

REPUBLIC ACT 11222

(An Act Allowing The Rectification Of
Simulated Birth Records And Prescribing
Administrative Adoption Proceedings For The
Purpose)



(Simulated Birth Rectification Act)

Background

February 21, 2019

**RA 11222 signed
into law by the
President.**

March 14, 2019

**Publication in
Official Gazette**

March 29, 2019

**Date of
effectivity**

MAIN FEATURES OF THE EXISTING ADOPTION LAWS AND RA 11222

Existing Adoption Laws (RA 8552 & RA 9523)	RA 11222
Involves a socio-legal process; finalization of Adoption is in court	Purely Administrative in Nature
The Department caters only to abandoned, neglected, surrendered children through the issuance of CDCLAA	Even cases of Adult adoptees and Relative within 4th degree of consanguinity/affinity could be facilitated provided that the Birth Certificate (BC) of the adoptee is simulated.

MAIN FEATURES OF THE EXISTING ADOPTION LAWS AND RA 11222

Existing Adoption Laws (RA 8552 & RA 9523)	RA 11222
When the BC is simulated, it should be cancelled first before CDCLAA is issued then proceed to Adoption.	Cancellation of the simulated BC will happen after the issuance of the Order of Adoption by the Secretary.
There is a matching process between the child and PAPs.	There is no matching process involved because the child has been living with the PAPs for at least 3 years.

ORDER OF ADOPTION will involve:

- A. Cancellation of the simulated BC
- A. Issuance of Rectified Birth, using the true facts of birth of the child.
- A. Issuance of a new/ amended BC



Department of Social Welfare and Development



CINQUE OF ADOPTION

DOI: 10.1002/for The Department of Social Work and Community Health Sciences (DSWCHS) is seeking a Research Fellow to develop and implement research projects in the area of mental health and substance use. The successful candidate will be responsible for the design, implementation, and evaluation of research projects, as well as for the dissemination of research findings. The position is open to individuals with a PhD in Social Work, Psychology, or a related field. For consideration, please send your curriculum vitae and a letter of interest to the Director of the DSWCHS, Dr. [Name], at [Address].

NOTES: 1. The model is heavily based on information with August 1st, 2002, and October 15th, 2002, and 2003. 2. The model is based on information with the date of August 1st, 2002.

Work No. 9-0000. This work shall be done and completed at [redacted]
[redacted]

DISCLAIMER: The Local Clerk Registers or Files Documents for and Does Not Charge a Fee. While we believe our service is useful, we do not warrant the accuracy of the information.

4. The Local Field Expansion of South American Sea:
 - a. **Identify** the unmodified 1-part form of Local Field of the adverbs
 - b. **State** the unmodified 1-part form of Local Field of the adverbs
 - c. **Examine** the part-whole unity of unmodified and unmodified 1-part form of Local Field of the adverbs
5. The Local Field Expansion of South American Sea:
 - a. **Identify** and **examine** the unmodified 1-part form of Local Field of the adverbs
 - b. **Identify** and **examine** the unmodified 1-part form of Local Field of the adverbs



5. The Local Councils/Boards of Health, Districts/Zone and Local/Local Boards/Group Members (if any) shall be advised by the effect of the "Inventory" report of compliance with the foregoing within thirty (30) days of receipt of the report of compliance.

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

 Director, Office of the Inspector General

Salient Provisions of RA 11222

Main purpose: To fix the status and filiation of a child whose birth record was simulated prior to the effectivity of the law and who has been with the known parents for atleast 3 yrs. before the effectivity of the Act.

To grant amnesty and exempt from criminal, civil and administrative liability those who simulated a child's birth record prior to the effectivity of the Act, provided a petition for Administrative Adoption w/ application for Rectification is filed.

Window for implementation: within ten (10) years from the effectivity of the Act (March 29, 2019- March 29, 2029)

Requirements

- Notarized Affidavits of at least two (2) disinterested persons, who reside in the same barangay where the child resides, attesting that the child has been living with the petitioner/s for at least three (3) years prior to the effectivity of the Act;
- Original copy of CDCLAA issued by the DSWD (**for non-relative**)
- Oldest and recent photographs of the prospective adoptee and the petitioner(s) taken within the last three (3) months prior to the filing of the petition;
- Certificate of Attendance by the Petitioner(s) in Pre- Adoption Fora and Seminar;
- As applicable, Marriage Contract, Decree of Annulment, Declaration of Nullity of Marriage or Decree of Legal Separation;

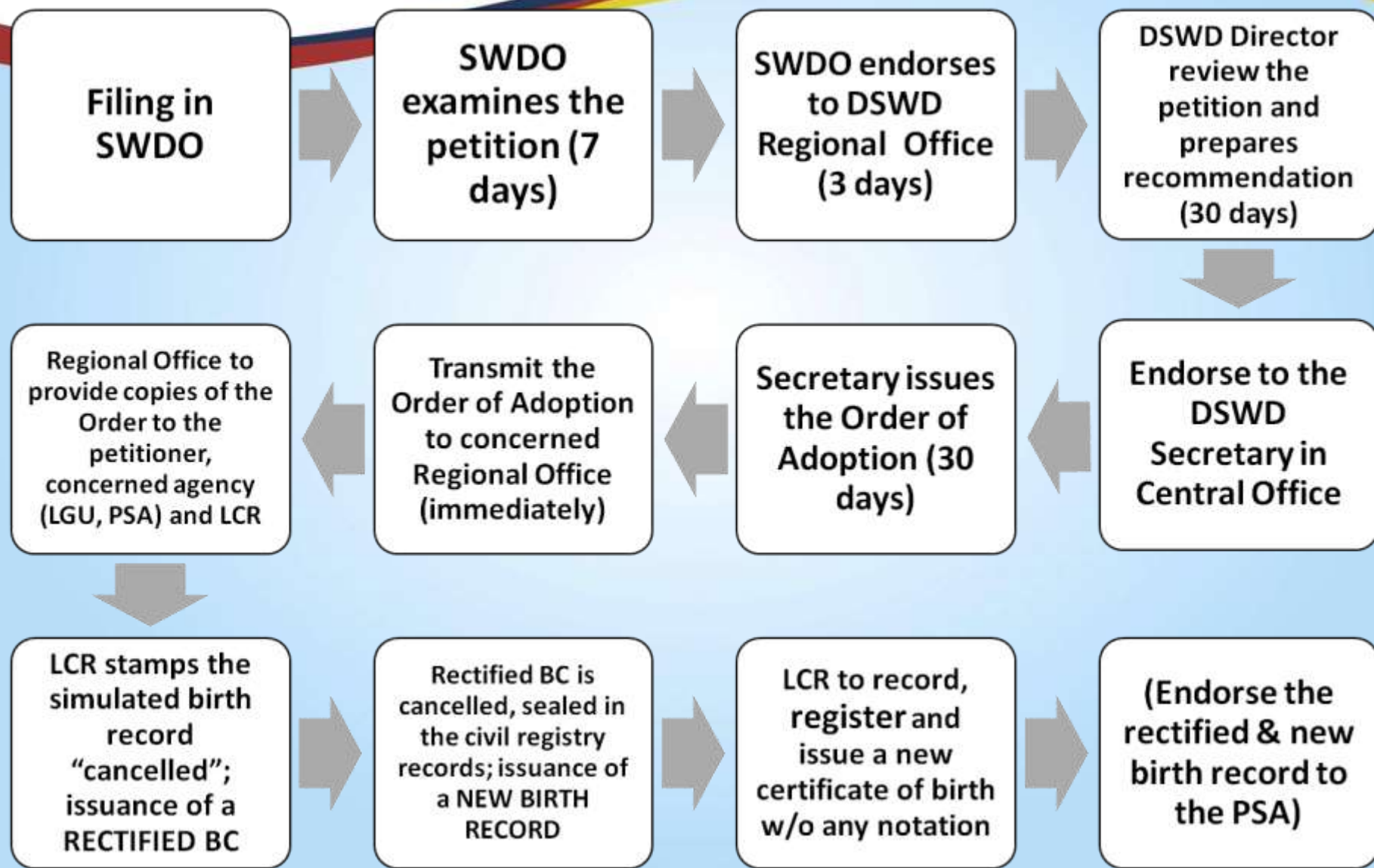
Requirements

- Latest Physical and Medical Evaluation of the adopter(s);
- Psychological evaluation of the adopter(s) by a duly licensed psychologist (when appropriate)
- Latest NBI / Police Clearance;
- Latest income tax return or any other documents showing financial capability, e.g., Certificate of Employment, Bank Certificate or Statement of Assets and Liabilities; and
- Authenticated copy of the Negative Certification of Birth, to serve as basis in the late registration and issuance of rectified birth record;
- Certified True Copy of the receipts as proof of payment of the socialized fees in SWDO and DSWD Field Office.

Requirements

- In case one of the adopter(s) is a foreign national married to a Filipino, he or she must submit proof of the following:
 - (a) Residence in the Philippines for at least three (3) continuous years prior to the filing of the petition and maintains such residence until the Order of Adoption is issued;
 - (b) Certification by his or her diplomatic or consular office or any appropriate government agency that he or she has the legal capacity to adopt in his or her country, and that his or her government allows the adoptee to enter his or her country as his or her adopted son or daughter.

Process Flow (70 days)



SALIENT FEATURES : IRR OF RA 11222

- Petitioner/s must be living with the child for atleast three (3) years (**March 29, 2016 or earlier**) and simulated the birth of the child PRIOR to the effectivity of the law (**March 28, 2019**).
- Foreigners could not avail of the provisions of the law EXCEPT when married to a Filipino and qualified under the law.
- PAPs who are not the parents named in the simulated BC of the child could not file a Petition for Administrative Adoption under the Act.
- CDCLAA is a basic requirement for non-relative child;

SALIENT FEATURES OF THE IRR OF RA 11222

- There is mandatory appearance by the petitioner and the child before the DSWD Regional Director. The purpose is to personally determine the identity of the parties and motivation to adopt before he recommends to the Secretary.
- There is a transitory provision that allows the petitioner to either withdraw the pending case in court and file it with the Department or continue with the judicial proceedings.
- Provision of Pre and Post Adoption Services to the Petitioner, Child and Birthparents, if available
- Conduct of Case Study Report by the DSWD Field Office Social Worker

STATUS OF IMPLEMENTATION **as of August 2021**

- Eight (8) out of eighteen (18) petitions received were granted and issued with Order of Adoption
- Certificate of Finality for the first three (3) cases issued with Order of Adoption are on process
- Continuous information dissemination about the law

“There are times
when the adoption
process is exhausting
and painful and makes
you want to scream.
But, I am told,
so does childbirth.”

—SCOTT SIMON

HOST OF NPR'S WEEKEND EDITION,
AUTHOR OF *BABY, WE WERE MEANT FOR EACH OTHER*

AdoptiveFamilies celebrates National Adoption Month