

Process of Child Adoption Made Simpler under Child-Care Code - MabuhayRadio

Written by Senator Pimentel's Press Office

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The process of child adoption in the country will be made simpler and shorter under the "Alternative Child Care Code of 2009" drawn up by Minority Leader Aquilino Pimentel, Jr. under Senate Bill 3440.

Senator Pimentel said the proposed Code prescribes new ways of alternative child care and consolidates all laws on domestic adoption and inter-country adoption, foster care and guardianship of children.

The measure envisions the creation of the National Child Care Authority (NCCA) that will be responsible for implementing all laws relevant to alternative child care in the country.

It also seeks to step up the effort to solve the worsening problem of "unadoptable" and overage children "not fit for adoption" due to the long-and-complicated process of domestic and inter-country adoption.

"This bill aims to address this problem by creating a 'one-step shop' code whereby those who wish to adopt and/or foster care will be easily facilitated to the best interest of every child available for adoption and/or foster care," Pimentel said

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He said the establishment of the NCCA will not only improve and speed up the process of adoption, foster care and guardianship but will also increase its fiscal capacity thereby improving its services offered to the stakeholders.

Senate Bill 3440 provides that the NCCA, to be headed by an executive director, will be an attached agency of the Department of Social and Welfare Development.

Under the bill, a person eligible to adopt a child shall file an application for adoption with the NCCA or through an accredited and licensed child-placing agency.

“The adoption proceedings will now be administrative and non-adversarial in nature. There will be less legal hassles to overcome.

The adoption shall be decided within 30 days upon submission of all complete documents required by the Authority,” Senator Pimentel said.

“Hopefully, we shall soon see that all children – the abandoned, the abused, the neglected – in this country shall have homes to nurture them, families to guide and mold their values and

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provide them with a peaceful and loving environment that will help prepare their childhood for production adult lives ahead of them.”

The Pimentel bill spells out the policy of the State “to ensure that every child remains under the care and custody of his/her parent(s) and be provided with love, care, understanding and security towards the full and harmonious development of his personality.”

O nly when such efforts prove insufficient and no appropriate placement or adoption within the child’s extended family is available shall adoption by an unrelated person be considered, the bill states.

The Philippines scored a major breakthrough in the field of alternative child care when Congress enacted into law Republic Act 9523 which authorizes the DSWD to declare an abandoned child legally available for adoption.

With the implementation of this new law, of which Mr. Pimentel is the principal author, the process of adoption has been shortened by about three weeks since the route towards declaring an abandoned child legally available for adoption is no longer a court function.

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RA 9523 provides that within seven days from the date of recommendation by the DSWD regional director concerned, the necessary certification may now be issued by the DSWD secretary that a child is legally available for adoption.

The new law, according to Senator Pimentel, is a step towards the higher goal of fully simplifying the child adoption system.

“The new law does not complete our desire to facilitate the adoption process. It merely marks the beginning of our journey in making adoption a less protracted procedure,” he said. # # #

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