

Public Annual Report

IAA program year end June 2016

Children's Resource and Consultation Centre of Ontario

Introduction:	<p>Children's Resource and Consultation Centre of Ontario has been operating since its inception in 1980. The agency is licensed by the Ontario government (Ministry of Child and Family Services) to facilitate adoptions which are finalized in Ontario under the Child and Family Services Act.</p> <p>For the most part our involvement in Ontario adoptions has focused on children born in Ontario and placed in Ontario. From early on in our history we have worked with families bringing children into Ontario for the purpose of adoption, from other jurisdictions (provinces and countries) where the finalization of the adoption would occur in Ontario. These cases, some relatives and some not, were conducted under the Child and Family Services Act.</p> <p>A few years after the implementation of the Hague Convention on the Protection of Children and cooperation in respect of Intercountry adoption by means of Ontario's Intercountry Adoption Act, this agency asked for a license under that Act to work with the United States of America. Ontario has implemented the Hague Convention in such a way as to require that an agency be licensed for specific countries only, not generally. You may see a list of Ontario agencies and the countries that they are licensed for here ⁱ.</p> <p>The Ontario government through the Ministry of Children and Youth Services (the Central Authority for Ontario) appreciates that there will not be licensed agencies for every country in the world, and for that reason and others, has made it possible for an agency licensed under the Intercountry Adoption Act to request a one-time license for a specific country. Children's Resource and Consultation Centre of Ontario has made these requests from time to time and has been able to facilitate and adoption from a country where there is no existing 'program' under the IAA in the province.</p> <p>Some of these cases have involved relatives trying to preserve family ties. Some cases involve families who have a special connection or affinity with another country – they may have come from that country or studied, work or have worked in that country. In these situations we have applied for the one-time license required for that country.</p> <p>This agency does not accept applications to adopt children from a country where we have an office or local representative in that country. We only operate on a case by case basis on a casework model for each adoption plan.</p> <p>The first step in applying to this agency is a face to face consultation meeting. In situations where the adoptive family lives more than two hours drive from our</p>
---------------	---

<p>The IAA and The U.S.A. 'program'</p>	<p>office we have had great success with an Internet teleconference. We can follow that up with a face to face interview if this is required.</p> <p>The closest thing to a 'program' under the Intercountry Adoption Act is our facilitation of adoptions with the USA: Essentially, an adoptive family hoping to adopt from the USA will need to consider three scenarios. The first involves an application to adopt an older child who is in the care of an American Child Protective Service (the equivalent of our Children's Aid Society in Ontario), typically this means an older child with special needs. The second scenario involves the adoption of a relative child who is living in the USA. The third scenario involves the application to adopt through an American Hague Convention accredited entity – agency or person.</p> <p>This third scenario operates similar to the process in Ontario where a birth parent chooses an adoptive family from a group of families that she or he is reviewing. One difference in an adoption plan of a child from the USA is that the child will be given to the adoptive family shortly after birth and there will be a known birth parent(s) and social or medical history about the birth family on one or both sides. The birth parent may decide to go ahead with the adoption plan once the child is born or may not. I can only describe this as a lottery – in no way is it a waiting list process.</p> <p>This third scenario involves a high degree of risk and expense. It is for this reason that we do not simply accept an application without the consultation as a first step. International adoption is not for everyone and international adoption from the USA is certainly not for everyone.</p> <p><u>USA cases</u> New applications (homestudies submitted to Director) : 9 Number of adoption proposals presented: 4 Adoptions where a child is in the adoptive parent home: 1 Adoptions finalized: 4</p> <p>Non-Compliant cases: in progress Eritrea 1 Rwanda 2</p> <p>One-time License cases: Niger 1 Eritrea 1 Colombia 1 We have had no adoption disruptions or breakdowns in this period.</p> <p><u>Domestic cases finalized in Ontario 4</u> <u>Foreign cases finalized in Ontario 2</u> <u>Domestic cases placed, on supervision 3</u></p>
<p>Year-end report on activity - 2016 under the IAA</p>	<p><u>Domestic cases finalized in Ontario 4</u> <u>Foreign cases finalized in Ontario 2</u> <u>Domestic cases placed, on supervision 3</u></p>

<p>Year-end report on activity – 2016 Under CFSA</p>	<p><u>Foreign cases placed, on supervision 1</u> <u>Foreign cases to be finalized in Ontario waiting for visas 4</u> <u>We have had no adoption disruptions or breakdowns in this period.</u></p> <p><u>These foreign cases involve children from Iran, Bangladesh, Morocco, Pakistan</u></p> <p><u>These questions apply to an adoption plan with the USA.</u></p> <p>Can you describe the profile of a child who may be adopted from the USA? There have been significant changes in law and practice with the implementation in the USA of their Intercountry Adoption Act in April 2008. Our experience at this time is that there may be a situation involving a hard to place child where the chances of the child being placed in an American home may be very low. A local court will have to consider a motion to declare the child available for an outgoing placement plan with a family from Canada. The cases that we have worked with so far, involve Caucasian, African American or Hispanic birth families.</p>
<p>Frequently Asked Questions.</p>	<p>How long does it take? A prospective applicant must complete a SAFE homestudy assessment conducted by an adoption practitioner approved by the Ontario Ministry of Children and Youth Services. The Ministry publishes a list of approved adoption practitioners hereⁱⁱ. This usually takes between 2 and 3 months to accomplish. The prospective applicant must complete Parent Resources Information Development Education (P.R.I.D.E.) training (27 hours of training usually conducted on the weekends, full days Saturday and Sunday each weekend. There are alternate delivery models. Details can be found hereⁱⁱⁱ: The P.R.I.D.E training must be completed within the time frame of completing the homestudy. The adoptive applicant needs to apply to this agency. This may take a week or ten days to accomplish. This agency will need to review and prefect the documentation of your file prior to submission to Ministry review. This may take a day to three weeks. The Ontario Ministry needs to review your file and provide the necessary letter regarding your suitability and eligibility to adopt. This can take 2 to 3 months.</p> <p>There is an undetermined amount of time required where the applicant applies to an entity authorized in the USA to facilitate adoptions and where a birth parent chooses the prospective adoptive applicant.</p> <p>The US authorized entity will provide a proposal of child once the child is born. It may take 3 to 10 days to complete the next step of reviewing the proposal, submitting a Notice to a Director (the Ministry of Children and Youth Services) and 5 to 10 days to receive the Decision of the Director concerning the proposed child.</p> <p>There is a parallel process to the adoption plan involving Citizenship and Immigration Canada. The adoptive applicant has to apply to sponsor a child and then once the child is born, apply on the child’s behalf for a permanent resident visa for the child to enter Canada and live here. The sponsorship process can take 3 weeks or more. The application for a visa for permanent residence can take longer.</p>

When we have our consultation meeting, this immigration process will be explained further. Information provided on the Citizenship Immigration Canada website suggests that they can take a much longer time to process a visa application. Thankfully, our experience shows this to take a lot less time than what is posted.

There will be some sort of post-placement supervision and reporting to the US authorized entity as a condition of applying for an adoption finalization. Our experience so far has been about three or four months of this supervision phase including two or three reports.

Once the final adoption order is available, and provided to the appropriate Canada Consulate General visa office you will receive a visa, be required to leave Canada, and re-enter with the child to accomplish a confirmation of residence. A permanent resident card will follow by mail in about a month. At that point, you may apply for Canadian Citizenship for the child – there is no 3 year waiting period. It may take 3 months to 10 months, or longer, to receive this Citizenship. At that point the child can apply for a Canadian passport. This can take a week or three to accomplish.

The point of receiving a temporary resident permit or a permanent residence visa to enter Canada is that it allows the child to be considered resident here for the purpose of school or for the receipt of an Ontario Health Card.

This is a long process.

How long will I be out of the country?

Each case will be unique to the state in the USA that is dealing with your application. You should plan to be away for 3 to 8 weeks until the child is cleared to live in Canada. Each state and sometimes the US authorized entity will need to provide clarification in the case of your particular adoption plan, about how soon after the birth of the child, that the child will come into your care and clarification about how long it will take to obtain a guardianship order from the local court, how long it will take to obtain a birth certificate and how long it will take to get a passport for the child. The US authorized entity will also clarify whether you can travel to another state while you are waiting for travel documents. There are issues that arise that impact on the length of time out of Canada and these will be discussed at the time of the initial consultation or during the case planning phase with this agency.

How much will it cost?

There will be two areas of cost: the work in Ontario and the work in the US state of the child's origin. Once we have set out the scope of work regarding your particular plan we will prepare and complete a service agreement setting out the fees and expenses clearly. The costs regarding work in the particular US state will be set out once the US authorized entity is chosen. There will be a large variance across states and in a particular case, depending on the particular birth parent case scenario. Each State has its own rules about how much can be charged and for what services. In considering an adoption from the USA you should probably budget \$30,000 to \$50,000 for your adoption plan. The fees and expenses in a relative case or a non-

compliant case will need to be sorted out in the early scope of work process.

These estimates do not include travel or accommodation costs. The currency exchange rate over these last few years has had a large impact on the viability of adoption plans to adopt a child from the USA.

Will There be Post placement requirements for reports or Post Adoption reports?

The most probable case will involve a finalization of your adoption several months after you are home with a child. The length of time of the reporting period and the number of visits and reports will vary from State to State and from US authorized entity to another. Once we firm up the scope of work for your particular adoption plan from a particular state we can set out these requirements and the costs associated with them. The typical pattern that we have encountered to date involved three visits and three reports over a period of three or four months. These reports are required by the state Court as part of the material that they will review at the time of the final adoption hearing. We have no experience where reports or visits are required once the adoption is finalized.

Why do I need to have a consultation first? Why can't I just send my file over with a completed application form?

This agency is not processing an application for a child who is in an orphanage, where a foreign based government authority or agent is making placement proposal decisions. Each case situation is unique in the characters and entities involved and the jurisdiction where the child will be born. There are the extra complexities of possible openness arrangements between birth parent(s) and the adoptive family. There are significant legal and financial risks involved. The emotional stakes are very high. The position of this agency is that an adoption plan involving a placement of a child from the USA is not programmatic and each case involves a unique plan depending on you, the applicant and the participants in the USA plan. The acceptance of your application by the US authorized entity and the selection of your profile from the other profiles that a birth parent may consider is completely out of our or your hands, will involve expense and may in fact never result in an adoption placement. Therefore, we do not feel that one can enter into such a plan without consultation about the risk factors and the unique case information and the information and education that should be in place before making a decision about this kind of adoption plan. In fact, depending on your particular interests, before we commit to working with you, we may require that you receive independent legal advice or advice from an immigration lawyer about the particular fact set of your plan.

CRCC has been monitoring Intercountry adoption issues and has noted that there is increasing sentiment internationally about the concerns of human trafficking. This shadow has cast over intercountry adoptions. As well nationalism and pride has impacted the notion of the need for children to leave their home country to live with an adoptive family abroad. This sentiment is true as between the USA and Canada. Both countries are usually 'receiving countries' under the Hague

This past program period	<p>Convention. This means that the parts of the Convention that were meant to protect the rights of children in 'countries of origin' may not apply in the sense of intention or effectiveness in situations where both countries are receiving countries. For example, the impact on relative adoptions or family re-unifications involving family members who are not closely 'related' is hugely complicated and expensive. In some cases, these family adoption plans are made impossible with potentially tragic outcomes.</p> <p>CRCC will continue to work on a case by case basis in Intercountry adoption and will continue to monitor international sentiment about adoptions worldwide.</p> <p>Michael Blugerman, M.S.W. Executive Director June 2016</p>
--------------------------	--

ⁱ <http://www.children.gov.on.ca/htdocs/English/topics/adoption/internationaladoption.aspx> retrieved on June 1, 2016

ⁱⁱ <http://www.children.gov.on.ca/htdocs/English/topics/adoption/practitioners.aspx>
retrieved on June 1, 2016

ⁱⁱⁱ <https://secure.adoptontario.ca/pride.main.aspx> retrieved on June 1, 2016