trelawny, St. James, Hanover & Westmoreland

North East:- Shop 6-12, 8 Park Avenue, St. Ann's Bay, St. Ann Tel. 922 1751
Parishes in the Region - St Mary, St. Ann & Portland.

Documents are accepted at any of our offices between the hours of 9 a.m. – 5pm Mondays – Thursdays and 9 a.m. – 4pm on Fridays.

Incomplete documentation will be returned to applicants and you will be advised of the outstanding documents.

THE ADOPTION BOARD DOES NOT ACCEPT RESPONSIBILITY FOR DOCUMENTS SUBMITTED INDIVIDUALLY.

Child Protection & Family Services Agency
On the behalf of the Adoption Board
48 Duke Street, Kingston
Kingston - Jamaica

Adoption Guide (Form 5) revised January 2023

DOCUMENTS REQUIRED FOR THE ADOPTION PROCESS

1 Birth, death or marriage certificates

An original copy of the entry in the Register of Births or Deaths, and/or the Register of Marriages contained in the government department as appropriate must be provided. Therefore, a photocopy will not be accepted.

1.1 One original copy of the Birth Certificate of each applicant is to be submitted and two (2) original copies of the Birth Certificate of each child to be adopted are to be provided.

1.2 Persons who are applying to adopt their brothers, sisters, nieces, nephews or Grandchildren must submit proof of the relationship by providing original copies of birth certificates, marriage certificates, and/or death certificates that clearly establish the biological relationship between the applicant and the prospective adoptee. If necessary, affidavits may also be provided to establish proof of biological relationship *The (Children Adoption Of) Act* does not recognize cousins as relatives, but cousins who wish to adopt can supply the documentation proving their biological relationship in support of their application, if their Adoption Officer advises them to do so.

1.3 Biological parents who are deceased - An original copy of the Death Certificate(s) of the biological parents should be submitted by the applicant(s). In the event where a death certificate is unobtainable, an affidavit describing the circumstances of death and the reason the death certificate cannot be obtained must be provided. Your Adoption Officer will guide you as necessary if this is the situation in your case. However, a determination will be made by the Court.

1.4 Deed Poll- Persons whose names have been changed by Deed Poll are to submit the original Certificate of Deed Poll.

1.5 Wards of the State and children placed with Applicants by the Adoption Board through the Child Protection & Family Services Agency- Birth Certificates will be obtained by the Agency.

1.6 Children Born in Jamaica

(a) Applicants are required to submit to the Adoption Board computer generated original coloured birth certificates issued by the Registrar General's Department. The birth certificates previously issued by the Registrar General's Department, which has the purple stamp to the back, will only be accepted if they are in good condition. Please do not submit photocopies of the certificates.

(b) Certified true copies of the birth certificates of children born in Jamaica can be obtained at the Registrar General's office, Central Village, St. Catherine. The Registrar General's Department charges a fee for the service

1.6.1 Children born in other countries

Usually, birth certificates can be obtained from the Department of Vital Statistics in the county of the child's birth. However, applicants can seek clarification from the

Ministry of Foreign Affairs in Jamaica or the Embassy or High Commission in Jamaica representing the country of birth of the child to be adopted. Children born overseas must be naturalized in Jamaica in order to be adopted.

1.6.2 Legally Adopted Children

Persons who are applying to adopt children previously adopted should submit original adoption documents. For example, The Adopted Children Register issued by the Registrar General's Department should be submitted for children previously adopted in Jamaica. Two (2) original certified copies of this document should be submitted.

1.7 Court Orders

- a) If you are attaching any order from a High Court, Resident Magistrate Court or Family Court to your application, (such as a legal guardianship or custody order) it must be a sealed copy of the order (that is, a copy that has been stamped with the **original** seal of the court).
- b) If you are attaching an order made by a court, it must be a certified copy (a copy certified by the court officer to be a true copy of the original order), or a copy that bears the stamp of the originating court.
- c) An order issued by any other authority must be properly authenticated by that authority. If you are in any doubt, please contact the Child Protection & Family Services Agency.

1.8 Medical Report

1.8.1 There is a prescribed medical form that should be obtained from the CPFSA website to accompany the medical report. You will need to submit a medical report on your health (or the health of the other applicant, if there is one) with your application if:

- a) Neither of you is the biological parent to the child;
- b) If one of you is the biological parent, the other person need to submit a report;

1.8.2 The medical report must be submitted with the application form and must not be more than 3 months old at the time your application is submitted to the Child Protection & Family Services Agency.

1.8.3 Other applicants are required to have their doctor complete the medical form and the child's pediatrician completes the child's medical form. Please be sure to fill in the requested information on the side of the form captioned "Particulars Relating to the Child", once the information is known to you. **If a child is not yet linked to an applicant the child's medical is not required at this stage.** The doctor's signature is required at the end of the report. Please ask the doctor to use a name stamp in addition to the doctor's signature. The costs of the medicals are to be met by the applicants.

1.8.4 Costs for medicals for wards of the State are to be met by the Child Protection & Family Services Agency.

1.9 Pictures (Proof of Identity)

- 1.9.1** Photographs (One photo of the child to be adopted and one of each applicant)
- 1.9.2** We require clear passport size photographs. These should be taken not more than **6 months** before the application is submitted. A Justice of the Peace or, Notary Public must certify these photos. (picture of the child is required if the child is not provided by the State)
- 1.9.3** The identity of the parties to the adoption application will be kept confidential and a reference number will be assigned to the case once an application has been submitted to the Child Protection & Family Services Agency.

1.10 References (All Applicants)

- 1.10.1** The details of references must be inserted on the application form.
- 1.10.2** Two (2) **letters of References** is also required. These should have the address of the referee and should be dated and signed by the person giving the reference. References on behalf of married persons should be joint references, recommending them both if they are jointly adopting a child. **Relatives should not give references.** A Justice of the Peace or Notary Public should notarize the signature of the referee.
- 1.10.3** Reference letters should include but should not be restricted to - the period of time the referee has known the applicant, the referee should have visited the home of the applicant(s), should be familiar with the applicant's life style, and their ability to understand and relate to children. Information covering these areas should be provided in your letter.
- 1.10.4 Persons completing an adoption in Jamaica and living overseas.** One Reference should be from someone living in Jamaica.

2 Proof of Income

2.1 Employed persons

An Original letter from your employer prepared on company letter-head, dated and signed by the employer or persons assigned that responsibility. The letter should state the date of your employment, your post title, employment status, hours worked per week/month and your rate of pay. Recent Pay Statement from your employer must also be submitted.

2.2 Self-employed persons

Income statements submitted by applicants should state their occupation and show their weekly, monthly or annual earnings. Applicants should sign the statements before a Justice of the Peace or Notary Public. Statements should be stamped or sealed by the person who witnesses your signature.

2.3 Pensioners and other retired persons

Proof of pension in the form of three (3) last Pension Pay Advice that should include the amount received. A statement to support other income should be signed before a Justice of the Peace or Notary Public.

2.4 School Report (if applicable)

School Age Children

We require the original copy of the child's most recent school report.

2.5 Letter of Responsibility (If Applicable)

- a) A Responsibility Letter is to be submitted by applicants who are single, married but separated or applicants of an advance age. This also includes individuals who are suffering from a medical condition/illness.
- b) This letter is to be provided by an individual or couple who have been selected by the applicants. The individual or couple should be an income earner and should be active. The letter should state that they would assume responsibility for the adopted child in the event that the applicant is unable to care for the adopted child.
- c) The letter is to be dated and signed and a Justice of the Peace or a Notary Public should witness the signature of the person or persons giving the undertaking.

2.6 Police Record {All Applicants}

Applicants are to provide an original copy of a current police record with photograph of the applicant(s)

Police record is also required for all adult members of the household in which the applicant(s) resides.

3 Home Study Report

- (a) **For US citizens, you must seek the services of a Primary Adoption Service Provider;** a list of Agencies can be found on www.iaame.net .
- (b) We require an original notarized Home Study and two (2) copies prepared by a Primary Adoption Service Provider/ Licensed Social Worker.
- (c) The study is to be sent along with completed adoption package directly to the Adoption Board by the Agency who carries out the study.
- (d) A copy of the Social Worker or Agency's Licence and a notarized statement attesting to its authenticity is to be attached.
- (e) The home study should include information on the applicant with regard to, but is not exclusive to:
 - Name and Address
 - Physical appearance
 - Marital situation
 - Religion
 - Dates of interview and conducted by whom

- Family history and Childhood
- Employment (present and past)
- Reason for adoption and plan for adoptee
- Understanding of adoption
- Empathy towards birth parents
- Expectations of the child
- Attitude towards discipline
- Parenting skills
- Preservation of cultural heritage
- Support system – Extended Family
- Financial situation
- Accommodation
- Social Worker’s evaluation and recommendation

3.1 Agency Undertaking – LICENCE CASES (only)

The person or agency who prepares the home study should submit a written notarized letter of undertaking to supervise the placement and send post placement reports to the Adoption Board every 6 weeks during the first 3 months of placement and every 3 months until the adoption is finalized. The overseas Agency’s recommendation for the finalization of the adoption is also required. The Adoption Board will not accept responsibility for costs incurred.