



For pregnant
women

YOU ARE ABOUT TO GIVE BIRTH OR HAVE JUST GIVEN BIRTH

You think you will not be able to keep your child and want your delivery to remain confidential.

WHAT ARE THE DIFFERENT OPTIONS PROVIDED FOR BY LAW?

When you give birth, you have the right not to disclose your identity. No proof of identity will be required by the institution. The child, born in secret, will be registered within five days with three first names and with no bond of filiation with you.

Even if you have given birth in secret, you can leave your identity (surname, first name, date and place of birth) at the institution. It will be kept, in a sealed envelope, in the child's file by the Aide sociale à l'enfance (ASE – Child Welfare) service of the *département* in which you gave birth or by the Organisme autorisé pour l'adoption (OAA – Authorised Adoption Agency). This sealed envelope will allow the Conseil national d'accès aux origines personnelles (CNAOP – National Council for Access to Personal Origins) to identify you and to ask you whether or not you agree to lift the secrecy of your identity if the child you gave birth to wants to find out about their personal origins.

You can also declare your identity on the child's birth certificate and consent to their adoption, in which case, filiation is automatically established. If you are married, filiation is also established with respect to your husband if his name appears as the father.

You can change your mind

- If you wish to take the child back, you have two months in which to do so.
- If you wish to reveal your identity, throughout your entire lifetime you have the right to declare your identity or lift the secrecy with the CNAOP.
- If you lift the secrecy of your identity, you will never be able to change your mind again, but it will not give rise to any rights or obligations for the benefit or at the expense of any person. It will simply allow the child to better understand their history.

In all cases, only the child can make a request to the CNAOP for access to their origins or even request to meet you. The CNAOP will contact you to inform you of this request. These exchanges cannot be imposed on you; you remain free to keep your identity secret.

The rights of the father

The father may leave his name in the child's file, which will be disclosed to the child if they so request. Only the mother can ask for her identity

to be kept secret.

The father has two months from the time the child is taken in by the *département's* Child Welfare service or an OAA to acknowledge them and ask that they be entrusted to him.

→

→

→

→

→

PRACTICAL ISSUES

1. Who will take the child in and take care of them? Who will be responsible for them?

Whether or not you have given birth in secret, once you have decided to **separate yourself from the child**, you can leave them in the care of the Child Welfare service or an OAA.

→ If you leave the child in the care of Child Welfare, the child will become a temporary ward of the state, first on a temporary basis for two months, then definitively. From that time onwards they can be placed with a family for adoption;

guardian will be responsible for the child, and after two months the child can be placed with a family for adoption;



In both cases, the child will be taken in as soon as you leave the maternity ward, either by a foster family or in a children's home.

→ If you entrust the child to an OAA, a

2. How can I take the child back if I change my mind after placing them in the care of Child Welfare or an OAA?

For a period of two months from the date of the report, you can ask to take your child back by:

→ Establishing your child's filiation by means of acknowledgement before a civil registrar (local council) or a notary;

→ Sending a letter to the service taking care of the child to request their return.

You will then be seen by the service that is taking care of your child to decide how best to proceed in resuming your relationship with the child and their return to you.

After this two-month period, it is the guardian and the family council who will decide, if you so request, whether or not to entrust the child to you. In case of refusal, you can refer the matter to the Tribunal de grande instance (TGI – Court of First Instance).

3. What happens to the child after the two-month period?

Two months after the child has been handed over to Child Welfare or an OAA, the child can be adopted.

Once a child has been entrusted to their adoptive parents, they can no longer be returned to their family of origin. You will no longer have the right to acknowledge them – you will only be able to ask for your identity to be placed in their file.

PRACTICAL ISSUES

After the full adoption order has been granted (which is irrevocable), the original birth certificate will be replaced by a new certificate declaring the filiation with the adoptive parents.

If the child cannot be adopted, Child Welfare or the OAA will continue to take care of the child until they reach the age of majority.

PRACTICAL ISSUES

4. The role of the Conseil national d'accès aux origines personnelles (CNAOP – National Council for Access to Personal Origins)

→ At the birth

The CNAOP relies on correspondents in each *département* and each authority. This CNAOP correspondent comes to the maternity ward when the baby is born. They gather information intended for the child, and informs you of your rights. It is this correspondent that prepares the document certifying the consignment of the child and your decision. They will leave you their contact details.

→ When someone requests access to their personal origins

The CNAOP receives requests for access to their origins made by the person born in secret. If they are a minor and have reached the age of discernment, they must have the agreement of their legal representatives.



You can contact the CNAOP yourself to lift the secret.

USEFUL ADDRESS

Conseil national d'accès aux origines personnelles (CNAOP)
14, avenue Duquesne - 75350 Paris 07 SP
www.cnaop.gouv.fr

DÉPARTEMENTAL COUNCIL

**Child Welfare and Mother and Infant
Protection service**