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Adoption of Children with "hard-to-place" Characteristics in Romania during 2016-2022

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Abstract: *Aim: This article examines adoption trends for children with "hard-to-place" characteristics in Romania from 2016 to 2022. The central research question is whether recent legislative changes, designed to boost the adoption process, have positively affected the adoption of these children, who are often considered difficult to place due to factors such as age, health conditions, being part of a sibling group, or belonging to an ethnic minority. Method: A secondary data analysis was conducted using official statistics from the National Authority for the Protection of Child's Rights and Adoption (ANPDCA). The data included adoption trends and characteristics of children awaiting adoption over the study period. Results: While the number of adoptable children continued to increase over the last seven years, there was no significant increase in adoption rates for children with "hard-to-place" characteristics. Many of these children remain in the system, highlighting the ongoing challenges in finding adoptive families able and willing to meet their unique needs. Conclusions and Recommendations: The findings suggest that legislative changes alone have not been enough to improve adoption rates for this vulnerable group of children. A multidimensional education program is essential to prepare prospective adoptive parents, equipping them with the skills and knowledge needed to care for children with complex needs, thereby facilitating more successful adoptions.*

Keywords: *adoption; hard-to-place characteristics; public profile; child protection; Romania.*

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Introduction

Adoption is an institution with a mutable meaning contingent of shifting cultural, historical, and ideological circumstances that have varied across time and space. The current understanding of adoption is associated with combined concerns for orphan children's protection and the infertile couples' struggles to align to normative definition of a nuclear family to which parenthood is a constitutive component. However, adoption as we know it today has little similarities with its primary uses and their legal provisions. Considering this, our article starts with describing the current legal process of adoption and presents the category of children with "hard-to-place" characteristics by looking at available data on how these are encountered in the adoption process. Finally, we discuss the main results concerning the evolution of adoption for children with "hard-to-place" characteristics over the last six years while using secondary analysis of available official data regarding adoptions and the share of successful adoptions for this group of children.

Adoption process in Romania

The adoption process in Romania underwent significant changes, particularly after the initiation of child protection system reforms in 1990. Prior to these reforms, adoptions were rare, and public awareness of the situation was limited (Mihăileanu & Sârbu, 2021). UNICEF estimates, however, that approximately 10,000 children were adopted by families from Western Europe and North America between 1990 and 1991 (Dickens, 2002), and over 20,000 children were adopted between 1990 and 2001 (Casonato et al., 2020). Many of these adoptions occurred under questionable circumstances, contributing to the commodification of international adoption (Popa-Mabe, 2015). In response, the Romanian government issued a nine-month moratorium in 1991 to address these concerns. The reform of the child protection system later became an EU accession requirement (Iusmen, 2013), leading to a moratorium on international adoption in 2001 (Eni, 2017; Bainham, 2009). Initially intended to last until new legislation was passed, the moratorium effectively continued beyond 2004, despite international pressure, with exceptions only for cases involving close kinship (Denechere & Scutaru, 2010). A partial relaxation occurred in 2012 with the introduction of amendments allowing international

adoptions under restrictive conditions, including a kinship relationship up to the fourth degree or Romanian citizenship of the adopter or spouse (Diaconu, 2020). Despite these changes, the conditions for international adoption remain stringent, leaving many children available only for domestic adoption. These legislative changes, particularly those regulating international adoption, may explain Romania's relatively low adoption rate compared to neighboring countries. Between 2004 and 2013, Romania's average adoption rate was 98 per 100,000 children aged 0-3, compared to an average of 123 in the region (World Bank, Romanian National Authority for the Protection of Child's Rights and Adoption & UNICEF, 2017).

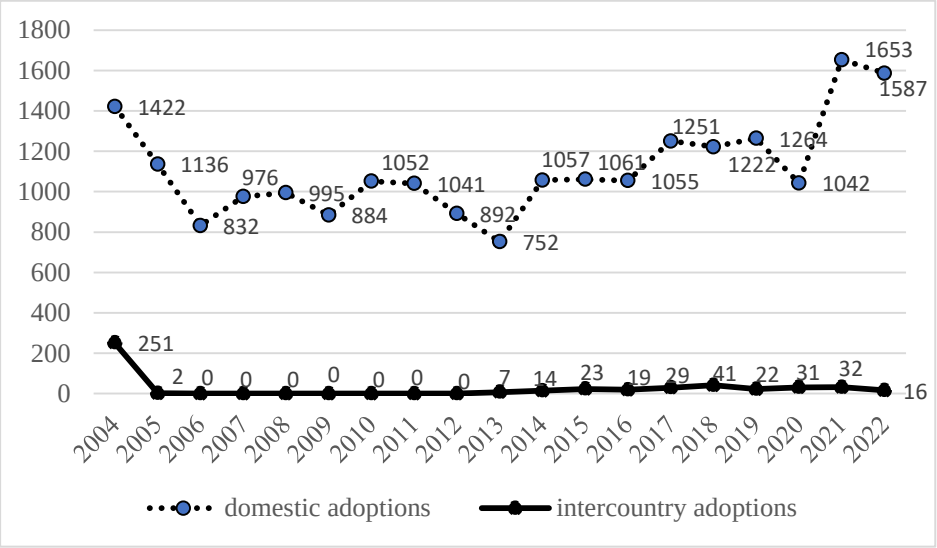


Figure 1. Number of adopted children, 2004-2021
Source: Ministry of Family, Youth and Equal Opportunities, according to data from the National Adoption Register

Following the 2001 moratorium on international adoptions and the enactment of a new adoption law in 2004, the number of intercountry adoptions sharply declined, with none approved between 2006 and 2012. This was due to legal provisions that effectively maintained the moratorium, prohibiting international adoptions by foreign citizens. From 2014 onward, the number of approved intercountry adoptions remained low, with only a few cases each year, never reaching the levels seen in 2004. In contrast, domestic adoptions remained relatively stable throughout the period. Notably, after the

introduction of the public profile system in 2016, domestic adoptions showed a slight increase, peaking in 2021 with 1,653 completed adoptions, the highest figure since 2000.

The adoption process is currently governed by Law 57/2016, which amends Law 273/2004. Key provisions include an expedited process for declaring a child adoptable, the option for adopters or their spouses to take a one-year leave with an allowance, and a maximum of 40 paid leave hours per year to support the evaluation process by child protection officers (Apetrei, 2016).

The adoption is a multi-step process (see Figure 2):

- Prospective adoptive parents must approach either the County Directorate for Child Protection (DGASPC) or an accredited private organization (OPA) to receive information on the adoption process, facilitated by a social worker or psychologist.
- If they wish to proceed after this initial consultation, they submit an official written request along with personal documentation to DGASPC/OPA, initiating the adoption process. This begins with an administrative evaluation verifying details such as identification, address, income, marital status, and housing.
- The complete assessment process, which lasts up to 90 days from the request's registration, includes social (minimum 6 meetings with a social worker) and psychological (minimum 4 sessions with a psychologist) evaluations, as well as at least 12 hours of training over three individual or group sessions. This training prepares prospective parents for the child's needs. Exemptions from training are granted to previously certified adoptive parents whose certification expired or those who have had a child in placement for at least six months. Individuals undergoing the full assessment are entitled to 40 hours of employer-approved leave annually.
- Upon successful evaluation and completion of training, a certificate of eligibility is issued, valid for five years. The matching phase then begins, comprising a theoretical stage (matching certified parents with children in the National Adoption Registry) and a practical stage (meetings between the prospective parents and the child). The practical matching stage, lasting up to three months with potential extensions of 30 days for special cases, includes at least six meetings, two of which must involve a psychologist. Additionally, one meeting must occur in

the prospective parents' home and another in the child's current residence (e.g., residential center or foster care). For children listed under the "public profile," practical matching begins within seven days of theoretical matching.

- Following the practical matching phase, the caseworker drafts a report recommending either the continuation or termination of the adoption process.
- If approved, the court entrusts the child to the adoptive family for a 90-day period, during which bi-monthly reports are submitted, and additional social and psychological support is provided. One parent may also take a leave of absence for up to two years, receiving a monthly state stipend equivalent to 85% of their average net income from the previous 12 months, capped at 8,500 RON (approximately 1,700 EUR).
- At the end of the entrustment period, a final report is submitted to the court, which decides whether to finalize or extend the process or terminate it. The court’s decision on the adoption is final and can be appealed within 10 days. Once finalized, the adoption grants the adoptive parents full parental rights, and the child's legal ties to their biological family are severed. A new birth certificate is issued listing the adoptive parents as the legal parents. Adoptive parents are required to inform the child about their adoption at the earliest appropriate time, with professional support.
- Post-adoption monitoring is mandated for at least two years, during which quarterly reports are conducted by DGASPC professionals at the family's home.

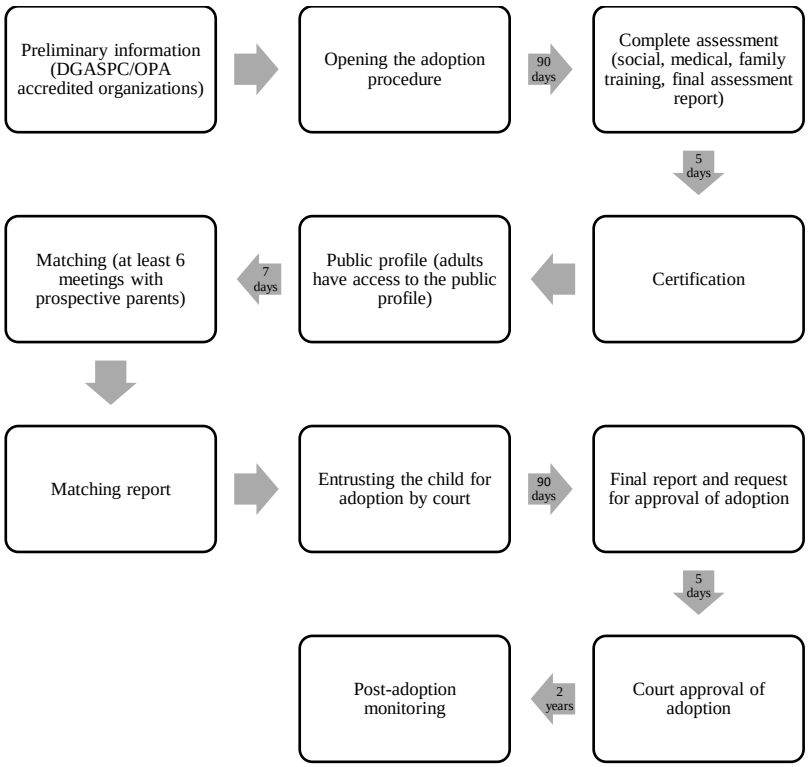


Figure 2. The adoption process in Romania
Source: https://copii.gov.ro/1/adoptie/

Adopting children with "hard-to-place" characteristics

The Council of Europe (2011) highlights the low number of adoption requests for children with disabilities or serious health issues, children with siblings, and those older than 6 or 7. In response, various countries have introduced regulations to increase adoptions for these groups. Under Romanian adoption law, children listed in the public profile are those for whom, after six months of being declared adoptable, no suitable family was found, or an identified adoption could not be completed. These include children with siblings, health issues requiring additional care, those over 3 years old, children with complex needs due to abuse or multiple placements, and those from ethnic minorities (e.g., Roma).

In 2021, to address negative perceptions among adoptive parents, the term "hard-to-place" was replaced with "the public profile of the adoptable child" (The Government of Romania, Governmental

Decree 798/2021). This profile, within the National Adoption Registry, includes recent photos (selected with or by the child), name, county of residence, age, and a brief description of medical, emotional, and educational needs, along with preferences and abilities. Profiles may also feature short videos or audio messages, and sibling groups are listed together. Prospective adopters can access this profile either at the County Child Protection Office (DGASPC) or securely online. If interested in a specific child, they notify DGASPC to begin the matching process, though they may only pursue one child from the public profile at a time, except for sibling groups.

Data from 2012-2014 show that younger children, particularly girls under age 2, without siblings or disabilities, had significantly higher adoption rates (World Bank, Romanian National Authority for the Protection of Child's Rights and Adoption & UNICEF, 2017). This aligns with parental preferences, as potential adopters are more inclined to adopt young, healthy, non-Roma girls, while children with disabilities or special needs are often adopted by extended family or foster carers (Buzducea & Lazăr, 2011). Consequently, a significant gap persists between adoptive parents' preferences and the characteristics of adoptable children, leaving many older children, children with disabilities, and sibling groups in the system for an average of 7.5 years (Bîzgan, 2019). This study aims to assess whether legislative changes introduced in 2016 have led to an increase in completed adoptions for children listed in the National Adoption Registry's public profile (i.e., children with "hard-to-place" characteristics).

Method

Aim

This article aims to investigate and illustrate the trends of adoptions for children with "hard-to-place" characteristics during 2016-2022, upon the implementation of this special section in the National Registry of Adoption. This could help policy makers in understanding how this new perspective regarding children increased the adoption rates and provides evidence for the outcome of the legislation upon 7 years of implementation.

Data sources

We used official data from the National Authority for the Protection of Child's Rights and Adoption (ANPDCA) (n.d). ANPDCA

publishes online data regarding the child protection system for each trimester, but sometimes with a significant delay. Therefore, missing data was supplemented by requesting specific data in June 2022 from the responsible public authorities. The reply to the official address included aggregated data in excel format that was later included in the analysis. Even if there was no sensitive information collected, the research project was evaluated and approved by the Scientific Research Ethics Committee.

Data analysis

We run a secondary analysis of the official data aiming at highlighting and describing: (1) the development of approved domestic and intercountry adoption during 2016-2022, and (2) the ratio between adopted children with HtP characteristics/adoptable children (2016-2022).

Results

Adoptable children, 2016-2022

Over the past seven years, the number of adoptable children has significantly increased, reaching 6,702 by the end of 2022, representing a 15% rise from the previous year. This trend may be attributed to streamlined procedures for declaring children eligible for adoption. A majority of adoptable children are boys in the 7–13 age group, with over 75% placed in foster care. However, despite the absolute increase in adoptable children, their proportion relative to the total number of children in the Child Protection System (CPS) remains low—5–6% during 2016–2020 and 16% in 2022. Furthermore, the number of certified adoptive families remains insufficient to meet the growing number of adoptable children.

Each year, approximately 9,000 children enter the CPS, where they spend an average of 7.5 years (Alianţa Română Fără Orfani, 2022). Notably, 20% of older children remain in the system until they turn 18 (World Bank, Romanian National Authority for the Protection of Child's Rights and Adoption & UNICEF, 2017). Despite this, 85.5% of adoptive families prefer children under seven years old, while only 9.7% of children in residential care fall into this age category (Pora, 2019), leaving a large number of children without permanent families. Data further indicate that, on average, only one-third of adoptable children are adopted, with the adoption rate declining from 32% in 2016 to 24% in 2022.

Table 1. Number of adoptable children, completed adoptions and certified adopters at the end of the year, 2016-2022

Year	Gender		Age group				Placement arrangements					Total adoptable children	Total completed adoptions**	Total children in CPS (out-of-home)	No. of certified adopters***
	Male	Female	0-2	3-6	7-13	14-17	Foster parent	Another family/ person	Relative up to the 4th degree of kinship	Tutor	Residential-type services				
2016*	1746	1504	546	830	1511	363	2710	173	7	1	359	3250	1055	56866	1881
2017	1810	1447	430	959	1865	3	2785	135	11	0	326	3257	1280	55302	2693
2018	1759	1364	305	794	2019	5	2636	152	4	1	330	3123	1263	52783	2392
2019	1876	1398	275	828	2138	11	2747	156	11	5	355	3274	1286	50401	2429
2020	1895	1414	286	723	2295	5	2751	150	13	2	393	3309	1073	48031	2871
2021	2480	3317	305	1134	3880	478	4566	247	24	4	956	5797	1653	45212	3067
2022	2881	3821	243	1029	4258	1172	5269	259	26	3	1155	6702	1587	42029	2845

Source: Generated by the authors using ANPDCA data (https://copii.gov.ro/1/date-statistice-copii-si-adoptii/).

Note: *data available only for the first semester 2016;** only data for domestic adoptions accounted; *** includes both certified for domestic and intercountry adoption

Adoption of children with "hard-to-place" characteristics, 2016-2021

In 2016, children with "hard-to-place" characteristics made up 43% of the adoptable children in the National Registry of Adoption. This proportion has since nearly doubled to 90%, largely due to procedural changes that expedite their transfer between lists.

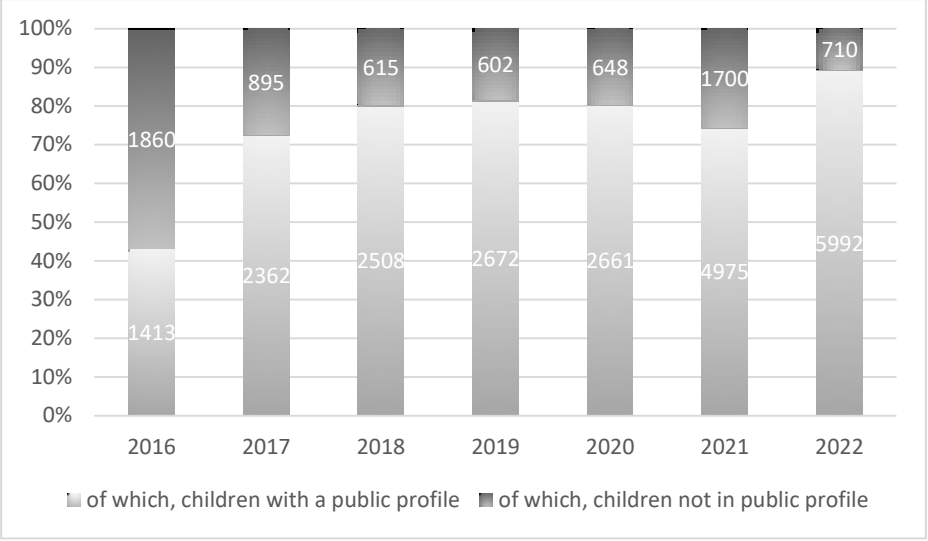


Figure 3. Number of children declared adoptable, 2016-2022
Source: Generated by the authors using ANPDCA data and publicly available information (https://copii.gov.ro/1/date-statistice-copii-si-adoptii/).

Despite a growing number of adoptable children with "hard-to-place" characteristics, approximately 70% are over the age of 7. Other common characteristics include being male, having health issues, or being part of a sibling group. However, adoptive parents' preferences often do not align with these profiles: 72.4% seek children under 3 years old, 41.7% prefer girls, and 80.8% want children without medical conditions (Buzducea & Lazăr, 2011). Consequently, even with the introduction of a separate section and expedited procedures, the adoption rate for these children remains below 10%, while the cessation rate averages 13% (see Table 2).

Table 2. Comparing number of adoptable children, completed adoptions and disrupted adoption for children from the public profile, 2016-2022

Year	2016*	2017	2018	2019	2020	2021	2022
Adoptable children	1413	2362	2508	2672	2661	4975	5992
0-2 y.o.	*n.a*	79	81	68	72	135	83
3-6 y.o.	*n.a*	577	552	580	501	893	825
7-13 y.o.	*n.a*	1705	1872	1993	2058	3543	4025
14-17 y.o.	*n.a*	1	3	31	3	404	1059
Adopted children	2	166	223	248	242	260	*n.a.*
Disrupted adoptions	95	286	357	470	472	656	*n.a.*

Source: Generated by the authors using ANPDCA data and publicly available information (https://copii.gov.ro/1/date-statistice-copii-si-adoptii/).

The issue of adopting older children and those with health problems is not unique to Romania and is observed in other countries as well. However, the low adoption rate may be explained by a yearly 3% reduction in Child Protection Office staff, who are crucial in supporting adoptive parents in considering "hard-to-place" children. Another factor could be the implementation of the deinstitutionalization policy, which offers three main outcomes: family reintegration, adoption, or aging out. In 2021, 6,191 children entered the Child Protection System due to abandonment, maltreatment, or being left by parents working abroad, while only 4,397 exited through adoption or reintegration, thus resulting in a 39% retention rate.

Discussion and conclusions

Child adoption remains a complex and contentious issue in Romania, largely due to the sensitive situation of children since the early 1990s (Timofti, 2019). Over the past three decades, Romania's child protection system, including adoption, has undergone significant reforms, leading to improved care for children in state custody (Rus et al., 2011). The system has focused on deinstitutionalization and developing alternative care services, which have generally been successful (Guth, 2014). For children unable to return to their biological families, adoption offers a stable family environment. Despite legislative amendments aimed at facilitating the adoption of "hard-to-place" children in Romania, there has not been a significant increase in successful adoptions for this group. This resonates with prior results suggesting persistent challenges in adopting children with complex needs (e.g., health problems, older age, sibling groups, or minority status. It is critical to emphasize that the adoption process must prioritize the best interests of the child. Romania,

as a signatory of international children's rights treaties, has revised its adoption laws 12 times since 2004, with the latest changes implemented in March 2023. These amendments, such as extending the validity of adoption certificates to five years and increasing parental leave, aim to streamline the process (Alianţa Română Fără Orfani, 2022) and provide additional opportunities for children to secure a stable family environment. However, while these legal improvements are noteworthy, the system still prioritizes domestic adoptions, and challenges in matching adoptable children with suitable parents persist, particularly since simplified procedures apply only to domestic adoptions (Casonato et al., 2021; Raiu et al., 2023). Although legislative changes address some of the systemic issues, adequate resources and targeted support for potential adoptive parents remain crucial. The Committee on the Rights of the Child (2017) recommends enhancing resources for the implementation of adoption laws, addressing misconceptions about adopting children with special needs or from disadvantaged backgrounds, and considering the opening of international adoptions when domestic options fail.

Notably, there has been a 63% increase in certified adoptive parents between 2016 and 2021. However, a slight decline of 7.2% occurred in 2022. While economic support for adoptive parents, measured through accommodation allowances, has remained stable, it is still below the number of approved adoptions. Financial incentives are essential but must be complemented by other supportive measures to ensure the long-term success of adoptions. To date, there are very few established evidence-based programs for recruiting adoptive families for children in foster care (Potter & Fond, 2021).

In conclusion, while Romania has made strides in its adoption framework, there remains a pressing need for holistic approaches that not only address legal structures but also provide comprehensive support for adoptive families. By fostering a more inclusive and supportive environment for the adoption of hard-to-place children, Romania can move closer to ensuring that every child has the opportunity for a loving and stable home

Limitations

There are several limitations to consider when understanding the results, determined by the type of data we used. Although we used publicly available official data in aggregated form, we had no alternative to double-check for their accuracy, as there is no alternative reporting

system. Thus, we consider these data as truthful. Also, there is a delay in updating the data on the Authority's website, so there might be some missing data interference. Last, we covered a rather short period of time, 2016-2021, that also overlapped with the COVID-19 crisis, which made the adoption process even more difficult due to the implementation of special protection measures (Giurgiu & Călin, 2022).

Implications for policy, practice, and research

The findings of this study have important implications for child adoption practice, training, and research. First, an analysis of Romania's adoption policies reveals that the simplified procedures for adopting children with hard-to-place characteristics apply only to domestic adoptions, resulting in limited improvement in adoption rates. Although inter-country adoption for these children is under discussion, it must be supported with appropriate resources if implemented (Lightfoot & Yoon, 2019). The National Strategy for the Protection and Promotion of Children's Rights (2023–2027), adopted in October 2023, sets specific goals to reduce the time children, particularly those with disabilities, spend in the system, accompanied by increased resources.

Second, specialized support for adoptive parents is essential throughout the adoption process (Alianţa Română Fără Orfani, 2020). To increase successful adoptions, pre-adoption training must prepare parents for the unique challenges of adopting older children, children with special needs, or sibling groups. By receiving structured information on unique characteristics and challenges, the parents become less likely discouraged to adopt certain categories of children (Russu, 2023). Current training is seen as limited to general parenting skills (Bergsund et al., 2018), and access to professionals skilled in addressing adoption-related issues remains insufficient (Atkinson & Riley, 2017). Caseworkers play a crucial role in ensuring adoptive parents are well-informed and equipped to handle emotional challenges throughout the process (Ruggiero & Johnson, 2009; Militaru, 2023). Additionally, post-adoption services are needed (Buzducea et al., 2014; Ghițulescu, 2019), but are currently lacking (Popescu et al., 2020).

Further research is also necessary to provide evidence on effective interventions for adoptive families. While some studies focus on successful interventions (e.g., Foli et al., 2014; Foli et al., 2017), no such analysis has been conducted in Romania.

Disclosure statement

On behalf of all authors, the corresponding author states that there is no conflict of interest.

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Ethics approval statement

The study received an ethical approval by the Lucian Blaga University of Sibiu (no. 7/29.07.2022).

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