



PSYCHOSOCIAL AND LEGAL PREPARATION IN THE ADOPTION PROCESS: AN ANALYSIS OF PARENTS' EXPECTATIONS



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Gabriela de Souza Gomes¹ and Francisco de Jesús Silva de Sousa²

ABSTRACT

Adoption is a process of several stages, including psychosocial and legal preparation. Thus, the current legislation on adoption establishes that the preparatory course is necessary for the training and preparation of people who wish to receive an adopted child. The objective of this study was to analyze the effects of psychosocial and legal preparation on the expectations of applicants for adoption. This is a literature review, whose data search was carried out in the main research databases, namely: SciELO, LILACS and MEDLINE, using the following descriptors: "adoption" AND "parents" and "adoption" AND "expectations", between the years 2013 and 2022. As inclusion criteria, articles were inserted in full free of charge and whose results meet the objective of the study. The exclusion criteria were articles written in other languages, publications prior to 2013, texts not available for free, theses, monographs and bibliographic review articles. The results pointed out that it is necessary to prepare for adoption, starting from the search for fostering, and thus, it is worth emphasizing the importance of a qualified preparation, with a good multidisciplinary team, of qualified professionals to conduct the adoption process. It is noteworthy that it is necessary to deconstruct certain beliefs about adoption and the adopted child, as well as to understand the main function of adoption. Therefore, preparation for adoption and understanding on the part of adopters is essential, considering that the adoption process needs the most appropriate actions, guidance and advice on the subject.

Keywords: Adoption. Parents. Psychology. Expectations.

¹ Graduated in Psychology (degree of Psychologist) from the Federal University of Maranhão - UFMA
E-mail: gabrielasouza_13@hotmail.com

² Dr. in Social and Legal Psychology from the State University of Rio de Janeiro - UERJ
E-mail: sousa.francisco@ufma.br / sousafrancisco@uol.com.br



INTRODUCTION

Adoption is a practice carried out since the dawn of civilization. Throughout history and according to each culture, different nuances and meanings have been presented (Paiva, 2004). Thus, in Brazil, it was no different, there are records about adoption since the colonial period, which inherited from Portuguese law the first legislation that guided the practice in the country (André, 2007). Over the years, the laws on adoption have undergone several modifications to reach the molds they are today, with a view to the well-being of the child or adolescent to be adopted (Fernandes; Santos, 2019).

It is worth noting that, if on the one hand there are children and adolescents waiting for a family, on the other there is an individual or couple with the desire to become a father / mother and who sometimes go through a long period of waiting in line for adoption.

The ECA (Statute of the Child and Adolescent), revised by Law No. 12,010/2009, article 50, paragraph 3, determines that all applicants for adoption must be led to psychosocial and legal preparation. The court in charge of the adoption processes must have a multidisciplinary team formed by psychologists, social workers and pedagogues to guide, evaluate, advise and monitor all stages of adoption, from the qualification of the applicant to the presentation of the adopters and even during the period of cohabitation (Bohm *et al.*, 2019).

The adoption qualification process comprises several stages, including the preparatory course for adoption aimed at training and preparing people who wish to receive an adopted child. Thus, the phase of preparation for adoption in the format of the course, taking into account that it is a project that involves human beings with their emotions, is essential to verify the firmness of the motivation of the applicants, reinforce the adoption decision, address possible conflicts, equip adoptive parents about child development, among others (Souza, 2008), and, consequently, it is a way to "prevent" returns and reduce other conflicts that may arise at the beginning of family life.

Therefore, the main objective of this research is to analyze the effects of psychosocial and legal preparation on the expectations of adoption applicants. This production is the result of a bibliographic study, of an exploratory and descriptive nature, with a qualitative approach. With the following guiding question: What are the effects of the preparatory course for adoption under an analysis of the expectations of the adoptive parents?



HISTORICAL ASPECTS OF ADOPTION IN BRAZIL AND LEGAL FRAMEWORKS

The family is the basis of society, and its constituents are diverse and may have biological, legal or affective ties. In the past, these biological aspects were seen as the primary factor in the formation of family ties, but today adoption is seen as a process of legitimate kinship that, once implemented, does not allow differences between biological and adopted children. Adoption agencies are one of the oldest known practices, with the earliest records of them appearing in the Code of Hammurabi between 1728 and 1686 B.C., through the biblical account of Moses, from mid-1526 B.C. to today, and currently, it is recognized by most countries. In Brazil, it is regulated by the ECA, which has undergone some changes in its legislation since its enactment in 1990. However, with regard to adoption itself and the insertion of the child and adolescent in a surrogate family, the most recent modification was that arising from Law No. 13,509/2017 (Brasil, 2017).

Legalized adoption in Brazil began in the colonial period (1500-1822), being carried out through Portuguese Law, through the so-called Philippine Ordinances, which consisted of a compilation of legal systems in Portugal from the period of the Royal Ordinances and aimed to cover all legal aspects of the lives of Portuguese subjects, including adoption. Thus, the act at the time did not transfer paternal power to the adopter, except in cases in which the biological father died, and this only from a royal decree (Senado Federal, 2013).

According to Secco (2019), during this period charitable assistance was also in force in the country in relation to abandoned children, and since the State did not have assistance policies, it was up to civil society, influenced by the Church, to help the richest to the most needy. Thus, in the mid-nineteenth century, abandoned children – unwanted, unloved or "illegitimate" children – were assisted by the policies created by the municipal councils under the king's authorization, having begun, from the agreement with the confraternities of the Holy Houses of Mercy, the operation of the "Wheel of the exposed" or "Wheel of the foundlings", a rotating cylinder fixed to walls or windows of institutions in which the exhibitor deposited the baby, he turned the wheel and pulled a cord that warned that a child had been abandoned, allowing the exhibitor to leave the place anonymously (Paiva, 2004; Weber, 2010).

However, the municipal councils acted in an omission or partial way in relation to the assistance of abandoned children and, from the imperial period (1822-1889), the *Santas Casas* began to be directed by the State, occasionally becoming the "House of the Exposed". However, this partnership was still insufficient to meet the demand, and many children continued to be welcomed in family homes or to die helpless (Paiva, 2004).



Until the twentieth century, because adoption was not governed by a law, couples who wished to adopt sought the Wheel of the Exposed, being motivated mainly by Christian charity that was instigated by the Church and by the possibility of acquiring a means of cheap labor. At the same time, the expression "foster children" emerged, used by wealthy families to designate the children of third parties who lived in their homes informally. This situation was the most widespread child protection system in Brazil and was sustained by two reasons: Christian charity stimulated by the Church and the free labor that the sheltered offered to the families (Paiva, 2004).

REASONS THAT LEAD CHILDREN TO ADOPTION

It refers to adoption, on a recurring basis, the act of profiling children and adolescents who were abandoned or found in a situation of mistreatment, abuse and neglect and had to be removed from the biological family. Silva *et al.* (2021) presents as the main reasons for the delivery of the child for adoption the lack of socioeconomic conditions of the biological family, which is also associated with other conditions such as paternal rejection, lack of support from the extended family, death of the spouse, negligence/mistreatment and domestic violence, and other cases associated with unplanned and unwanted pregnancy.

According to the SNA (2023), the total number of children/adolescents taken in is 32,791, of which 4,485 are available for adoption; the percentage of children/adolescents in the registry for adoption in relation to gender is 55.6% for boys and 44.4% for girls; in relation to color/race, 52.5% are brown, 29.2% white, 16.5% black, 0.6% indigenous and 0.7% yellow; 1,902 children do not have siblings and 2,583 have siblings; 24.4% have health problems; 1,765 children are up to 10 years old and 2,715 are up to 17 years old.

MOTIVATIONS FOR ADOPTION

According to Levinzon (2004), the reasons that lead people to seek adoption are the most diverse: couples in which one or both are sterile; couples who already have biological children, but wish to increase their family through adoption; couples with genetic problems in which the pregnancy is unsafe; homosexual couples; people with the desire to have children at an age when it is no longer biologically possible; people who had contact with a child/adolescent who awakened the desire for motherhood or fatherhood; single people who want to be a mother/father; the previous death of a child; the thought that a "good deed" or charity will be done by adopting a child/adolescent without parents; kinship or



proximity to biological parents who are unable to take care of the child; the desire to have a child without having to go through the pregnancy process, among others.

METHODOLOGY

This is a descriptive and exploratory literature review with a qualitative approach that had as its general objective to synthesize the results of a research on a theme already delimited, in a systematic and orderly way, aiming to contribute to the deepening of knowledge and studies on the investigated theme.

To survey the literary publications that composed the results and discussions of this research, a search was carried out in the following databases: Online System for the Search and Analysis of Medical Literature (MEDLINE), Latin American and Caribbean Literature in Health Sciences (LILACS) and Scientific Electronic Library Online (SciELO). Scientific articles with publications from January 2013 to September 2022 were chosen.

The search was done by combining the words "adoption" AND "parents", "adoption" AND "expectations". After a brief reading of the titles and abstracts in order to select the articles according to the objective of this research. Finally, the articles were read critically and analytically.

The selection of articles followed the following inclusion criteria: articles written in Portuguese, English or Spanish; published between January 2013 and September 2022; with a theme and results that fit the guiding question; available in full free of charge and whose results meet the objectives of this research.

Duplicate articles, not available in full, written in languages other than those mentioned above, and works whose results do not fit the guiding question, works published in conference proceedings, letters to the editor, among others, were excluded.

From then on, it resulted in 25 publications, of which, 14 were excluded due to repetition and for not entering the period previously established to compose the sample. Thus, 11 articles were analyzed and after selective reading of their results and abstracts available in full, 11 studies were selected to compose the final sample.

RESULTS AND DISCUSSION

The result of this review was developed based on the reading of the selected articles. Thus, just reading the abstract was not enough to proceed with the inclusion/exclusion of studies that were pertinent to the general objective of this work, which refers to the path of preparation for adoption from the parents' point of view.

In the present literature review study, 11 scientific articles that meet the selection criteria of the previously determined sample were analyzed. Therefore, the following is a table with the synthesis of selected articles containing the following information: title, author(s)/year/journal, objectives and results.

Chart 1 - Articles selected for literature review

| N o. | Title | Author/Year/Maga zine | Objectives | Results |
|------|--|--|---|--|
| 1 | Motivations, difficulties and expectations about adoption: perspectives of future adoptive parents. | Ana Isabel dos Santos, Felix Araújo, André Faro (2017). <i>Psicologia em Revista</i> . | Outline motives, difficulties and expectations around the future child from the perspective of parents who are candidates for the adoption process and characterize the profile of the intended child in a Childhood and Youth Court in Aracaju / SE. | They reiterated the subjective complexity of the adoption process, especially due to the clash between fantasy and reality with regard to future adaptation to the new family. |
| 2 | Process of affective attachment of adopted children from the perspective of adoptive parents. | Elisandra Paulina; Luana Ferreira; Sueli Terezinha Bobato; Ana Paula Sesti Becker (2018). <i>Boletim Academia Paulista de Psicologia</i> . | To analyze the process of affective attachment of adopted children from the perspective of adoptive fathers and mothers. | They showed that the main reasons for adoption were infertility and altruistic feelings. |
| 3 | Meanings attributed by adoptive parents about late adoption and the construction of parent-filial bonds. | Maitê Broering Fernandes and Daniel Kerry dos Santos (2019). <i>New Systemic Perspective</i> . | To analyze the meanings attributed by adoptive parents to the construction of parent-filial bonds. | The analyses indicated some meanings about the construction of parent-filial bonds in cases of late adoption, such as: the need to build an adaptation for the child who is being included in the family relationship [...] |
| 4 | The psychological aspects of children and adolescents in late adoption | Juliana Fernanda de Barros; Priscila Weiler Ribeiro; Lorena de Freitas Souza. (2021). <i>Science and Profession Journal</i> . | To understand the psychological and behavioral aspects of children and parents by adoption, commonly present in the period of adaptation and post-adoptive coexistence, and to analyze the attitudes of parents in the face of obstacles, observing the effectiveness of the preparation necessary for adoption applicants. | The stages of coexistence and the psychological aspects involved in this process were pointed out, as well as the importance of the applicants for adoption to equip themselves with information and prepare themselves for affective filiation. |
| 5 | The production of meaning about the return of children and adolescents in the adoption process. | Ana Flávia Jeremias Lúcio (2019). <i>University Repertoire of Ânima (RUNA)</i> . | To analyze the preparation and adoption, production of meaning of adopters about parenting in the face of the phenomenon of return of adopted children and adolescents. | It was found that there are gaps in the desire for adoptive filiation due to a search for completeness among the couples interviewed. |

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| 6 | Applicants for adoption: motivations and evaluation of a Preparatory course. | Catalu da Luz Pelisoli; Adriana Pereira Leite; Patricia Oliveira Romero, (2020). Cadernos de Comunicação - Universidade Federal de Santa Maria. | Analyze the evaluation sheets of the preparatory course for adoption. | Flexibility in the profile of the desired child, with expansion of the age group; Psychosocial preparation was positively evaluated. |
| 7 | Motivations for late adoption: between the imagined child and reality. | Débora da Silva Sampaio; Andrea Seixas Magalhães; Rebeca Nonato Machado, (2020). Psychology in Study. | To investigate the motivations for late adoption, seeking to analyze the role of the work of the Adoption Support Groups at the time of choosing the profile. | The motivations for late adoption were permeated by myths that constitute beliefs, producing impeding or driving effects. |

Source: prepared by the authors in 2023.

In article 1, the participants were people who wanted to adopt for the first time and were registered with the court responsible for adoption processes. Based on interviews, it was observed that the main motivations for adoption are infertility or other health problems that make biological pregnancy impossible, the desire to exercise motherhood/paternity as a single individual, and the altruistic feeling of "doing good" to a child or adolescent (Araújo; Faro, 2017).

Regarding the difficulties in the relationship with the adopted child, the applicants of the research by Araújo and Faro (2017) highlighted that they do not expect there to be conflicts with future children because they consider that they will adopt the "right child", demonstrating an idealization of this child and the affective relationship. Participants also said they were afraid to adopt older children because they believed that there may be genetic inheritance or previous experiences that will harm the relationship between mother/father and child. The authors emphasize that it is necessary for the team of professionals who accompany these applicants to reinforce the orientation related to myths and prejudices around adoption.

Regarding expectations, in article 1 it was noted that they are mostly positive, especially in relation to the arrival of the child or adolescent in the new home and related to their education, and are also accompanied by a certain anxiety. Araújo and Faro (2017) emphasize the importance of the participation of applicants in adoption support groups or programs to share the experience with other parents, as well as follow-up with psychologists and social workers in order to work on the anxiety and doubts that arise during the waiting period for the future child.

The participants in article 2 had already adopted children between the ages of three and six, as well as participated in the preparatory course, and as for the motivations, they

listed in an interview the difficulty in gestating or maintaining a biological pregnancy and the desire to help children and adolescents without a family; about the preparation, It was observed that after the preparatory course, some applicants expanded the child's age range in the adoption profile. Paulina *et al.* (2018) point out that the preparatory course offers an environment in which adoption applicants can express their anxieties, helping to reduce them.

Regarding expectations before the arrival of the child, the participants in the study by Paulina *et al.* (2018) list changes in the home environment to adapt to the needs of a child or adolescent, feelings of anxiety and difficulties in the marital relationship. In the period of coexistence and adaptation of the child in the new family, the main obstacles pointed out by the parents are related to non-compliance with rules, aggressiveness, tantrums, crying when contradicted, screaming, verbalization that goes away and nightmares.

In article 2, the process of affective bonding between parents and adopted children occurred gradually, with the most difficult period between the first two and six months, as pointed out by the participants. Regarding the expectations regarding the period of coexistence, the parents report the desire that their children perform feats that they could not, as well as have a good character and that they know how to deal with their past (Paulina *et al.*, 2018).

Parents who adopted late participated in the research of article 3, and it was observed among the main motivations presented by them before adoption, the desire to become a father/mother, to have children other than by biological means, to build a single-parent family and sterility. Regarding expectations, the participants stated that they did not have significant expectations regarding their future children, preferring to focus on meeting the needs of the child or adolescent (Fernandes; Santos, 2019).

In the adaptation period in which the child starts to live with the adopters, the participants in the study by Fernandes and Santos (2019) reported that they felt the absence of the judiciary at this stage, in addition to pointing out the delay in the process. Among the difficulties presented in this period, the lack of a support network, the rejection of the new family by the adoptee, the child's past in the biological family, the experiences in the period in which it was institutionalized and the adjustments of the couple or family to the arrival of the child stand out.

Fernandes and Santos (2019) state in their research that parents were very sensitive to the emotions experienced by their children during the adaptation period, realizing that even aggressiveness can be an indicator of an attempt to adapt and establish bonds. In general, the participants of this research do not see adoption as a complex process,

because once parent-filial ties are established, there is no distinction between whether the child is biological or adopted, but only a child.

The research of article 4 was carried out with two couples who were in the stage of cohabitation in the period of six months to one year, one of the couples took the preparatory course for adoption and the other did not participate because it was not offered in their municipality. The couple who took the course stated that they did not have many difficulties during the period of coexistence even though they had adopted two children, but the couple who did not participate in the course reported difficulties and the need to seek help on websites and books about adoption, as well as psychological support (Barros; Brook; Souza, 2021).

Barros, Ribeiro and Souza (2021) point out that the applicants who participated in the course declared that it was important to clarify doubts, as well as provide information that enabled them to expand the age range of the child they wished to adopt. The couple who did not carry out the psychosocial and legal preparation stated that they recognize that the space offered by the course is of paramount importance for the applicants, as there is an exchange of experience with other parents and thus prior knowledge about the difficulties in the period of living with the adopted child.

Lúcio's (2019) research, article 5, was carried out with three participants, a couple and a woman who had returned their adopted child. Based on the interview with the participants, the author points out as the main motivation, the desire to become a father or mother in the face of the impossibility by biological means.

In this article, the couple who carried out the adoption stated that they felt the need for preparation beyond that offered by the Judiciary, finding in other sources, such as books and adoption support groups, a deeper understanding of the reality of adoption (Lúcio, 2019). The participant who had returned the child informed that in the preparatory course in which she had been submitted, only "good things" were said, excluding information about parents who made the return.

Article 6, by Pelisoli, Leite and Romero (2020), aimed to observe the evaluation of the applicants about the preparatory course for adoption. To this end, data were collected before the course – the profile of the child to be adopted, motivation for adoption, conception about late adoption and expectations regarding the preparatory course for adoption – and then – opinion about late adoption and evaluation of preparation.

Participants in the research in this article answered a self-assessment of how prepared they felt for adoption, on a scale of zero to ten. The result was positive, according to the statistical analysis carried out by Pelisoli, Leite and Romero (2020), who stated that

the applicants before starting the adoption process, thought, researched, read and discussed a lot about the topic, but, even so, the content presented in the preparatory course was important to reinforce the learning about fatherhood/maternity.

The main motivations for adoption, presented by the applicants in article 6, were summarized by the authors as: the desire to complete a family, infertility and altruism. Regarding the adoption of children over three years old, the participants pointed out implications such as the child's difficulty in adapting to the new family; as parents, not to witness the first stages of development; the conception that this type of adoption is more an act of charity than of filiation (Pelisoli; Milk; Romero, 2020).

After the preparatory course, the participants were asked again about what they thought about late adoption and the result showed that a portion did not change their opinion about it, preferring the adoption of younger children alleging the desire to live the experiences from early childhood; Another portion of the applicants changed their minds, understanding that in terms of filiation, the adoption of older children is not so different from the adoption of babies and even biological children; and one part stated that they needed more time to reflect on late adoption (Pelisoli; Milk; Romero, 2020).

Regarding the expectations that the applicants had about the preparatory course, Pelisoli, Leite and Romero (2020) classified them into four groups: psychological aspects, legal aspects, social and educational aspects and exchange of experiences. After the course, the participants evaluated it positively, listing that the course was enlightening and reinforced the decision about adoption; it expanded the view on adoption; it enabled a space of welcome and freedom to ask questions, fears and myths, among others. However, there were also suggestions and criticisms, in which the applicants pointed out that the course could have a longer duration and more experience reports.

In article 7, the participants were in the phase of provisional custody of the child or with the adoption process completed. Among the motivations for adoption, presented by the applicants, the main one was the desire to exercise parenthood, either due to the impossibility of gestating biological children due to infertility or some disease that would harm the pregnancy, or because the applicant was single (Sampaio; Magellan; Machado, 2020).

The participants in the research by Sampaio, Magalhães and Machado (2020) stated that after the meetings of the Adoption Support Groups, they obtained a clearer understanding of late adoption and changed the profile of the desired child, expanding the age group. The authors highlight that these groups function as a source of information, but also as an environment of welcome and expression of their fears, anxieties and doubts.

In article 8, seven people who had already adopted one or more children were interviewed. Among the motivations found through the interviews, Bortolatto, Loos and Delvan (2016) point out the difficulty or impossibility of having biological children, the desire to increase the number of children and the very act of having children through adoption. Regarding the difficulties, the survey participants highlighted the delay in the waiting time between the qualification and the adoption itself, as well as the bureaucracy during the adoption process.

The authors point out that during the waiting period, suitors usually seek in religiosity a way to deal with the anxiety involved. Regarding preparation, the participants stated that they had not prepared enough, having on their own initiative, searched for websites and books on the subject (Bortolatto; Loos; Delvan, 2016).

The parents emphasized the importance of the Adoption Support Groups as an instrument to alleviate anxiety, as well as contributed to the preparation by providing a space for the exchange of experiences, a source of psychosocial and legal information and guidance on parenting. The participants of the research by Bortolatto, Loos and Delvan (2016) also listed some fundamental characteristics for the success of adoption, such as family support, a healthy marital relationship, in the case of married people, and with a similar and dialogued family project.

Three single women who were in line for adoption and did not have biological children participated in the article 9 research. Porta *et al.* (2019) point out that the main motivations presented by the participants in the interviews were infertility and difficulty getting pregnant.

With regard to the preparatory course, the applicants pointed out that the preparation time offered by the Judiciary was short, being insufficient to work on the difficulties, hear about the experiences of people who have already adopted and other topics related to adoption. The author points out that the bodies responsible for the training of applicants can provide reading materials and spaces beyond the course for discussion on the subject, also highlighting the role of adoption support groups as a tool to prevent and reduce the anxiety typical of the waiting period (Porta *et al.*, 2019).

In article 10, the participants were six parents, of both sexes, who had adopted children between the ages of five and sixteen. Klapsztein (2021) states that part of the parents did not have idealized expectations about the adoptee during the waiting period, since they wanted to welcome and not idealize a child; The other participants emphasized that they created expectations, more specifically in relation to gender and age and the desire to complete a family from the adopted child.

Klapsztein's (2021) research also sought to investigate the factors that interfere in the bonding process between parents and adopted children, such as the initial period of adaptation and separation from siblings, as well as the ways of coping with such difficulties, such as welcoming and accepting the child's origin, the love of the child, the establishment of rules and limits and the preparation of applicants for adoption. The author points out that this preparation is essential and can be carried out through each applicant's individual search for knowledge, and through the preparatory course for adoption provided by the Judiciary.

Article 11, by Oliveira, Souto and Silva Júnior (2017) had the participation of ten couples who were in the process of qualifying for adoption, who demonstrated that their motivations for adoption were the desire for the "completeness" of the family with the insertion of a child, the impossibility of generating biological children and the desire to pronounce through adoption. Regarding expectations, as listed by the candidates in the research, they do not refer to the child itself, but to what his arrival represents to the family, such as happiness and the exchange of affections characteristic of parents and children.

The psychosocial and legal preparation of the applicants for adoption was directly mentioned in articles 2, 3, 4, 5, 6, 8, 9 and 10, in which the authors point out the importance of the course as a listening space in which the applicants can share their issues and reduce their anxieties. Another highlight given to the preparation stage is how it influences the change in the child's profile by the applicants, making it possible for the child to expand the child's age range in many cases.

As noted in article 10, psychosocial and legal preparation will also contribute as a coping strategy in the face of the difficulties at the beginning of the period of coexistence between adopters and children.

In articles 1 and 7, the authors do not directly mention the psychosocial and legal preparation during the research, but it is understood that the participants had already been submitted to the preparatory course at the time of the interviews, since the authors highlight the importance of adoption support groups and programs, as well as the need to reinforce with the team of professionals who accompany them some themes such as myths and prejudices about adoption.

Adoption Support Groups were mentioned as part of the preparation of applicants in articles 2, 3, 4, 6, 7 and 8.

Article 11 does not mention the preparatory course for adoption or the participation of applicants in support groups, but it is implicitly understood that the participants had already undergone the course.



FINAL CONSIDERATIONS

Adoption has undergone significant changes since antiquity to the present day, becoming a more accessible process in relation to the profile of the adopter, guaranteeing equal rights to adopted children and children of biological origin, seeking to prioritize the well-being of the child or adolescent and establishing a period of psychosocial and legal preparation for adoption applicants.

The adoption process can be long and complex, so it is common for applicants to have anxieties, fears, doubts, and idealizations about the future child. Psychosocial and legal preparation is an essential step in the adoption process, since it clarifies, guides and broadens the perception of the applicants before the arrival of the much-desired child, helping them to face the challenges of the beginning of the coexistence stage and thus avoid a possible return of the child/adolescent to the institutional environment.

Adoption is an irrevocable process, however, from the moment the adopter demonstrates that he or she has not adapted to the adopted child and vice versa, and this compromises the well-being of the child/adolescent, the return occurs. In view of this, this research proved to be of fundamental importance to analyze how psychosocial and legal preparation has repercussions on the way applicants understand adoption based on their expectations and, based on the results, to promote the discussion around the improvement of preparatory courses promoted by the Judiciary, as recommended by the ECA and other legislation.

Through the bibliographic review, it was noticed that the number of scientific articles on the subject is still scarce, although the legislation that established the psychosocial and legal preparation stage is from 2009 and this is mandatory in the qualification process for those who wish to adopt. The results showed that the preparatory course is a fundamental space where applicants can share their experiences, anxieties, clarify their doubts and reinforce what they had previously learned. It is important to emphasize the importance of the course for the change in the profile chosen by the applicants, especially with regard to the expansion of the age range of the child or adolescent.

As mentioned above, psychosocial and legal preparation is a mandatory step in the qualification of applicants for adoption, so the Judiciary has the duty to offer it, however, in one of the surveys it was reported that the course was not offered by the responsible district, leading the applicant to search for information about the adoption on his own. In another case, the applicant who made the return informed that the preparation did not address the possibility of return. There was also exposure in one of the studies that the course had been considered insufficient to prepare them for adoption.



Based on this, it is interesting to highlight the role of adoption support groups as an ally to the Judiciary, to adoption applicants and to society in general. The former, often performing its role when it is non-existent or insufficient, as can be observed in this research; to the second, being able to provide social, psychological and legal support before, during and after the end of the legal process; and the latter through campaigns, acts and organizations in almost the entire Brazilian territory that make adoption increasingly known and clarified.

The survey reveals relevant information about the reality of preparation for adoption in Brazil in recent years, even though the sample is small. In fact, it is one of the fundamental stages of the process, as it has effects on one of the most difficult points in adoption today, which is the preference to adopt children from zero to two years of age, even though these are the minority of those who are available for adoption as indicated by the SNA.

It is of paramount importance to psychosocial and legal preparation for adoption, whether through face-to-face or online courses, lectures, video classes and other means, not only for compliance with the law, but mainly for the training of adoption candidates in order to become fathers and mothers of children who, for the most part, have already faced abandonment, neglect, violence and the absence of love for biological parents and should not go through the same experience with adoptive parents.

Therefore, new studies are needed to support and provide recent scientific evidence, using humanized methods and measures throughout the adoption process. The psychologist has a fundamental role in providing care and listening between parents, the judiciary and the child or adolescent, making the process clear and objective. However, the need for studies with larger samples is recognized, so that it can be understood in greater scope how the processes are carried out in the other districts.



REFERENCES

1. ANDRÉ, A. L. P. (2007). As ordenações e o direito privado brasileiro. *Revista Eletrônica da Faculdade de Direito de Campos*, 3, 01-19. Recuperado de <https://core.ac.uk/download/pdf/79069602.pdf>
2. ARAUJO, A. I. dos S. F., & FARO, A. (2017). Motivações, dificuldades e expectativas acerca da adoção: Perspectivas de futuros pais adotivos. *Psicologia em Revista*, 23(3), 790-810. Recuperado de http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1677-11682017000300002&lng=pt&nrm=iso
3. BARROS, J. F. de, RIBEIRO, P. W., & SOUZA, L. de F. (2021). Os aspectos psicológicos da criança e do adolescente na adoção tardia. *Psicologia: Ciência e Profissão*, 41(spe3), e215129. <https://doi.org/10.1590/1982-3703003215129>
4. BOHM, C. H., et al. (2019). A preparação psicossocial e jurídica para a adoção no Distrito Federal. *Singular. Sociais e Humanidades*, 1(1), 6-12. Recuperado de <http://ulbrato.br/singular/index.php/SingularSH/article/view/29>
5. BORTOLATTO, M. de O., LOOS, V. N., & DELVAN, J. da S. (2016). Grupos de estudo e apoio à adoção e o sucesso das adoções. *Barbarói*, 48, 205-233. Recuperado de <https://online.unisc.br/seer/index.php/barbaroi/article/view/8319>
6. BRASIL. (1916). Lei nº 3.071, de 1º de janeiro de 1916. Código Civil dos Estados Unidos do Brasil. Rio de Janeiro, RJ: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/leis/l3071.htm
7. BRASIL. (1927). Decreto nº 17.943-A, de 12 de outubro de 1927. Consolida as leis de assistência e proteção a menores. Rio de Janeiro, RJ: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/decreto/1910-1929/d17943a.htm
8. BRASIL. (1957). Lei nº 3.133, de 8 de maio de 1957. Atualiza o instituto da adoção prescrita no Código Civil. Rio de Janeiro, RJ: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/leis/1950-1969/l3133.htm#:~:text=LEI%20No%203.133%2C%20DE,Art.
9. BRASIL. (1965). Lei nº 4.655, de 2 de junho de 1965. Dispõe sobre a legitimidade adotiva. Brasília, DF: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/leis/1950-1969/l4655.htm
10. BRASIL. (1979). Lei nº 6.697, de 10 de outubro de 1979. Institui o Código de Menores. Brasília, DF: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/leis/1970-1979/l6697.htm
11. BRASIL. (1988). [Constituição]. Constituição da República Federativa do Brasil de 1988. Brasília, DF: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm#:~:text=Todo%20o%20poder%20emana%20do,diretamente%2C%20nos%20termos%20desta%20Constitui%C3%A7%C3%A3o



12. BRASIL. (1990). Lei nº 8.069, de 13 de julho de 1990. Dispõe sobre o Estatuto da Criança e do Adolescente e dá outras providências. Brasília, DF: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/leis/L8069.htm#art267
13. BRASIL. (2009). Lei nº 12.010, de 3 de agosto de 2009. Dispõe sobre adoção; altera as Leis nos 8.069, de 13 de julho de 1990 - Estatuto da Criança e do Adolescente, 8.560, de 29 de dezembro de 1992; revoga dispositivos da Lei no 10.406, de 10 de janeiro de 2002 - Código Civil, e da Consolidação das Leis do Trabalho - CLT, aprovada pelo Decreto-Lei no 5.452, de 1º de maio de 1943; e dá outras providências. Brasília, DF: Presidência da República. Recuperado de https://www.planalto.gov.br/ccivil_03/_ato2007-2010/2009/lei/l12010.htm
14. BRASIL. (2017). Lei nº 13.509, de 22 de novembro de 2017. Dispõe sobre adoção e dá outras providências. Brasília, DF: Presidência da República. Recuperado de http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2017/Lei/L13509.htm
15. CONSELHO FEDERAL DE PSICOLOGIA (CFP). (1992). Atribuições Profissionais do Psicólogo no Brasil. Brasília, DF: Conselho Federal de Psicologia. Recuperado de https://site.cfp.org.br/wp-content/uploads/2008/08/atr_prof_psicologo.pdf
16. CONSELHO FEDERAL DE PSICOLOGIA (CFP). (2012). Mudança de foco nos processos de adoção reforça papel do psicólogo. *Diálogos*, 9(8), 36-39. Recuperado de https://site.cfp.org.br/wp-content/uploads/2012/10/Dialogos8_23outubro.pdf
17. CONSELHO FEDERAL DE PSICOLOGIA (CFP). (2010). Resolução nº 8, de 30 de junho de 2010. Dispõe sobre a atuação do psicólogo como perito e assistente técnico no Poder Judiciário. Brasília, DF: Conselho Federal de Psicologia. Recuperado de https://site.cfp.org.br/wp-content/uploads/2010/07/resolucao2010_008.pdf
18. CONSELHO NACIONAL DE JUSTIÇA (CNJ). (2008). Resolução nº 54, de 29 de abril de 2008. Dispõe sobre a implantação e funcionamento do Cadastro Nacional de Adoção. Brasília, DF: Conselho Nacional de Justiça. Recuperado de https://atos.cnj.jus.br/files/resolucao_54_29042008_25032019202713.pdf
19. CONSELHO NACIONAL DE JUSTIÇA (CNJ). (2009). Resolução nº 93, de 27 de outubro de 2009. Acrescenta e altera dispositivos à Resolução nº 54, de 29 de abril de 2008, que dispõe sobre a implantação e funcionamento do Cadastro Nacional de Adoção. Cria e dispõe sobre o Cadastro Nacional de Crianças e Adolescentes Acolhidos. Brasília, DF: Conselho Nacional de Justiça. Recuperado de https://atos.cnj.jus.br/files/resolucao_93_27102009_10102012195711.pdf
20. CONSELHO NACIONAL DE JUSTIÇA (CNJ). (2014). Resolução nº 190, de 1º de abril de 2014. Altera dispositivos da Resolução CNJ nº 54, de 29 de abril de 2008, que dispõe sobre a implantação do Cadastro Nacional de Adoção, para possibilitar a inclusão dos pretendentes estrangeiros habilitados nos tribunais e dá outras providências. Brasília, DF: Conselho Nacional de Justiça. Recuperado de https://atos.cnj.jus.br/files/resolucao_190_01042014_03042014151312.pdf
21. CONSELHO NACIONAL DE JUSTIÇA (CNJ). Provimento nº 36, de 5 de maio de 2014. Dispõe sobre a estrutura e procedimentos das Varas da Infância e Juventude. Brasília, DF: Conselho Nacional de Justiça, 2014. Disponível em: https://atos.cnj.jus.br/files//provimento/provimento_36_05052014_07052014134459.pdf. Acesso em: 29 mar. 2023.



22. CONSELHO NACIONAL DE JUSTIÇA (CNJ). Resolução nº 289, de 14 de agosto de 2019. Dispõe sobre a implantação e funcionamento do Sistema Nacional de Adoção e Acolhimento – SNA e dá outras providências. Brasília, DF: Conselho Nacional de Justiça, 2019. Disponível em: https://atos.cnj.jus.br/files/resolucao_289_14082019_15082019141539.pdf. Acesso em: 26 mar. 2023.
23. FERNANDES, Maitê Broering; SANTOS, Daniel Kerry dos. Sentidos atribuídos por pais adotivos acerca da adoção tardia e da construção de vínculos parento-filiais. *Nova Perspectiva Sistêmica*, Santa Catarina, v. 28, n. 63, p. 67-88, abr. 2019. Disponível em: <http://www.revistanps.com.br/nps/article/view/433>. Acesso em: 26 mar. 2023.
24. KLAPSZTEIN, Clara Rosene. Adoção tardia: o processo da construção do vínculo parento-filial. 2021. Artigo (Graduação em Psicologia) - Universidade do Sul de Santa Catarina, Tubarão, SC, 2021. Disponível em: <https://repositorio-api.animaeducacao.com.br/server/api/core/bitstreams/4e2e6719-6246-460d-b6fc-022ef1317de0/content>. Acesso em: 13 nov. 2023.
25. LEVINZON, Gina Khafif. Adoção. São Paulo: Casa do Psicólogo, 2004.
26. LÚCIO, Ana Flávia Jeremias. A produção de sentido sobre a devolução de crianças e adolescentes no processo de adoção. *Psicologia-Tubarão*, 2019. Disponível em: <https://repositorio.animaeducacao.com.br/handle/ANIMA/10434>. Acesso em: 26 out. 2023.
27. OLIVEIRA, Patrícia Aurília Breckenfeld Alexandre de; SOUTO, Jailma Belarmina; SILVA JÚNIOR, Edivan Gonçalves da. Adoção e psicanálise: a escuta do desejo de filiação. *Psicologia: Ciência e Profissão*, v. 37, n. 4, p. 909-922, dez. 2017. Disponível em: <https://www.scielo.br/j/pcp/a/9Bt59y8pPdg3d36kFcz5WjP/?format=pdf&lang=pt>. Acesso em: 13 nov. 2023.
28. PAIVA, Leila Dutra de. Adoção: significados e possibilidades. São Paulo: Casa do Psicólogo, 2004.
29. PAULINA, Elisandra et al. Processo de vinculação afetiva de crianças adotadas na perspectiva dos pais adotantes. *Boletim - Academia Paulista de Psicologia*, São Paulo, v. 38, n. 94, p. 77-86, jan. 2018. Disponível em: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1415-711X2018000100008&lng=pt&nrm=iso. Acesso em: 26 out. 2023.
30. PELISOLI, Catula da Luz; LEITE, Adriane Pereira; ROMERO, Patrícia Oliveira. Pretendentes à adoção: motivações e avaliação de um curso preparatório. *Cadernos de Comunicação*, Santa Maria, v. 24, n. 2, ago. 2020. Disponível em: <https://scholar.archive.org/work/zfyvns66lbf53dta45pyekzkba/access/wayback/https://periodicos.ufsm.br/ccomunicacao/article/download/41985/pdf>. Acesso em: 28 out. 2023.
31. PELISOLI, Catula da Luz; OLIVEIRA JÚNIOR, Dalmir Franklin de. Aspectos jurídicos e psicossociais da adoção de crianças e adolescentes no Brasil. In: GOMIDE, Paula Inez Cunha; STAUT JÚNIOR, Sérgio Said (Org.). *Introdução à psicologia forense*. Curitiba: Juruá, 2016.



32. PORTA, Daniele Dalla et al. Vivências e expectativas de mulheres solteiras habilitadas para adotar. *Psicologia: Teoria e Pesquisa*, Brasília, v. 32, p. e35nspe10, 2019. Disponível em: <https://www.scielo.br/j/ptp/a/jbwwPsPvYvmNvtPMsWTvqPt/?format=pdf&lang=pt>. Acesso em: 13 nov. 2023.
33. SAMPAIO, Débora da Silva; MAGALHÃES, Andrea Seixas; MACHADO, Rebeca Nonato. Motivações para adoção tardia: entre o filho imaginado e a realidade. *Psicologia em Estudo*, Maringá, v. 25, p. e44926, 2020. Disponível em: <https://www.scielo.br/j/pe/a/P93VKZpqBjD6HF8XngDgCjF/abstract/?lang=pt>. Acesso em: 26 out. 2023.
34. SAMPAIO, Débora da Silva; MAGALHÃES, Andrea Seixas; FÉRES-CARNEIRO, Terezinha. Pedras no caminho da adoção tardia: desafios para o vínculo parento-filial na percepção dos pais. *Trends in Psychology*, Ribeirão Preto, v. 26, n. 1, p. 311-324, jan. 2018. Disponível em: <https://www.scielo.br/j/tpsy/a/Cx4bFKrqtTrPzL3vHsbCZmD/?lang=pt>. Acesso em: 30 mar. 2023.
35. SECCO, Natália Tavares. Atravessamentos da adoção no Brasil: uma reflexão psicanalítica acerca da elaboração da adoção na cena familiar. 2019. Trabalho de Conclusão de Curso (Graduação em Psicologia) - Faculdade de Ciências Humanas e da Saúde da Pontifícia Universidade Católica de São Paulo, São Paulo, 2019. Disponível em: <https://repositorio.pucsp.br/handle/handle/28653>. Acesso em: 26 mar. 2023.
36. SENADO FEDERAL. História da adoção no mundo. Em discussão: revista de audiências públicas do Senado Federal, Brasília, ano 4, n. 15, maio 2013. Disponível em: <https://www.senado.gov.br/noticias/Jornal/emdiscussao/adocao/contexto-da-adocao-no-brasil/historia-da-adocao-no-mundo.aspx>. Acesso em: 20 mar. 2023.
37. SILVA, Patricia Santos da et al. Critérios para habilitação à adoção segundo técnicos judiciários. *Psico-USF*, Campinas, v. 25, n. 4, p. 603-612, dez. 2021. Disponível em: <https://www.scielo.br/j/pusf/a/LqG9HDZ7cjSzfLGwNfbbDJR/?format=html>. Acesso em: 29 mar. 2023.
38. SISTEMA NACIONAL DE ADOÇÃO E ACOLHIMENTO (SNA). (2023). Disponível em: <https://paineisanalytics.cnj.jus.br/single/?appid=ccd72056-8999-4434-b913-f74b5b5b31a2&sheet=4f1d9435-00b1-4c8c-beb7-8ed9dba4e45a&opt=cursel&select=clearall>. Acesso em: 29 out. 2023.
39. SOUZA, Hália Pauliv de. *Adoção: exercício da fertilidade afetiva*. São Paulo: Paulinas, 2008.
40. WEBER, Lidia Natalia Dobrianskyj. Adoção: breve análise das relações familiares. In: BRANDÃO, Maria Zilah da Silva et al. (Org.). *Sobre comportamento e cognição: a história e os avanços, a seleção por consequências em ação*. Santo André, SP: ESEtec Editores Associados, 2003, v. 11.
41. WEBER, Lidia Natalia Dobrianskyj. *Laços de ternura: pesquisas e histórias de adoção*. 3. ed. Curitiba: Juruá, 2006.



42. WEBER, Lidia Natalia Dobrianskyj. Pais e filhos por adoção no Brasil: características, expectativas e sentimentos. Curitiba: Juruá, 2010.