

GUIDE TO ADOPTION AND FOSTER CARE



Adopce.com - a joint project of the Tereza Maxová Foundation
and the Adoption and Foster Care Centre

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INTRODUCTION

Dear friends,

Since 2000, Adopce.com has been helping those interested in adoption and foster care answer questions about the process, and I am so pleased it continues. We have come a long way as a society in twenty years, and gradually the space and opportunities to support families, both biological and foster, have expanded. We are much more aware of the important role that the family environment plays in the harmonious development of the child. Nevertheless, many children are still referred to institutional care. That is why the Tereza Maxová Foundation continues to raise awareness and support all forms of foster family care and the prevention of the undesired removal of children from their families. That is why we have long supported the Adopce.com project.

You are holding in your hands a brochure that aims to guide you safely through all the aspects of foster family care and offers answers to questions that may arise. You can also access comprehensive information on the helpline and the web portal - www.adopce.com - seven days a week, 24 hours a day. Both the web site and the brochure have been created to make the process of adopting a child into a foster family clearer and simpler.

I would like to express my heartfelt thanks to the Adoption and Foster Care Centre, which has been providing a professional overview of the project since its beginning, and to its staff, the authors of this brochure.

Let me wish to all those interested in foster care the smoothest and quickest possible path to adopting a child – and to all children-loving, kind parents who are well-prepared for this mission.

Your Tereza Maxová



Dear friends,

It is a pleasure to present you the seventh updated edition of the „Guide to Adoption and Foster Care“, which is published thanks to the Adopce.com project and the support of the Tereza Maxová Foundation. Since 2000, the Tereza Maxová Foundation has been supporting the Adoption and Foster Care Centre efforts to ensure that as many children as possible get the chance to grow up in a family. We greatly appreciate the financial support and cooperation that enables us to promote and develop the system of foster family care and help children and families at risk.

Please accept the following chapters as initial information about possible ways to help children who, for various reasons, cannot grow up in their own families. A centuries-tested, sensitive, and proven solution is to find a new (foster) family that will provide the child with a loving and safe home and unconditional acceptance.

The brochure primarily aims at those interested in foster care - prospective adoptive and foster parents. It can also provide a quick insight for anyone interested in the topic. We would like to inspire you and help you on your journey to creating a new family while opening new options for the kind care of children.

On behalf of the association, the Adoption and Foster Care Centre, we extend our warmest greetings.

Věduna Bubleová



1. CHILDREN NEED TO LIVE IN A FAMILY

The tradition of adoption of abandoned children into new (foster) families has deep roots. It was a practice commonly used by many cultures. The word adoption originally meant „to choose“; i.e. children were chosen by their new parents. Today, the opposite is true - new (foster) parents are chosen for abandoned children.

Legal guardians, usually the parents, are responsible for the child. If the parent cannot fulfill their parental role, someone else must defend the children's interests. If a child cannot grow up in his or her family, a complex social and legal protection system of which foster care is an integral part enters the life of the family at risk. Pursuing the path to foster parenthood, you need a good understanding not only of the child's needs but also of the competencies and responsibilities of those working in the system protecting children at risk. Based on the legal framework and working methods of their profession, every worker in the child welfare system must protect the child's best interests. Those interested in foster family care thus learn about the work of social workers, temporary foster carers, residential care workers, psychologists, judges, and other services. The well-coordinated work and efforts of all of them can, in justified cases, result in a child living in a new - adoptive or foster - family. The journey to foster parenthood has its rules and procedures and involves preparation, screening, and assessment of prospective adoptive or foster parents. A child's future life and harmonious development depend on the right choice of the most suitable family.

In a foster family, a child is brought up by surrogate parents directly in the new parents' homes. Foster care aims to provide children at risk with permanent, long-term, or temporary care, depending on their life situation (and the status of their biological family). The choice of the ‚type‘ of foster care should depend on an assessment of the child's needs and the family situation and follow an individual child protection plan. The social workers use these tools to address the difficult life situation of the child and family at risk. The child's biological family should receive intensive support and assistance to consolidate their situation before a child is placed in any form of foster care.

Given the welfare system's struggle to provide sufficient assistance and supporting services (especially field and ambulatory services) to families at risk, and the decline in foster family care applicants, almost 8,000 children still grow up in institutional care. Residential institutional care is intended to be a time-limited option and must always be ordered by the court. If the reasons for which institutional care was ordered expire or if it is possible to provide other than institutional care, the court is obliged to terminate the institutional care without delay. From 2025, it will not be possible to place children under the age of three in institutional care.

2. WHERE DO CHILDREN COME FROM TO NEW FAMILIES

3. CHILDREN PLACED IN ADOPTION AND FOSTER CARE

The vast majority of children for whom we seek foster parents have their own families somewhere. Orphans are the rare exception in the social protection system. In most cases, these are so-called socially orphaned children who have a mother and father, or at least one of them, unable to care for them. Quite often, the extended family can take care of the children in such difficult situations, or the children are entrusted to the care of persons close to them. Another option for a (short-term and long-term) solution is to look for persons from the circle of vetted candidates for foster family care registered with the regional authority (see the chapter on the mediation of foster family care).

Children placed in screened families „from the register“ can come from:

- the original family.
- the maternity hospital.
- temporary foster care.
- a baby box program.
- the residential care homes for children under 3 years of age (in the Czech Republic known as the infant homes or children's centers).
- the residential facilities known as the children's homes, and children's homes paired with school or educational institutions.
- institutions for children in need of immediate assistance.
- the residential facilities for the disabled.

All these children share the same needs and have the same rights as their peers. They need the safety, kindness, and patient care of a new family and unconditional acceptance to experience a fulfilled childhood.

Even a family with previous parenting experience must become accustomed to the specific needs and behavior of the children entrusted to them. These children have experienced the exact opposite of what childhood is supposed to be. Instead of a safe and loving home, carefree life, and trust in an adult, they experienced abandonment, loss, fear, unsettling changes, and often mistreatment at the most sensitive time of their lives. The new family needs to have a good understanding of the needs of children living away from their own family. They need to understand the causes of their behavior and other expressions and be able to ask for support and help when they struggle to cope.

3.1 WHICH CHILDREN ARE PLACED IN ADOPTION?

Children are selected for adoption if their legal representatives (usually parents) have given their consent to the adoption or if the court decided in special proceedings that no consent is required.

The parents no longer serve as the legal representatives of the child if they have been deprived of their parental responsibility and the right to consent to the adoption. If the parents have been deprived of their legal capacity, they may act in adoption matters, including the granting of consent to adoption, only to the extent that their limited legal capacity allows. The court shall relieve a parent of parental responsibility if the parent abused or seriously neglected his or her parental responsibility. A petition for limitation or removal of parental responsibility is usually filed by the municipality with extended jurisdiction. However, the court may initiate the procedure even without a petition based on information obtained in the course of its activities. The court is obliged to consider the grounds for initiating the removal of parental responsibility whenever a parent commits a deliberate criminal offense against a child or uses a child to commit a criminal offense.

If the child does not have a legal guardian in at least one of the parents or if the court decided that parental consent is not required for the adoption, the court shall appoint a guardian to represent the child in the adoption proceedings. A guardian shall always be appointed for a child under twelve years of age. As a rule, the guardian is appointed by the social and legal protection authority.

PARENTAL CONSENT TO THE ADOPTION

Consent to adoption may be issued for a specific person, the adopter - so-called addressed consent - or without specifying a person. In the case of the addressed consent, the social and legal protection authority does not mediate the adoption process. The parent states his or her consent in a personal declaration to the court but only after the court informed the parent of the consequences of the adoption. The child's mother cannot give her consent earlier than six weeks after giving birth. The child's father may give consent to the adoption at the earliest after the birth of the child.

Adoption consent can be revoked within three months after being given. If the parents do not give consent at the same time, the time limit for revocation runs separately for each of them. After the time limit expired, the consent can be revoked only for the reasons set out in Section 817(2) of the Civil Code. Parental consent to the adoption shall cease to have effect if the adoption does not take place within six years from the date of issuing the consent. Both parents must consent to the adoption of a child even if the parent is a minor.

WHEN PARENTAL CONSENT TO ADOPTION IS NOT REQUIRED

Parental consent is not required if the parent shows a lack of interest in the child. The court decides on the lack of interest in special proceedings initiated either by the appeal submitted by the social and legal protection authority acting as guardians or by the other parent. In their decision, the court shall assess the situation on the date of the appeal.

CHILD'S CONSENT TO THE ADOPTION

If the child is over 12 years of age, he or she must always agree to the adoption, provided that he or she is capable of assessing the consequences and that it is not against his or her interests to require consent. Children under 12 years of age are represented by a curator appointed by the court, usually a child welfare authority, who first ascertains all relevant circumstances. The court shall nevertheless try to hear the child and obtain his or her views on adoption, taking into account his or her mental maturity. The child may withdraw his or her consent to the adoption before the adoption decision is approved.

The child can be placed in the care of the prospective adoptive parent at his/her expense or in foster care (usually temporary foster care) before the resolution of whether the child could be adopted. The latter option is suitable for those interested in foster care who are open to any form of foster care and are aware that the original family will know their identity. They must also consider that the child could still be returned to the care of his/her biological family. For the child, this solution means avoiding institutional care. At the same time, the new foster family can start establishing the relationship from the outset which has a positive effect on the child's psychosocial development.

By adoption, the child acquires a new family with all the consequences, including the family relations with the adoptive family. Adoption creates a new legal and family relationship, on par with the legal bonds between biological parents and children. Kinship relations to the original family cease to exist. However, this does

not mean that the children no longer have any personal history. The children's past cannot be ignored even in the case of adoption; the children have their roots, their biological family, and identity, which cannot be suppressed (or even made to disappear) but must continue to be nurtured so that it naturally blends with life in the new family.

3.2 WHICH CHILDREN ARE PLACED IN FOSTER CARE?

Children are placed in foster care if they are not legally free for adoption, their biological parents prove their interest (this is different for each parent and can be manifested in different ways) but are unable or incapable of taking care of the children. Parental rights and obligations remain with the biological parents.

Foster care is an institution as diverse as the stories of the children themselves. The foster parent personally cares for the child and is responsible for his or her upbringing. However, from a legal point of view, the relationship between foster parent and child is not the same as that between parents and child - as it is the adoption case. The foster parent has the right to represent the child and manage his/her affairs only in routine matters and does not have a maintenance obligation towards the child. To manage special matters (such as the travel document processing), the foster parent must seek the consent of the child's legal guardian (usually the child's biological parent) or court order.

The court approves the foster care for as long as the obstacle preventing the child's biological parents from taking personal care of the child lasts. It is a tool that should help the child to bridge a difficult period in his or her life when the biological family cannot fulfill its basic role. Sometimes a child lives with a foster family until he or she reaches adulthood, while other times he or she may return to his or her original family after a certain period.

Children placed in foster care usually know their biological parents. In some cases, contact is frequent, in others it is scarce. Children in foster care have their original family and this should be respected. The legislation directly obliges the foster parent to maintain and nurture the child's relationship with his or her parents, other relatives, and persons close to the child. Foster parents are also obliged to allow contact between parents and the child unless the court orders otherwise. Foster care is a state-supported form of substitute family care and both the foster parents and the child are entitled to material security.



4. TYPES (INSTITUTES) OF FOSTER FAMILY CARE



Types (institutes) of the substitute family care:

	Relationship to the child (who is usually the caring person)	Rights and obligations of the caregiver	How does the child benefit	Financial reward for the caregiver	Alimony allowances and welfare for families with children	Rights and obligations of the original family
Entrustment to the care of a person other than a parent	As a rule, a relative of the child (or a person close to the child).	Cares for, educates, and represents the child only in routine matters. Other rights and obligations are defined by court order.	The child remains with the original family or close persons and relatives.	Without claim for reward. Entitled to claim an allowance to cover the child's needs (the difference between the allowance and the court-ordered maintenance).	Alimony + selected family benefits ¹	Maintenance obligation continues, parental responsibility is limited by court order.
Adoption	Neither a relative in the direct line (grandparent) or and adult sibling of the child can become an adoptive parent, and there must be a reasonable age difference between the adoptive parent and the adoptee, usually not less than 16 years.	Full parental responsibility	The child has the same status as a biological child (the adoptive parents have a maintenance obligation to the child, the child to the adoptive parents, they inherit from each other).	Without claim for reward.	Selected family benefit ¹	Kinship relations to the original family cease to exist.
Mediated foster care	Persons included in the register of persons suitable to become foster parents, selected for care by the regional authority.	He or she cares for and raises the child and may only represent the child in routine matters.	The child grows up in a family.	Foster carer's remuneration (derived from the minimum wage, taxed and subject to deductions for social and healthcare insurance).	Foster care benefits ² and selected family benefits ¹	The parents have a maintenance obligation. The alimony right passes to the state. Parents decide on non-routine matters (and if they do not reach an agreement with the foster parents, the court decides).
Non-mediated foster care	Grandparents or other relatives of the child; or persons close to the child.	He or she cares for and raises the child and may only represent the child in routine matters.	The child grows up in a family.	Fostering allowance (based on the living wage, not taxed and not deducted for social and healthcare insurance) ³ .	Foster care benefits ² and selected family benefits ¹	The parents have a maintenance obligation. The alimony right passes to the state. Parents decide on non-routine matters (and if they do not reach an agreement with the foster parents, the court decides).
Temporary foster care	A person included in the register of applicants for foster care mediation as suitable for this institute of foster care.	He or she cares for and raises the child and may only represent the child in routine matters.	The child grows up in a family.	Foster carer's remuneration (derived from the minimum wage, taxed and subject to deductions for social and healthcare insurance).	Foster care benefits ⁴ and selected family benefits ^{1,5}	The parents have a maintenance obligation. The alimony right passes to the state. Parents decide on non-routine matters (and if they do not reach an agreement with the foster parents, the court decides).
Guardianship with care	A relative or a person known to the child or a person from the register of applicants for foster care mediation.	He or she is the child's legal representative, the same as a parent, but without the maintenance obligation. He or she takes care of the child, raises and represents the child and manages the child's property. Subject to the supervision of the court, some decisions require court approval.	The child grows up in the family and representation (protection of the child's interests) is arranged.	Fostering allowance (based on the living wage, not taxed and not deducted for social and healthcare insurance) ³ .	Foster care benefits ² and selected family benefits ¹	Parental responsibility has been terminated, suspended or revoked.

¹ These are mainly benefits from the state social support system (child benefit, housing benefit, parental allowance, care allowance) and sickness insurance (maternity allowance). Entitlement to benefits from the state social support system is assessed by the local branch of the Labour Office; cash maternity assistance is assessed by the competent office of the Czech Social Security Administration (and the Prague Social Security

Administration in Prague). ² One-off contribution upon the approval of the foster care, child needs allowance, maintenance allowance, one-off maintenance allowance and motor vehicle purchase allowance. ³ Grandparents are entitled to a foster care allowance at a lower rate than other relatives. ⁴ Temporary foster carers are entitled to a takeover allowance up to a maximum of CZK 40,000 per year. ⁵ Temporary foster carers are not entitled to a parental allowance.

4.1 ENTRUSTMENT OF THE CARE TO A PERSON OTHER THAN THE PARENT (§ 953 ET SEQ. OF THE CIVIL CODE)

If the child's best interests require, the court may entrust the child to the custody of a person other than the parent if that person consents to the child being entrusted to his or her care. The condition is that they must guarantee the child's successful upbringing. In choosing the appropriate person, the court will usually give preference to a relative of the child, but it may also be someone else who is close to the child and to whom the child has developed a relationship.

The child may also be entrusted to the joint custody of the spouses. The child may be entrusted to the care of one spouse only with the consent of the other spouse, provided that the latter is legally competent or that the measure of consent does not involve an obstacle that is difficult to overcome. In its decision, the court shall always define for the persons to whom it entrusts custody the extent of their rights and obligations to the child.

Custody will be granted only if it is possible to impose maintenance obligations on the parents in respect of the child. The court may regulate how the child's maintenance is to be managed, in particular by determining what part is to be used for consumption and what part is to be saved for the child. As of 2022, when a child is entrusted to the care of another person, the child is newly entitled to contribution covering his needs in the amount of the difference between the needs and the maintenance determined by the court.

4.2 ADOPTION

In adoption, the spouses or individuals legally adopt the child as their own and acquire full parental responsibility. Adoption establishes a parent-child relationship between the adopter and the adoptee, as well as a kinship relationship with other members of the adopter's family. All reciprocal rights and obligations between the adoptee and his or her original family shall cease upon adoption. The adoptive parents have parental responsibility for the upbringing of the children. Adoptive parents are legally registered in the birth register. The child also acquires the surname of the new parents. There must be a reasonable age difference

between the adopter and the adoptee. The adoption is decided by the court. Before the court decides on the adoption, the child must be in the care of the prospective adoptive parent for at least six months, at the prospective adoptive parent's expense. This condition is fulfilled if during this period the child has been cared for at his or her own expense by a foster parent, guardian, or another person who has decided to adopt the child. In cases where the consent of the biological parents is required for the adoption of the child, the six months of personal care before the adoption shall not be counted until three months have elapsed from the date of the consent to the adoption.

An adult may also be adopted if this is not against good morals. The adoption of an adult is governed in detail by the provisions of Section 846 et seq. of the Civil Code.

ADOPTION OF CHILDREN TO AND FROM ABROAD (INTERNATIONAL ADOPTION)

This form of foster care is a possible solution if a foster family cannot be found for the child in the country of origin. In our country, the Office for International Child Protection in Brno (www.umpod.cz), which acts under the Convention on Protection of Children and Cooperation in respect of International Adoption, acts as an intermediary. Mediation of the adoption of a child is only possible from (and to) countries that have ratified the Convention.

4.3 FOSTER CARE

Foster care is a state-supported form of foster family care intended to ensure the material security of the child and to provide adequate remuneration to foster parents concerning the complexity of the care provided. A child may be entrusted to the foster care of an individual or the joint foster care of spouses. The legislation establishes the best interests of the child as the determining consideration for foster care. Foster care takes precedence in law over the care of a child in an institution.

If the child is capable of expressing his or her own opinion freely given his or her age and intellectual maturity, his or her opinion must be taken into account before the child is placed in foster care.

The foster parent has the right to represent the child and to manage his/her affairs only in routine matters. To carry out special matters (e.g. the processing of a travel document), he/she must seek the consent of the child's legal guardian or the court. If the foster carer believes that the decision of the legal guardian is not in the child's best interests, he or she may seek a decision from the court. Foster care may be changed to guardianship in cases where the child's parents have died, been deprived of parental responsibility, had their parental responsibility limited or suspended, or had their capacity to exercise parental responsibility limited. Foster care is established by a court decision and only a court can also decide to terminate foster care. It can only do so for compelling reasons, but it must always revoke foster care if the foster parent so requests. Foster care ceases when the child reaches the age of majority. If the child is placed in foster care, the foster parent is obliged to promote the child's association with his or her original family and persons close to the child.

From January 2022, a distinction is made between mediated foster care and non-mediated foster care. Mediated foster care means caring for a child „selected“ by the county and the foster parent is served with a notice of suitability to become the foster parent of the selected child. In non-mediated foster care, this act of „selecting“ the child through the county office is absent. In the case of non-mediated foster care, the child is often cared for by grandparents, other relatives, or persons close to the child.

TEMPORARY FOSTER CARE

A specific type of mediated foster care is temporary foster care, which is intended to fulfill the institute of crisis or temporary placement of a child outside his/her own family. The court may, on the proposal of the social and legal protection of children authority, entrust a child to temporary foster care to persons included in the register kept by the regional authority for:

- the period during which the parent cannot raise the child for serious reasons (for health reasons, serving a prison sentence, etc.);
- the period after which the parent's consent to the adoption may be given; or
- the time until a final decision of the court that there is no need for parental consent to adoption.

This last case is the situation when the parent shows a lack of interest. A parent's lack of interest in the child is deemed to be undisputable if the parent has not expressed genuine interest for over 3 months. However, if the behavior of the parent cannot be regarded as a gross violation of the parent's obligations, the parent

must be informed by the child welfare authority on the possible consequences of his or her behavior and at least three months must have elapsed since such instruction before the court decision. The court decides whether the parent is not interested in the child upon the application of the social welfare authority as the child's guardian or the application of the parent. Foster care for a transitional period may last no longer than 1 year. In exceptional cases, especially if it is clear that the steps already underway are leading to the child being placed in long-term care, the child may be placed in temporary foster care again.

The court may order that the child be placed in temporary foster care by way of an interim measure.

Only a person listed in the regional authority's register of persons suitable for temporary foster care can become a temporary foster parent. The process of professional assessment before inclusion in the register is similar to that for applicants for adoption and „traditional“ foster care. The preparation is carried out in the scope of 72 hours (in the scope of at least 48 hours in the case of ordinary foster care) and is expanded to include topics specific to this type of care (crisis care, cooperation with the child's biological family, transfer of the child to further care, transitional fostering and the foster parents' biological children, etc.). Persons who, based on a professional assessment, have the prerequisites for the exercise of such care for a child, particularly in terms of the short-term nature of such care and topics related to the preparation of the child for the transition to the stable care of other parents, are included in the register of persons suitable for the temporary foster care. Transitional foster care, where foster parents take in a child shortly after birth, is relatively widespread. They are also assessed on their ability to care for infants and toddlers and their ability to cooperate with the parents of these children.

FOSTER CARE BENEFITS ARE:

- a) an allowance to cover the child's needs,
- b) a foster parent's remuneration,
- c) an allowance on receipt of the child,
- d) an allowance for the purchase of a personal motor vehicle,
- e) foster care allowance.

A recurrent maintenance allowance is important financial security for a dependent young adult who is still in education and continues to live in foster care. When foster care is terminated, the adult who is no longer studying is entitled to a one-off allowance.

FOSTER CARER'S REMUNERATION AND FOSTER CARE ALLOWANCE

These are recognition for people who care for other parents' children through foster care. The entitlement to the remuneration is granted to carers and registered persons who carry out 'mediated foster care' (foster parents and temporary foster parents). The foster care allowance is granted when performing non-mediated foster care (foster grandparents, relatives and other close persons, personal guardians).

From 2022, the calculation of both benefits is linked to either the **minimum wage** (foster carer's remuneration) or the **living minimum** (foster care allowance), and the amount also varies according to the number of children entrusted to the foster carer or the child's disabilities. The foster remuneration and the foster care allowance are paid monthly. The remuneration is considered as income from employment and is subject to income tax, social security, health, and accident insurance contributions; the foster care allowance is lower and no longer subject to any contributions.

Temporary foster carers are entitled to remuneration for as long as they are included in the register of persons who can carry out temporary foster care. In the case of joint foster care between spouses, only one of the spouses, as determined by agreement between the spouses, receives remuneration or a foster care allowance. If the spouses do not find agreement, the competent regional branch of the Labour Office of the Czech Republic shall determine which spouse shall receive the foster care benefit.

THE RIGHTS OF CAREGIVERS (FOSTER PARENTS AND GUARDIANS) AND PERSONS LISTED IN THE REGISTER (TEMPORARY FOSTER CARERS)

Foster parents, personal guardians, and temporary foster carers enjoy state-guaranteed support, which includes the provision of permanent or temporary assistance in providing personal care for the child entrusted to them during temporary incapacity for work, in caring for a close relative, the birth of a child, dealing with necessary personal matters, and the death of a close relative. In addition, both foster parents and guardians are entitled to assistance with the provision of full-time care for the children entrusted to them, which is appropriate to the children's age, for at least 14 calendar days (the children must be at least 2 years old). To ensure quality care, foster parents may benefit from psychological, therapeutic, or other professional assistance (at least once every 6 months) and the right to receive or arrange for the provision of free knowledge and skills training. Maintaining contact between the child and his/her own family is also an important part of foster care, where foster parents may be provided with help and assistance in contacting the biological family (including the provision of a suitable place for the child to have contact with the family).

THE DUTIES OF CARERS (FOSTER PARENTS AND PERSONAL GUARDIANS) AND PERSONS LISTED IN THE REGISTER (TEMPORARY FOSTER CARERS)

The foster care agreements concluded by all foster carers with assisting organizations or child welfare authorities also include obligations for foster parents. The aim is to guarantee the quality of the care provided and to further develop the competencies of the foster parents in the course of foster care.

Foster parents are thus obliged to:

- to improve their qualifications and skills in childcare topics (in the amount of 24 hours per year).
- maintain, develop and deepen the child's relationship with persons close to the child (in particular the parents) and allow the parents to keep contact with the child unless the court decides otherwise.
- enable monitoring of the implementation of the foster care agreement and cooperate with the worker in charge of monitoring the child's development.

4.4 GUARDIANSHIP

The court shall appoint a guardian for the child if:

- the child's parents have died.
- the parents have been deprived of parental responsibility.
- their parental responsibility has been suspended.
- they do not have full legal capacity (and therefore do not retain parental responsibility).

The guardian acts as the child's legal representative. The guardian is required to raise the child, represent and manage the child's property in place of the parents. If the guardian takes care of the child personally, he or she is entitled to foster care benefits. If a child is initially placed in foster care and the conditions change, for example, the parents are relieved of parental responsibility, the current foster parents may be appointed guardians. If the guardian does not personally raise the child, the child may be in the care of another person or institution while the guardian acts as the child's legal representative.

The legal relationship between the guardian and the child is not the same as that between the parents and the child. The guardian does not have a maintenance obligation towards the child.

The exercise of guardianship is regularly supervised by the court, not only the administration of the child's property but also the child's personal affairs. The guardian shall report to the court on the matters, usually at annual intervals. Any decision of the guardian on a substantial matter concerning the child requires the approval of the court.

4.5 THE CHILD'S STAY OUT OF A RESIDENTIAL CARE FACILITY – HOST CARE

The concept of host care is not clearly defined by law and it is not an institute of foster care. However, since it is used in practice, we should provide a brief description of this form of a child's stay outside his/her own family.

The director of a residential facility may, with the prior written consent of the municipality with extended jurisdiction acting as the child's guardian, allow the child to stay temporarily (usually for a weekend or holiday) outside the residential facility with persons other than parents and relatives. This form of care does not usually envisage that the child could be permanently placed in this 'host' family. The first stay is limited to 30 calendar days. The competent authority shall examine the family and social environment in which the child will reside and consider the child's individual protection plan before granting consent. As a rule, it shall request a professional assessment of the persons requesting 'host care' carried out by a regional authority. If a child has been placed in the residential care facility at the request of his or her parents or legal guardians, a visit to another person cannot be authorized without their written consent.

This form of out-of-home placement is particularly suitable for children who have been in institutional care for a long time. These are mainly older children, children with various educational or health requirements, sibling groups, etc. In many cases, people interested in providing 'host care' have distorted ideas as to what children should be provided with this type of care and what this assistance should mean. Should this type of care be beneficial to the child, it needs a clear framework and, above all, requires a full understanding of the situation from the child. It should in no way be an unsystematic intervention in the child's life, and those interested in this form of care should be educated on the needs of children and the effects of host care on the child's psyche and experience.

4.6 CURATION



For the sake of clarity, let's also explain the concept of curation because the curator plays an important role in the child welfare system. However, it is not a type of foster family care. The court appoints a curator for a child in the event of a conflict of interests between the legal representatives and the child or between children of the same parents, in the event of a threat to the child's property interests, in the event of a limitation of parental responsibility, in adoption proceedings or in cases where the child's interests require it for other reasons. A curator may also be appointed by a child welfare authority. The scope of the curator's rights and obligations shall be defined by the court in the light of the purpose for which the curator was appointed so that the interests of the minor are fully protected.

5. LOOKING FOR NEW FAMILIES FOR CHILDREN

WELL-BEING OF THE CHILD IS THE MAIN CONCERN WHEN SELECTING A NEW FAMILY

The demands on all those who care for and raise children are the same. However, there are other requirements on top of the obligations of adopters and foster carers. We would therefore like to draw your attention to a few important circumstances:

- Your reasons for adopting a child should be based on strong personal motivation (inner conviction).
- Your employment and background should allow you to provide the child and the family with financial stability (together with foster care benefits in the case of fostering).
- Your workload should be such that you have enough time to raise the child (initially, one parent must be able to stay with the child at home and adapt their life to the child's needs).
- Your living situation should meet the needs of the child.
- You should feel mentally and physically able to bring up the child.
- Your age should correspond to the natural parent-child ratio (this applies to adoptive parents).
- The crucial condition for the child's harmonious development is ensuring a stable family environment (or a safe temporary family environment).
- You should be able to empathize with the child's feelings and understand the child's inner world, be patient, adaptable, tolerant, kind, and open.
- You should be able to communicate openly with professionals and not be afraid to ask their opinion or advice.

Following persons can also adopt and provide foster care:

- single persons.
- people living in a civil/legal partnership without marriage.
- people who may have children of their own.
- families with children of their own.
- families with other children admitted to foster care.
- middle-aged people who have reasonable expectations for the age of the child they wish to take into care.
- people with health issues provided that their prognosis is satisfactory, and the condition does not limit their caring and educational abilities.

At this point, we would like to pause and reflect on the questions or uncertainties that may arise before the adoption, and each applicant will experience and manage them differently.

THE PERIOD OF INNER DECISION

Surely we can all agree that this period is very important and is a time when you can consider everything carefully. A good piece of advice, and perhaps a well-known truth, is that experts advise parents-to-be to discuss their intentions, especially within the extended family. After all, it is critical that the future siblings, grandparents, nephews, nieces, and other relatives accept the „new“ child completely as the family member. The same applies to foster care and temporary foster care. You should keep this in mind at all times.

However, we leave the final decision up to each of you, your heart, your reason, desire, ability, and courage to help. You will be the people spending every day with the child, experiencing the good and the bad with him or her. You will make the child part of your life.



6. THE PERIOD OF REFLECTION AND DECISION-MAKING BEFORE ADOPTING A CHILD



SO NOW PLEASE REFLECT ON YOUR LIFE AND ASK YOURSELF:

- Do I have the physical and mental strength to raise a child?
- Am I tolerant and open to others?
- Will my financial resources be sufficient?
- What have I been able to accomplish in my life?
- What have I failed to do, what am I lacking?
- What was my childhood like?
- What are my relationships like? My marriage?
- Am I willing to give up my comfort?
- Can I really devote myself fully to a child?
- Am I willing to adapt?
- Do I believe I can convince those around me that this is the right decision?
- Will a child be an obstacle in my career?
- Do I understand what it takes to raise a child?
- Can I imagine specifically what the child should be like?
- Can I judge realistically what child I would not be able to raise?
- Can I honestly say what I can do to be useful/helpful to a child?
- Will I be able to accept the child's history?
- Will I be able to understand his/her feelings?
- Will I have the courage to talk to him/her repeatedly about his/her history and original family?

You might not be able to find the answer to some of these questions immediately. Some of them will give you food for thought and conversation with your loved ones and professionals who will guide you through the next period.

7. ADOPTION AND FOSTER CARE MEDIATION

The adoption and foster care mediation process includes:

- searching for children who need care in a foster family environment;
- searching for and training persons suitable to become adoptive or foster parents to accept the child into their family;
- selecting a particular adoptive parent or foster parent for a particular child and ensuring their acquaintance (may only be carried out by child social and legal protection authorities).

The adoption and foster care mediation process has several stages:

- a) applying for mediation of foster family care to the municipal authority of the municipality with extended jurisdiction;
- b) assessment of applicants at the level of the municipal office of the municipality with extended jurisdiction - the local municipal office gathers documents for mediation, conducts a social assessment in the family of the applicants and opens a file on the applicants, then forwards a copy of the file to the regional authority without delay;
- c) assessment of applicants by the regional authority and listing in the register - the regional authority shall include applicants in its register for mediation of adoption and foster care based on a prior professional assessment and evaluation of the preparation for the adoption of the child into the family, the completion of which is one of the conditions for mediation of adoption or foster care;
- d) selection of an adoptive or foster parent for a child - the regional authority searches for suitable applicants (both from their register and the registers kept by another regional authority) for children on the register of that regional authority;
- e) establishing contact with the child - upon written notification from the regional authority, the applicant has the right to meet the child and the person with whom the child currently resides is obliged to facilitate such meeting. The applicant shall have the opportunity to meet the child and to file a petition with the court to place the child in pre-adoptive care or pre-foster care. This petition should come no later than 30 days after the applicant received a written notice from the regional authority that he or she has been selected as a suitable adoptive or foster parent for a particular child. In justified cases, the regional authority may extend this time limit, but not more than another 30 days.

THE APPLICATION PROCESS

If you have already decided to accept a child into your care, you must first apply for the listing in the Adoption and Foster Care Mediation Register. Adoption is without mediation if the parents have given their prior consent to the adoption of the child by specific adoptive parents. In these cases, your assessment will only take place during the court proceedings for custody of the child, which will be initiated based on a petition filed by you.

The social welfare department of the municipality of your permanent residence (in the case of spouses, the permanent residence of one of them) will accept the applications. A list of the municipalities with extended jurisdiction can be found at the end of this brochure.

You can obtain an application form (electronically, if necessary) from the office, and you will need to attach other documents to your application:

- proof of citizenship or permanent residence in the Czech Republic (the Czech Republic must be your frequented place of residence). In the case of foreigners, proof of residence in the Czech Republic for at least 365 days is required.
- a health assessment.
- information on your economic and social circumstances.
- other necessary documents (the exact list can be found in the provisions of Article 21(5) of the Act on Social and Legal Protection of Children, but you will also be advised by an employee of the office).

Under the conditions of the Child Social Protection Act, the applicants must also attach a written consent allowing the social protection authority to seek any necessary information about them for mediation, in particular, whether the applicant's way of life ensures a suitable environment for a child. At the same time, the applicant gives his/her written consent to verify at any time whether the relevant facts changed. Applicants shall also agree to participate in the preparation for the child's adoption into the family (compulsory course). A member of the responsible authority will also visit your home for an assessment. They will ask for a copy of your criminal record. If he/she does not find any serious deficiencies, he/she will forward the complete documentation, including the statement of the authority, to the competent regional authority or, in Prague, to the Municipality of the capital city of Prague for a professional assessment and further processing.

EXPERT ASSESSMENT

Applicants for foster family care are assessed in terms of their personality, psychological well-being, health, integrity, ability to raise a child, motivation, stability of their relationship, and family environment. The attitude of the other family members towards the adoption is also assessed, as well as the preparation for the adoption of the child into the family. Section 27 of the Act on Social and Legal Protection of Children defines the scope of the professional assessment.

The relevant regional authorities, in Prague the Prague City Council, or authorized persons, provide the **preparatory courses for prospective foster parents**. The purpose of the courses is to give you, future foster parents, the necessary knowledge about issues of foster family care, to provide realistic information about the situation and needs of children growing up outside their own family, and to enable you to clarify your ideas about the kind of child you want to accept into your care.

As part of your preparation, you will have the opportunity to meet experts and talk to them. You can also meet other adoptive and foster parents who already care for children and can share their personal experiences and answer your questions.

Based on a professional assessment, the relevant regional authority or the Municipality of the Capital of Prague will decide whether to list you in the register of applicants for foster family care. This is an administrative decision and you can appeal the decision to the Ministry of Labour and Social Affairs. If at any point the regional authority finds serious reasons why the applicant cannot be included in the register, it may decide to reject the application even before a professional assessment has been completed. The application may also be put on hold or withdrawn in the course of its processing at the written request of the applicant, depending on the current situation.

8. THE WAITING PERIOD



For many of you, this period may be difficult. The length of your waiting period might also vary from case to case. There are now fewer children suitable for adoption and more children who could be placed in foster care. Still, there are fewer applicants for foster care while the number of adoption applicants remains stable. Be patient and tolerant of those with whom you have been in contact. Hopefully, you have had the chance to get to know their work and gain their trust. The choice of the most suitable family for a particular child now depends on their judgment and responsibility.

You can fill this time with preparation for your future role and with time for self-care, for your partner, your friends, your family, pursuing your interests, and your hobbies. In addition to picturing your child's crib, clothes, room decorations, games, and chats, let's try to find other ways to use this time together. It can be a great chance for you - the parents-to-be - to get to know a family that has already adopted a child. Several non-profit organizations run clubs for adoptive and foster families, which you can visit and learn about their program.

You can also use this time to educate and prepare for your new role as a parent. There is plenty of professional and popular literature on the market to inspire you. A list of recommended literature can be found at the end of this booklet.

WE WOULD LIKE TO CONCLUDE THIS CHAPTER WITH ONE MORE PIECE OF ADVICE:

The successful inclusion of your child and his/her further harmonious development will depend on how well you have prepared for the new situation - what kind of environment the child will grow up in, what the family atmosphere will be like, and most of all, what your state of mind will be. During the waiting period, don't hesitate to do everything you like to do to have the energy and mental well-being to make the most of it when caring for your new child.



9. CHOOSING THE MOST SUITABLE FAMILY FOR THE CHILD

The mediation of foster family care follows the basic rule:

ALWAYS CHOOSE THE FAMILY THAT IS READY TO ACCEPT THE CHILD JUST THE WAY HE OR SHE IS.

This readiness means accepting the children:

- with all their joys and worries;
- with all their strengths, but also its developmental risks;
- with their past;
- with their identity;
- with their personal and family history;
- with the consequences of time spent in institutional care or a dysfunctional family;
- with the existence of their biological parents and siblings;
- in the case of foster care, with the possible involvement of the child's parents or other relatives in his/her further upbringing.

The choice of a family for the child depends primarily on the level of demands, requirements, tolerance, and social-psychological assessment of the applicants.

This is a complex decision, which is why foster care experts from various professions attend the meeting at the invitation of the regional authority. Their task is to recommend the most suitable family for each child.

Once you have been selected, the regional authority will ask you to study the child's documents. They will give you all the information about the child's life and family so far, his/her legal situation, health, and mental state. You will then have plenty of time to express your views and feelings and to think carefully about whether you want to establish contact with the child.

10. ESTABLISHING CONTACT WITH THE CHILD

The first visit of the child is very important and it is good to plan it carefully. As we mentioned at the beginning of this brochure, a child could come from different settings and types of care. Below are some ways you can prepare for the contact.

CONTACT WITH A CHILD IN TEMPORARY FOSTER CARE

With a child placed in temporary foster care, the transition will be coordinated with their current caregivers. You will establish the contact gradually, at first going for walks and playing with the child in his/her previously familiar environment. Over time, you will prepare for the moment when the child is handed over to the care of the future parents (sometimes waiting for a court decision can be a complication).

During this period, the foster parents receive support from their accompanying organization. One of the non-profit organizations that provide services to adoptive parents can also be your support. The temporary foster carers will share their experience of caring for the child so far, what the child's rituals are, what makes the child laugh and what upsets him or her.

CONTACT WITH THE CHILD IN THE RESIDENTIAL CARE

Prepare questions for the child's key worker, for the facility director, the doctor, or the social worker you will meet. After all, these are the people who personally care for and know your child. Extend of the further contact will vary, depending on the child, on you, and also on the agreement with the facility management. In the case of a child with a serious medical condition, it might be necessary for you to learn how to care for your child under the guidance of a health professional. Some children's care centers have the option of offering you a temporary stay in their facility so that you can get to know the child and gain their trust. With older children, this can be more difficult. Be prepared to respect the child's understandable initial mistrust and be patient if the child is shy or withdrawn. Always try to imagine what he or she has experienced up to that point, how many caregivers have changed in his or her life - why should he or she trust you right away? Don't

push them, don't impose yourself on them, give them the time he or she needs. Only in this way you can nurture a mutual affection that will help the child transition more easily from the facility to your family.

Contacts with the child can take place in the facility, but also outside. At first, you can start slowly and go for a walk together. As soon as you can, you can plan a weekend visit (or extended stay) at your home. The decision to take your child out of the facility is made by the director of the facility with the prior written approval of the municipal authority. The transfer of a child from this care can take place very quickly, but not before the child is well prepared.

BRINGING THE CHILD FROM THE MATERNITY HOSPITAL

If you are bringing a child from the maternity hospital, you can establish contact as soon as the baby is born. Even if the baby goes straight into care planned as permanent, remember that, at this point, the baby has already experienced the first loss - the loss of their biological mother. The baby was connected to the biological mother throughout the pregnancy and has experienced her feelings and hardships. Do not be afraid to put the baby against your chest so that it can sense your scent, your heartbeat, and give the baby time to get used to it.

BRINGING THE CHILD FROM THE BABY BOX

With babies from the baby box (a safe drop-off point allowing parents to give up the child anonymously), try to preserve as many memories as possible (the blanket the baby was wrapped in, the pacifier, or the onesie the baby wore, etc.). Make a note of the time the baby was found in the baby box. Every scrap of information you gather may one day be a very precious treasure for the child. Again, the handover into your care can be very quick, as with accepting a newborn from the maternity hospital.

Other tips that can make the child's arrival to your family easier:

- If another child already lives in the family where the adopted child will grow up, you can bring a toy chosen by the future sibling for him or her, and vice versa. This will promote positive mutual acceptance between children and their adaptation to the new situation.
- The child perceives change with all his senses. You can make the transition easier by agreeing with the carers in the child's temporary home to use the new scents, sounds, and music that will surround the child in your home. You can arrange with the carers to place a blanket or scarf with your scent in the baby's cot. Caregivers can also place photos of future family members in the play area, to get the baby used to the new faces. Another option is to buy the drugstore products and cosmetics used by the temporary caregivers and play the music the baby knows from the previous home.

There is a period of adaptation of the child to the new family, but also the new family to the new child. This period can last for several weeks or months and is very individual.

11. FORMING A NEW FAMILY

New relationships mean profound changes in the lives of children and new families. Therefore, in the case of adoption and foster care, the necessary time is set for the child and parents to adapt to the new situation. In the case of adoption, the duration of the so-called pre-adoption care is set at a time sufficient to establish conclusively that the relationship between the adopter and the child has developed to the extent meaningful for the adoption (at least six months). In the case of foster care, the court may decide to place the child in pre-foster care (the law does not specify the duration) to assess the functioning of the foster care and its benefit for the child.

You are now with your child, you commit to each other, you have become new (foster) parents! Your dreams and expectations have become a reality. You are observed by those around you with a mixture of appreciation but also curiosity - how will it all turn out? There has been a change in your life, you have accepted a new role. Initially, the life and rhythm of your household change significantly. Your financial situation and the way you use your past-time will also change. All the more important is the support of your immediate family: parents, grandparents, children, and close friends who will share your new situation.

The process of bonding, getting used to, accepting, and coping with this reality is difficult and long. Above all, it is you and your family who influence and educate the child, although the child's genetic make-up, abilities, capabilities, and previous experiences are not negligible. Therefore, we would like to mention briefly the possible difficulties that may arise after the adoption. You should be aware of them, you should be prepared for them, you should not underestimate them, but you should not be afraid of them either.

If you are in a partnership, never forget that you are not just parents. You must never lose your identity as a partner because of your responsibilities and your concern for your children. It's natural not to be perfect. Children will just be happier when they are surrounded by joyful and loving parents than when they are watching exhausted and frustrated perfectionists.

Prepare yourself for the fact that dealing with all the formalities involved in adopting a child (court and official procedures, arranging benefits, etc.) will be quite challenging for your new family during this period. The child and the worries about them will understandably consume you, so you should seek help from an organization that supports foster families.



12. LOSS OF FAMILIAR ENVIRONMENT

Problems can arise – especially with older children – and the fact that the child has been growing up in a different family environment can play a role. Experience has shown that it is very important to choose an appropriate way to prepare and introduce the child to the new environment and the new family. This, of course, includes discussing the child's situation with everyone at home in advance and agreeing on certain rules of behavior.

Above all, the change of environment means that the child has to say goodbye to the people he or she has grown used to, to certain daily routine and established ways of behaving. In the past, they have experienced disappointment, loss of a close person, feelings of failure, and despair. The child is simply afraid of what is to come now. Will someone like him? Most of the time, the uncertainty will manifest itself in the fear to leave your side even for a moment; the child will require your constant attention and interest. Sometimes the child may show aggression towards other children, break toys, even be mean. Remember that the child is expressing fear and concern – for himself, for his future, but also for you, for your attention and love.

A child who has been living in a group of other children and being brought up by a rotating set of professional „aunts“ might follow a different set of rules than your family is used to. From the very beginning of your cohabitation, you should carefully define certain rules of behavior so that it is easy to understand what you expect, what you praise, and what you don't accept. Always devote enough time to the child, try to understand, remember to touch, hug and reassure that you are there for him or her.

The child needs time and patience, understandable communication, and kind treatment before being able to rebuild the lost trust, heal the scars, and get over the disappointment. Don't be alone in your problems; turn to professionals to find help.

There are more and more of us at home...

If there are children already living in your family, regardless of whether they are biological or adopted, you have other aspects to consider. A new child affects the life of the whole family and shakes up the sibling constellation. It is therefore generally recommended that the adopted child should be the youngest in the family. It is also advisable to decide whether a boy or a girl would be a better fit between the siblings, or whether gender does not matter.

Children who are already in the family will experience certain responsibilities and restrictions added by the admission of another child. At the same time, however, they will gain a new sibling and, as a result, many positives. Before adding another child to the family, it is necessary to obtain the consent of all the children already living with you (although some children, especially adolescents, could be reluctant to give their consent). Getting younger children excited at the prospect of having another friend is usually not a problem. Rather, you need to prepare for the time after the child moves in.

If the new child can communicate, he or she needs to be introduced to the unwritten rules that your family follows. A child who comes from an institutional facility is used to a completely different cultural environment and is simply not familiar with some things that are common in families. Although they might feel natural to you, make sure to explain them.

At this time, special attention also needs to be paid to the child who is already living in the family and is closest in age to the new child. This child finds it most difficult to cope with the new arrival and needs more reassurance that his parents still love him and will always find time to solve his problems and needs. It is practical if the new child is not thrown into a sibling group but can engage in activities with one sibling and later with another. Relationships flourish more quickly with shared experiences.

13. CHILDREN OF DIFFERENT ETHNICITY

Ethnicity is a topic discussed throughout society, and even in the area of foster family care, we encounter many prejudices against children who are not of the majority ethnic group. Unfortunately, many myths and hearsay prevail, for example, about Roma children and the difficulty of raising them, which could discourage those interested in foster family care.

But a child is always a child and it does not matter what ethnicity he or she is. Every child needs a family and love, whatever their identity and roots may be.

If you are open to adopting a child of different ethnicity, it is important that you are ready face the question from people around you and that your child grows up in a friendly environment. Again, speak to your extended family and friends with whom you will ,share' the care of the adopted child.

And you may face a slightly bigger challenge of identity building. Raising a child of different ethnicity, talk from the outset about their background, which is an integral part of their identity. It helps if we have enough knowledge about the child's heritage culture. If we can find there ,something of our own' whether it is the music, the language, the stories, the beauty of the country of origin or the cultural customs, we are halfway there. Ideally, we can form friendships with a family of the same culture, and if not, the child must have the opportunity to meet other children of the same origin regularly. Take advantage of the opportunities offered by some organizations working in the field of foster care: foster and adoptive family clubs, educational seminars, group holidays. Many organizations deal with multicultural issues and offer interesting events and programs to inspire you and get involved in.

14. EVERY CHILD SEEKS HIS OR HER ORIGINS, NEEDS TO KNOW HIS OR HER ROOTS

Search for their origins and their identity can be a critical period for many children, including the children in new families. Each of us has certainly at some point searched our past, wanted to learn the family history, to learn about ancestors, their characters, qualities, and abilities. We ask ourselves: where do we come from, who are we descended from, where do we belong?

These questions are all the more important for children who live in foster families. They will wonder where they were born, what their childhood was like, and why someone did not want them. Now it must be you, the new parents, who will explain the mysteries of the past to them in a timely, appropriate and sensitive way. Do this before they start asking questions, and be prepared to answer all questions patiently. Understandably, each age needs different approaches. Therefore, you should choose an age-appropriate way to talk to your child about his or her childhood and origins. Be consistent with what you tell the child, introduce the history to those closest to you and relatives to avoid surprises. They should know what to say to the child when he or she starts to ask around and see if you have told the truth. You should never change the message, only add more facts (taking into account the child's age, capabilities, and desire to learn about himself). Try to avoid the effects of unfortunate coincidences, sometimes even of bad intentions. Unanswered, withheld answers and false excuses can only harm your child's development; the interest, hope, trust, and love you have built up can suddenly and completely disappear. Working with the fact of adoption doesn't end with one disclosure; it will follow you and your child through childhood, adolescence, and into adulthood. It will return in different intensities and different contexts. Be the bearer of truthful information for your child and help them come to terms with their past and embrace their roots.

Remember that people around the child should never know more about his life than the child himself! Never lie and don't make things up. If you don't have the information, tell the child that you don't know, but you will try to find the answer. After the adoption, you have the right to look at the child's file at the child welfare agency or the regional office. Look for and search for pieces of your child's life so that he or she can complete the picture. The fuller the picture, the more confident he or she will be in life. And don't be fooled. If a child doesn't ask questions, it doesn't mean he's not interested in his roots. Be the bearer of information for your child, you, the parents. Experienced workers from the organizations that assist adoptive or foster families can help you answer the question of when and how to start talking about your child's origins. Let us use a very succinctly formulated essay by Professor Zdeněk Matějček from the book „What to say to an adopted child” (Prague, 1986): **„There is no such thing as a voice of blood. The child accepts their mother in the person who is motherly to him. Adoptive parents, foster parents or other caregivers are psychologically real parents if they truly accept the child as their own.”**



15. IN CONCLUSION

GRAY IS EVERY THEORY, BUT GREEN IS THE TREE OF LIFE!

We have dealt only with the main areas related to this vast topic. You will come head to head with many unanswered questions to which you must seek the answer yourself. Don't hesitate to act as any parents do in difficult situations - ask friends, experts, those you trust. After all, they too learn from people like you - and pass on the knowledge and experience. To those who come after you.

ATTACHMENTS

ANNEX 1 - LEGISLATION FOR FOSTER FAMILY CARE

Surrogate family care is regulated by

- Act No 89/2012 Coll., Civil Code, as amended.
- Act No. 359/1999 Coll., on Social and Legal Protection of Children, as amended as amended, which also regulates foster care benefits.

Among other laws that also regulate the situation of families with children admitted to foster care, are:

Pecuniary assistance in maternity is regulated by Act No. 187/2006 Coll., on Sickness Insurance, as amended.

Subsistence allowance, supplementary housing allowance, and extraordinary immediate assistance are regulated by Act No. 111/2006 Coll., on aid in material distress, as amended.

Child benefit, housing allowance, and parental allowance are regulated by Act No. 117/1995 Coll., on State Social Support, as amended.

Care allowance (for persons dependent on care due to long-term adverse health conditions) is regulated by Act No. 108/2006 Coll., on Social Services, as amended.

Care credit for pension insurance purposes is regulated by Act No 155/1995 Coll., on Pension Insurance, as amended.

Act No. 582/1991 Coll., on the organization and implementation of social security, as amended, **regulates the assessment of health status for benefits, mobility allowance.**

Other regulations:

Act No. 301/2000 Coll., on civil registration, name, surname, as amended. Act No. 500/2004 Coll., on Administrative Proceedings, as amended.

Act No 133/2000 Coll., on population registration and birth numbers, as amended.

Act No 262/2006 Coll., Labour Code, as amended.

Internet links to comprehensive information on material and benefit security:

<https://www.uradprace.cz/web/cz/davky-pestounske-pece-a-zaopatrovaci-prispevky1>

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ANNEX 3 - TERMINOLOGY

Alternative education takes the form of:

- a) surrogate family care (so-called care of another person, adoption, foster care, temporary foster care, guardianship).
- b) institutional care, which includes facilities for children in need of immediate assistance, children's residential care homes for children up to three years of age (so-called infant homes and children's centres), children's residential care homes, children's care homes with school, educational institutions, diagnostic institutions, and care homes for people with disabilities.

Alternative family care

– A form of care for a child who is brought up by non-biological parents in an environment most resembling life in the traditional family.

Residential care

– A measure ordered by a court if the child's upbringing is seriously endangered or seriously impaired and other measures have failed to remedy the situation, or if other serious reasons prevent the parents from providing for the child's upbringing. Before ordering institutional care, the court is obliged to examine whether the child's upbringing cannot be ensured by foster family care. From 2025, it will not be possible to place children under the age of three in institutional care.

Children's care homes for children under 3 years of age

– Institutions providing health services and care for infants and toddlers, usually under 3 years of age, who cannot grow up in a family environment, in particular children with disabilities or children who have been abused, neglected, exploited, and endangered by an inappropriate social environment. Providing care means food, accommodation, clothing, and educational activities. From 2025, it will not be possible to place children under the age of three in institutional care.

Institutions for children in need of immediate assistance

– They shall provide protection and assistance to a child who is left without any caregiver or whose life or favorable development is seriously endangered, or who is without age-appropriate care, to a child who was physically or mentally abused or exploited, or who is in an environment or situation where his or her fundamental rights are seriously endangered. The protection and assistance of such a child shall consist of the satisfaction of the basic needs of life, including accommodation, the provision of health services, and psychological and other similar care as necessary. A child may be placed in this type of institution based on a contract

for protection and assistance or based on a court decision. From 2025, it will not be possible to place children under the age of three in institutions for children in need of immediate assistance.

Diagnostic institute

– Accepts children with a precautionary measure, institutional education, or protective education; it also accepts children with protective education based on the results of a comprehensive examination, the health condition of the children, and the available capacity of individual facilities in children's care homes with schools or educational institutions. A child is placed in a diagnostic institute for a period not exceeding eight weeks as a rule.

Children's care home

– Children aged from 3 to a maximum of 18 years or up to a maximum of 26 years of age may be admitted to a children's home. Minor mothers and their children are also admitted to a children's home. The purpose of the children's care home is to provide care for children who have been ordered to undergo institutional upbringing without serious behavioral problems. These children are educated in schools that are not part of the children's home. From 2025, it will not be possible to place children under the age of three in institutional care.

Children's care home with school (CHS)

– Children from the age of 6 until the end of compulsory schooling are generally placed in a joint institution of a children's home with school. The purpose of the children's home with school is to provide care for children with serious behavioral disorders who require special educational and therapeutic care or who have been ordered to undergo protective education because of a temporary or permanent mental disorder. These children are usually educated in a school that is part of the establishment.

Educational institution

– Provides care for children over 15 years of age with serious behavioral disorders who have been ordered to undergo institutional care or protective education. A child over 12 years of age may also be admitted to an educational institution if he or she has been placed under protective education and his or her behavior is so seriously disturbed, and he or she cannot be placed in a children's home with a school. Separate educational institutions are set up for children ordered to undergo institutional education and those ordered to undergo protective education.

Social and legal protection bodies for children

– Are regional authorities, authorities of municipalities with extended jurisdiction, municipal authorities and district authorities, the Ministry, the Office for International Child Protection, the Labour Office of the Czech Republic – regional branches and the branch for the capital of Prague.

Social and legal protection of children means, in particular, the protection of the child's right to favorable development and proper upbringing, the protection of the child's legitimate interests, including the protection of the child's assets, and action aimed at restoring the disturbed functions of the family. The primary aspect of the social protection of children is the interest and well-being of the child.

Social-legal protection is also ensured by municipalities in independent competence, regions in their independent competence, committees for social-legal protection of children and other legal bodies and persons if they are entrusted with social-legal protection (so-called entrusted persons).

ANNEX 4 - LIST OF MUNICIPALITIES WITH EXTENDED JURISDICTION

Region Southern Bohemia

Blatná, České Budějovice, Český Krumlov, Dačice, Jindřichův Hradec, Kaplice, Milevsko, Písek, Prachatice, Soběslav, Strakonice, Tábor, Trhové Sviny, Třeboň, Týn nad Vltavou, Vimperk, Vodňany

Region Southern Moravia

Blansko, Boskovice, Brno, Břeclav, Bučovice, Hodonín, Hustopeče, Ivančice, Kuřim, Kyjov, Mikulov, Moravský Krumlov, Pohořelice, Rosice, Slavkov u Brna, Šlapanice, Tišnov, Veselí nad Moravou, Vyškov, Znojmo, Židlochovice

Region Karlovy Vary

Aš, Cheb, Karlovy Vary, Kraslice, Mariánské Lázně, Ostrov, Sokolov

Region Hradec Králové

Broumov, Dobruška, Dvůr Králové nad Labem, Hořice, Hradec Králové, Jaroměř, Jičín, Kostelec nad Orlicí, Náchod, Nová Paka, Nové Město nad Metují, Nový Bydžov, Rychnov nad Kněžnou, Trutnov, Vrchlabí

Region Liberec

Česká Lípa, Frýdlant, Jablonec nad Nisou, Jilemnice, Liberec, Nový Bor, Semily, Tanvald, Turnov, Železný Brod

Region Moravskoslezský

Bílovec, Bohumín, Bruntál, Český Těšín, Frenštát pod Radhoštěm, Frýdek-Místek, Frýdlant nad Ostravicí, Havířov, Hlučín, Jablunkov, Karviná, Kopřivnice, Kravaře, Krnov, Nový Jičín, Odry, Opava, Orlová, Ostrava, Rýmařov, Třinec, Vítkov

Region Olomouc

Hranice, Jeseník, Konice, Lipník nad Bečvou, Litovel, Mohelnice, Olomouc, Prostějov, Přerov, Šternberk, Šumperk, Uničov, Zábřeh

Region Pardubice

Česká Třebová, Hlinsko, Holice, Chrudim, Králíky, Lanškroun, Litomyšl, Moravská Třebová, Pardubice, Polička, Přelouč, Svitavy, Ústí nad Orlicí, Vysoké Mýto, Žamberk

Region Plzeň

Blovice, Domažlice, Horažďovice, Horšovský Týn, Klatovy, Kralovice, Nepomuk, Nýřany, Plzeň, Přeštice, Rokycany, Stod, Stráž, Sušice, Tachov

Region Central Bohemia

Benešov, Beroun, Brandýs nad Labem – Stará Boleslav, Čáslav, Černošice, Český Brod, Dobříš, Hořovice, Kladno, Kolín, Kralupy nad Vltavou, Kutná Hora, Lysá nad Labem, Mělník, Mladá Boleslav, Mnichovo Hradiště, Neratovice, Nymburk, Poděbrady, Příbram, Rakovník, Říčany, Sedlčany, Slaný, Vlašim, Votice

Region Ústí nad Labem

Bílina, Děčín, Chomutov, Kadaň, Litoměřice, Litvínov, Louny, Lovosice, Most, Podbořany, Roudnice nad Labem, Rumburk, Teplice, Ústí nad Labem, Varnsdorf, Žatec

Region Vysočina

Bystřice nad Pernštejnem, Havlíčkův Brod, Humpolec, Chotěboř, Jihlava, Moravské Budějovice, Náměšť nad Oslavou, Nové Město na Moravě, Pacov, Pelhřimov, Světlá nad Sázavou, Telč, Třebíč, Velké Meziříčí, Žďár nad Sázavou

Region Zlín

Bystřice pod Hostýnem, Holešov, Kroměříž, Luhačovice, Otrokovice, Rožnov pod Radhoštěm, Uherské Hradiště, Uherský Brod, Valašské Klobouky, Valašské Meziříčí, Vizovice, Vsetín, Zlín

In Prague

the authorities of municipal districts designated by the Statute of the Capital City of Prague perform the competencies entrusted to municipalities with extended competence.

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TEREZA MAXOVÁ
FOUNDATION



TEREZA MAXOVÁ FOUNDATION




The mission of the Tereza Maxová Foundation is to enable every child to experience a happy and safe childhood in a family environment and to give disadvantaged children a chance for a better life. The Foundation's main goals include preventing the unwanted removal of children from their family environment, especially due to poverty, and supporting all forms of foster family care. In the field of institutional care, the Foundation supports children's education and skills development, giving them a better chance of a productive and fulfilled life after leaving the orphanage. To learn more about the Foundation's work, visit www.nadaceterezymaxove.cz



Current types of support for the Foundation's work include:

- **Donation SMS** in the form of DMS TEREZADETEM 30, DMS TEREZADETEM 60 or DMS TEREZADETEM 90 to 87 777
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STŘEDISKO NÁHRADNÍ RODINNÉ PÉČE

The Adoption and Foster Care Centre, the association, was registered with the Ministry of the Interior of the Czech Republic on 12 September 1994 under number II/s-OS/1-25352/94-R, ID No.: 60457937.

Our goal is to enable every child to live and grow up in a family. We strive to make family care for children at risk prevail over institutional care and to develop and change the system of care for children at risk in our country.

Main activities of the Centre include:

- striving for the development of foster family care and the establishment and realization of systematic, high standard, professional and publicly available services to raise awareness and nurture foster family care;
- advising foster care applicants;
- assisting and supporting families who have a child in their care;
- awareness-raising, educational, research and publication activities.

DO YOU HAVE A CHILD IN YOUR CARE?

Are you thinking about accepting a child into foster care and don't know where to start? We offer:

- help in clarifying your ideas about foster care.
- an introduction to the specific needs of children at risk.
- arranging meetings with foster families.
- long-term individual support.
- assistance in establishing contact with the children suitable for care.
- expert literature and info materials.

ARE YOU ADOPTIVE PARENTS OR FOSTER PARENTS? WE OFFER YOU:

- support in nurturing the bonds in the emerging family.
- individual work with the family.
- sharing personal experiences with other foster families.
- arranging psychological evaluation of the child and therapeutic services.
- programs for foster families and children.
- assistance and intervention in contacts with authorities, school and health services facilities.
- education - conferences, seminars, discussions.
- expert publications and materials.

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Adoption and Foster Care Centre has acquired:

Authorization to perform social-legal protection of children - decision of the Municipality of the capital city of Prague. The Centre was granted the mandate of the Municipality of Prague on 16 September 2002 and 2 August 2002 under Section 49 of Act No. 359/199 Coll., on Social and Legal Protection of Children.

„Confirmation of registration for the personal data processing“ allowing data processing, dated 23.8.2001 under No. 0001136/001/01/S.



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