

## **Late Adoption: Challenges, Consequences, Prejudice And Acceptance In The Selective Adoption Process**

Magaly Rosângela Alves Lima de Melo<sup>1</sup>; Maria Emilia Camargo<sup>2</sup>;  
Mariane Camargo Priesnitz<sup>3</sup>; Marta Elisete Ventura da Motta<sup>4</sup>

*(<sup>1</sup>Universidade Veni Creator Christian University.*

*(<sup>2</sup>Universidade Veni Creator Christian University, Brazil; Universidade Veni Creator Christian University; Pós-Graduação em Educação Profissional e Tecnológica (PPGEPT), Universidade Federal de Santa Maria (UFSM), Brazil)*

*(<sup>3</sup>Universidade Federal de Santa Maria (UFSM), Brazil)*

*(<sup>4</sup>Universidade de Caxias do Sul (UCS), Brazil)*

---

### **Abstract:**

*The aim of this article is to study and reflect on the history and evolution of adoption in our country and its legal and psychological aspects, as well as the difficulties encountered in the process of late adoption, defined as the adoption of older children, aged three or over; children or adolescents with siblings; and children or adolescents with disabilities, chronic illnesses or specific health needs, and the consequences they face throughout the selection process. The difficulty in accepting the idea of a late adoption stems from the prejudice of the families who opt for this type of adoption and the difficulty in adapting the child and adolescent; the influence and demands that society exerts; the difficulty in creating emotional bonds, i.e. the older the child, the more difficult it will be to live with the adopting family. In Brazil, the adoption process is regulated under the 1988 Federal Constitution, as well as the Brazilian Civil Code (Law no. 10.406, of January 10, 2002), the Statute of the Child and Adolescent (Law no. 8.069, of July 13, 1990) and the New Adoption Law (Law no. 12.010, of August 3, 2009), amended by Law no. 13.509, of November 22, 2017.*

---

Date of Submission: 16-09-2023

Date of Acceptance: 26-09-2023

---

### **I. INTRODUCTION**

With the reform of the national adoption law, provision has also been made for late adoptions of children who are in shelters and institutions in need of a welcoming home, and who have been forgotten in time because they don't meet the requirements of the adopters, requirements that are enshrined by adoption groups as being essential when it comes to making a choice, as if a child or adolescent were something that could be chosen.

However, affection, care and love are essential for adopters and adoptees to choose each other. There are several stages throughout the selection process, which will be better defined later in this article.

In Brazil, the adoption process is regulated by the 1988 Federal Constitution, as well as the Brazilian Civil Code (Law no. 10.406, of January 10, 2002), the Statute of the Child and Adolescent (Law no. 8.069, of July 13, 1990) and the New Adoption Law (Law no. 12.010, of August 3, 2009), amended by Law no. 13.509, of November 22, 2017.

The ECA (Statute of the Child and Adolescent), in an attempt to comply with its legislation, tries to ease and speed up the adoption process in our country, together with bodies such as the Judiciary, the Public Prosecutor's Office, Social Workers and Psychologists, Child and Youth Courts, the Public Defender's Office, the Guardianship Council, with the aim of speeding up the adoption process.

However, this process doesn't depend entirely on the judicial system or other competent bodies, it also depends almost exclusively on the individual choices of families who seek, through adoption, to choose a son or daughter who meets their expectations, their desires and interests, and because of this wait, adoption is becoming later every day.

The perfect search and the ideal choice of the child so longed for is always accompanied by many adoptive couples. The time it takes is enormous and the adoption process stretches on for many years, leading to more children being placed in shelters when they should have found a home, a family.

Adopters make their choices according to every expectation, every desire, every dream and every requirement, such as children under the age of 3, white children, children without siblings and without any physical or mental disabilities.

With the best interests of the child in mind, the ECA brought about changes with its new adoption law. It is through the ECA and the Code of Civil Procedure that the adoption process takes place.

It is up to the Judiciary, in conjunction with the Children's and Youth Courts, together with the support of Social Workers, Psychologists, the Guardianship Council, the Public Defender's Office, Creas and Cras, to bring adopter and adoptee closer together during the adoption process, checking the degree of affection developed between them, so that there can be a good acceptance, development, in the face of the experience they will face. The challenges that will be present in the lives of each adopter and adoptee, having come from a different concept of life, educational, religious, behavioral and cultural background, from a family that suddenly has nothing to do with their own or that suddenly has everything to do with them. The memories, whether good or not, are part of each family's history, but each child has their own story.

And yet, the emotional bond built up within the institution or shelter, because they have been there for so long, will not simply be forgotten with time, this reference will be a point of reference in their future life.

According to Hamad (2001, p. 148)

"we often deal with parents who are potentially in a hurry to be someone's parents (...) the rush to be a parent should not make us forget that, for the child, memory is still alive and that this memory must be welcomed by its new parents and integrated into what their word will offer as continuity, once the separation has taken place"

The rush to find a child often means that the emotional bond, the love that comes simply, is not well developed. It takes time, and it doesn't come out of nowhere. You learn to love through living together.

Some of the country's Courts of Justice are promoting campaigns and drawing up projects to speed up the adoption process. However, despite all this work aimed at meeting the demand for children in shelters for a long time, waiting for a home, a family, there is an obstacle in choosing the ideal profile of the child to be adopted by the adopters. This demand for an ideal profile is often one of the main consequences of the slow pace of adoption.

It's not enough just to be a child and available for adoption. These children often have to submit themselves to meet the characteristics of the profile that each adopter requires.

Patience, study, love, dedication, attention, motivation, preparation, believing, being sure that the emotional bond between adoptee and adopter will happen in late adoption, will make a lot of difference to it actually happening. It's not enough just to adopt, you have to see with the eyes of your soul that everything can work out and that adaptation will flow normally, without the old myths and demands made by society. A society that labels, shapes and tries to direct and manage people's lives, who often display undesirable behavior simply because of what they encounter on a daily basis in social life.

To adopt is to accept that love is love, regardless of whether or not a child is born in your womb; that a sibling is much more than a blood tie. It means welcoming with the deepest desire to care. It's admitting ways of loving. It's recognizing that adopting is a way of forming a family.

## **II. THEORETICAL BACKGROUND**

Why not adopt a child when the couple cannot have one biologically? Perhaps people aren't ready for this kind of acceptance and in the choices they make, the zeal for choice speaks louder, because they are more concerned with knowing what the other person will think, what the other person will say, than their own sense of choice. And they are often labeled with the old concept of family.

Maria Berenice Dias, points out that (2010, p. 74):

"Historically, the family has always been linked to the idea of a sacralized and indissoluble institution. A patriarchal ideology only recognized the hierarchical, patrimonialist and heterosexual, in line with heterosexual, in line with the conservative morals of another era, long overtaken by time".

### **Conceptualizing adoption**

In Portuguese, adopt "is a direct transitive verb" (AURÉLIO, 2004), a generic word which, depending on the situation, can take on different meanings, such as: opt, choose, assume, accept, welcome, admit, recognize, among others.

Maria Helena Diniz (2013, p. 385) understands adoption as:

A legal act in the strict sense, the effectiveness of which is conditional on a court decision. It establishes fictitious bonds of paternity, maternity and filiation between strangers, analogous to what results from biological filiation. Adoption constitutes an elective kinship, as it is the result of an act of will.

To adopt is to think about the rights of the child, ensuring their well-being, it is to welcome them as a child, because, according to the Statute of the Child and Adolescent (ECA, Brazil, 1990), placing a child or adolescent in a substitute family grants them the status of a child. To adopt is not simply to help a child or young person who is institutionalized, it is to think of the subject who has rights and who bears the marks of the past.

To understand all of this, I look at one of the lines from BRÁULIO BESSA's poem - *Dar à Luz* (Giving Birth), where he says: "Those who give birth don't always take care, but those who love will. They will care regardless of the color of the skin. Genetics, blood. Love goes beyond that. Love shines so brightly. That whoever adopts a child. Is adopted too!

However, you have to learn to know that adopting a child is much more than love, it's patience, it's something that is only touched in the heart, without dimension, without any measure, it's giving light, it's illuminating someone's life and being illuminated by that person. Love is born of living together, of affection, care, it is independent of blood ties, loving goes much further.

The greatest love is not always in giving birth to a child, love is consecrated day by day, with the nourishment of affection, trust, respect, dedication, often the annulment of some changes in the parents' lives. Adoption is an act of light that intensifies according to the potential that both the adopters and the child or adolescent being adopted have. The expectations of both are great. Wanting a child because they feel a lack of fulfillment in life, or just wanting a child for affection, as well as wanting to find a home, a family.

### **The Legislation**

The legislation currently in force in our country, which deals with adoption procedures and interests, is as follows: Federal Constitution; Statute of the Child and Adolescent - ECA; Brazilian Civil Code; and, Law no. 9.656/98.

### **The Federal Constitution**

"Art. 227: It is the duty of the family, society and the State to ensure children and adolescents, with absolute priority, the right to life, health, food, education, leisure, vocational training, culture, dignity, respect, freedom and family and community life, as well as to protect them from all forms of neglect, discrimination, exploitation, violence, cruelty and oppression" (BRAZIL. Constituição Federal, Art. 227, 1988).

Adoption is addressed in the Federal Constitution in article 227, which establishes that it is the duty of the family, society and the state to ensure that children and adolescents have their basic rights.

Paragraph 6° - Children, whether or not they are born of wedlock, or by adoption, shall have the same rights and qualifications, and any discriminatory designations relating to filiation shall be prohibited.

Paragraph 6° of this article, in addition to prohibiting "any discriminatory designations regarding parentage" in cases of adoption, establishes that the rights of adopted children are equal to those of biological children.

### **Historical evolution of Children's Rights in Legislation**

In distant times, long ago, a child or adolescent was not protected by their rights, even less were they seen as having duties to be respected within legal relationships, they were seen as minor objects, their guardianship being directed to the courts, they were even excluded from penalties that were provided for by the now non-existent Juvenile Codes.

Cretella said that (1993, p. 340):

At that time, childhood was pointed out as being only the object of Private Law, and what prevailed was the *pater poder*, compared to the power of the mill masters over the slaves, which translates that children owed only obedience and nothing more.

In Brazil, it was in the Civil Code of 1916 that adoption was accepted, in articles 368 to 378. Adoption was practically ineffective, as nobody adopted. It was only possible to adopt if you were over fifty, had no legitimate or legitimate descendants and if you wanted to adopt, you had to be at least eighteen years older than the adoptee

In Brazil, it was in the Civil Code of 1916 that adoption was accepted, in articles 368 to 378. Adoption was practically ineffective anyway, nobody adopted. It was only possible to adopt if you were over fifty, had no legitimate or legitimized descendants and if you wanted to adopt, you had to be at least eighteen years older than the adoptee

Looking at historical data, it can be seen that in ancient Rome, children who were born with disabilities of various kinds were sacrificed, because there was no reason to let a child be born with a disability, they believed that if such a mutilated or mentally handicapped child were allowed to remain alive, there would be contamination and all the next generations would be born that way.

At the time the 1979 Code was in force, 80% of the population of children and adolescents interned in the State Foundation for the Welfare of Minors (FEBEM) system were children and adolescents, "minors", who were not the perpetrators of acts defined as crimes in Brazilian criminal law, but minors abandoned by their families due to extreme poverty (MARCÍLIO, 1998, p.135).

### **Statute of Children and Adolescents – ECA**

All children and adolescents have the right to family and community life, as guaranteed by the Statute of the Child and Adolescent (Law No. 8.069/90) and by the Federal Constitution in its Article 227. Sometimes, when this right is not guaranteed within their family of origin, these children can live with a substitute family, through adoption, guardianship or tutelage.

Article 35 of the ECA reads as follows: Guardianship may be revoked at any time, by means of a reasoned judicial act, after hearing the Public Prosecutor's Office.

The difference between guardianship, guardianship and adoption. In GUARDianship, family powers remain and the child or adolescent is placed under the responsibility of a third party. Guardianship can only be obtained if the person concerned is able to provide the child or adolescent in their company with the necessary moral, educational and material assistance. Guardianship, on the other hand, is only granted to the person responsible for the child or adolescent when family power no longer exists, either due to the death of both parents, or because they have been deprived or suspended of family power. ADOPTION, on the other hand, consists of placing a child or adolescent in a substitute family, in which the adoptee loses ties with their biological family and establishes, regardless of any consanguineous or affinal relationship, a bond of filiation with the new family. According to the law, adoption is an exceptional measure and will only take place when all resources to maintain the child in the natural or extended family have been exhausted.

Art. 39 § 1 - Adoption is an exceptional and irrevocable measure, which should only be resorted to when the resources to maintain the child or adolescent in the natural or extended family have been exhausted, in accordance with the sole paragraph of art. 25 of this Law.

For Justice Nancy Andriahi, the systematic and teleological interpretation of article 39 of the ECA, which deals with the irrevocability of adoption, leads to the conclusion that the rule can actually be removed when it is found that maintaining the measure no longer presents any advantages for the adoptee. The aim must always be to guarantee the principles of integral protection and the best interests of children and adolescents.

Judge Fernando Moreira, vice-president of the Adoption Commission of the Brazilian Institute of Family Law - IBDFAM, comments:

"This is a decision at the forefront of protecting the rights of children and adolescents, which shows that no rule is absolute and must be weighed against other rules and principles in our legal system."

For Judge Fernando Moreira, there can be flexibility in the irrevocability of adoption, as 39, §1 of the ECA, is to protect the interests of the adopted person, avoiding the legal uncertainty caused by the possibility of the child or adolescent returning to the situation prior to adoption. However, in practice, even this is not absolute:

"The reasons that lead us to make choices today may disappear tomorrow. What was love becomes lovelessness. What was imagination becomes reality. Not even the law can impose immutability on affective relationships, no matter how well the adopters and adoptees are prepared," reflects IBDFAM's national director.

He concluded:

"So, depending on the specific case, I understand the reasons of parents who return their children after the adoption has become final, just as I understand adoptive children who, after expressing their desire to adopt, give up their choice and continue in search of their personal happiness. The law cannot remain oblivious to the situations of relationships".

As it is considered irrevocable, according to Article 39, *Paragraph 1º* of the ECA, this rule cannot always be absolute. There are cases in which revocation is necessary because it is in the best interests of the child.

### **Rules to adopt a child**

The general rules of adoption in Brazil are established mainly by the Statute of the Child and Adolescent - ECA and can be summarized as follows:

Art. 42: Anyone over the age of 18 (eighteen), regardless of marital status, may adopt.

*Paragraph 1º*: Ascendants and siblings of the adoptee may not adopt.

*Paragraph 2º* - For joint adoption, it is essential that the adopters are civilly married or in a stable union, with proof of the stability of the family.

Only individuals aged eighteen or over have the right to adopt. The first paragraph of article 42, which prohibits adoption, in which ascendants or descendants would play the role of adopter, is totally justifiable, as there is no need for adoption, given that the law establishes grandparents and siblings as the natural successors to custody of children who have parents who are deceased, absent or even deprived of parental authority.

Of course, either the mother who has acknowledged her child cannot adopt. There is already a bond of filiation and a link with the family. It would be a legal act without an object. With the exception that adoption by the father or mother of a child born outside the marital relationship is possible. Adoption can take place by married adopters or those in a stable relationship, provided that family stability is proven.

*Paragraph 3º:* The adopter must be at least sixteen years older than the adoptee. However, a child of the same age or older than the adopter could not be adopted. The future parent has to be older so that they can properly educate the child or adolescent and carry out the exercise of parental.

*Paragraph 4º -* Divorced, legally separated and ex-partners can adopt jointly, provided they agree on custody and visiting arrangements and provided that the cohabitation stage has begun during the period of cohabitation and that there is proof of affinity and affective ties with the person who does not have custody, which justify the exceptional nature of the decision.

*Paragraph 5º -* In the cases of paragraph 4 of this article, as long as effective benefit to the adoptee is demonstrated, shared custody will be ensured, as provided for in art. 1.584 of Law no. 10.406, of January 10, 2002 - Civil Code. (Editing given by Law no. 12.010, of 2009).

In the case described in §4 of article 42, we see that the principle of the best interests of the child or adolescent is adopted. The adoption process is allowed when there is an interest on the part of ex-partners who have lived with the child and have bonds of affection with the child in order to protect the best interests of the adoptee.

Art. 45: Adoption depends on the consent of the adoptee's parents or legal representative.

Paragraph 1º. Consent will be waived for children or adolescents whose parents are unknown or have been deprived of family power.

In the case of an adoptee over twelve years of age, their consent will also be required.

The child's legal representative (parent or guardian) is responsible for consenting or not to the adoption process. If the adoptee is over 12 years old, their consent will be required, which must be obtained at a hearing. Consent will be waived for the child or adolescent if it is proven in court that the parents have been deprived of family power, the parents are of unknown origin, and there is evidence that the child is at risk, abandoned or even being abused.

According to Fonseca (1995, p. 70),

A significant advance for adoption in Brazil occurred with the enactment of Law 4.655, on May 2, 1965, which deals with adoptive legitimacy. This legislation essentially equated the rights and responsibilities of adopted children with those of biological children. However, in terms of implementing the procedures set out in this law, practical application was limited due to the excessive formalism that prevailed in the system.

According to the author, adoptive legitimation marked a crucial turning point, where the welfare of children and adolescents truly became a focal point. This institution made it possible to create a home and a family, going beyond providing children only to those who could not conceive biologically.

Vargas (1998, p. 35) and Weber (1998, p. 249),

Late Adoption is just one of the many facets of the adoption issue. Adoptions of children over the age of two are considered late, because they are already old enough for adoption or were abandoned late by their mothers, who due to personal or socio-economic circumstances, or were taken away from their parents by the judiciary, which deemed them incapable of keeping them in their custody, or were "forgotten" by the state from a very young age in "orphanages" which, in reality, house a minority of orphans.

It is important to note that the results of Almeida's (2003) study on the preferences of adopters are closely aligned with the criteria routinely used by prospective adoptive parents. Furthermore, as the author notes, due to the selective and inflexible choices made by individuals seeking adoption, children and adolescents who do not fit the pre-defined profiles often spend long periods in juvenile institutions. When these children are eventually adopted, they contribute to a separate statistical category, that of late adoptions.

According to Camargo (2006, p. 91),

The utopia that forms the culture of adoption in Brazil presents strong obstacles in relation to the adoption of children of advanced ages, who are considered to be out of the norm, and thus older, they nurture beliefs and create negative expectations about the practice of late adoption.

Camargo (2006, p. 226) explains that:

Candidates for adoption opt for the adoption of children at the youngest possible age, seeking the possibility of a smooth adaptation in the relationship of parent and child, with desires to imitate the biological-blood bond, since they dream of fully accompanying the physical and psychosocial development, which manifests itself from the first facial expressions, such as smiling, and eye movements accompanying objects and demonstrating the recognition of parental figures, as well as the first speeches and steps.

Camargo (2006, p. 226) explains that:

Applicants for adoption fear that older children will find it more difficult to adapt to the customs of another family, because they believe that the child's personality is already formed, with a defined character, labeling them as a hopeless case, full of vices, poorly educated and lacking limits, procedures that are seen as irreversible and impossible to control.

Santos contributes in the same vein (1997, p. 163):

[...] This is another myth in adoption, that any behavioral problems presented by adopted children result [...] from the social environment where the child lived their first years (in cases of late adoptions) and, in this case, the problem is avoided by adopting newborns.

Vargas (1998, p. 35) says:

It's important to note that every adopted child has a history of abandonment or orphanhood and this fact must be respected and taken into account by everyone. The older the child or adolescent gets, the more they will need the constant presence of a family in order to feel accepted and loved, so that they can adapt and rewrite a story that is totally different from the life they knew: Late adoption, as well as interracial adoption, make it impossible to "pretend to be biological", so these two types of adoption are summarily discarded.

According to the author's perspective, the ongoing cultural and social transformation in the field of adoption means a move away from the mere imitation of biological relationships. Instead, adoption has evolved into a powerful embodiment of the rights of children and adolescents. This transformation emphasizes their fundamental rights, including the opportunity to grow and develop within a family, rather than in an institutionalized setting. Consequently, this change has instilled greater hope in more children and adolescents, assuring them that one day they will find their new family - a place where they can expect to receive loving care as they embark on their journey to adulthood, all with the dignity and care they deserve.

The same author says that:

It is not impossible to increase the number of late adoptions in the country. Preparation work is important in order to guide and sensitize candidates for adoption, encouraging and clarifying the myths, prejudices and taboos that surround the complex world of those who only dream of having a family, giving and receiving love, without mistreatment; minors who just want to play at being happy, to find other paths, for whom life has left only a path with no prospects, a dead end, a tunnel with no light.

According to Vargas (1998, p. 35),

It is important to mention that, both in late adoption and in life itself, the chances of success or failure of the relationships that are established in the social environment depend on the capacity for support, love, surrender, affective exchanges, trust, companionship, friendship, among others, between the protagonists.

For the author, abandonment must be prevented and the institute of adoption must be worked on at the same time, especially late adoption, starting with intervention by judicial professionals, creating objectives through information for institutions that shelter children and all segments of society in order to create awareness campaigns about the adoption of children and adolescents, portraying the daily lives of these groups in institutions, creating support centers to register and guide guardians who wish to present children in need, so that they can be screened and referred to the Guardianship Councils together with the institutions, promoting clarification about the adoption process, as well as creating adoption support centers with the insertion of people who have already been part of this process, with the aim of enabling the exchange of experiences.

Santos (1997, p. 164) states that:

Although it must respect the limits and choices of the applicants, it is necessary to begin work aimed at changing the mentality with regard to adoption in order to make it possible to overcome at least part of the misconceptions and prejudices surrounding this process.

Santos concludes (1997, p. 164),

It is essential to stress that adoption should not be the only solution for children and adolescents in situations of abandonment. There must be public policies to support adopters so that these children are kept away from institutions for minors, which often end up becoming schools of life in a negative light, making minors in custody hostages of the institutions themselves and vulnerable targets for other minors already experienced in the world of crime and illicit practices, becoming a visible danger to those who live in these environments, which, far from the protection they should offer, end up allowing minors to become more and more experienced in the illicit world, graduates and post-graduates in the mafia-like criminological market, where, on a daily basis, hundreds of minors are inserted into society, without the proper basis for exercising their full citizenship, in fact and in law, and some have their lives taken because of their involvement in drug trafficking and gang wars.

The author also points out that by not giving children the right to be in a family environment, society is directly harming the process of their constitution and, consequently, their way of being in the world.

From the same angle, Vargas says (1998, p. 35):

Adopting children over the age of two is already a late adoption, which is where the biggest obstacle lies, as adopters insist on a selective procedure for younger children, with a series of requirements.

According to the author, these demands made by those applying for adoption may be aimed at the real desire to mold these children in their behavior and attitudes, making them live in accordance with what they determine - a discreet way of imposing their authority on the child's position in the face of the facts of life, A measure that can be as beneficial as it can be harmful, since their true personality ends up being annulled, having to adapt to the new customs and habits of people who, until then, were totally unknown to them and who have thoughts that are totally different from those they were used to, which ends up hindering their way of being, thinking, feeling and acting.

#### IV. CONCLUSION

Adopting a child is still a major challenge for some people. Many still let themselves be carried away by stigmas and prejudices that have been created and shaped over the course of the human being's existence, causing obstacles, especially with regard to the Late Adoption process, in a world where there are twice as many people interested in adopting and not half as many waiting to be adopted.

The fear, the expectation that those who have been waiting in line for years to find a family, a home, as well as those who are looking for a child to adopt, will both suffer from the impacts caused by late adoption, the fears, prejudices of the adopters and the abandonment, suffering and anguish of the children, with their stories, roots.

The crucial difference between an adoptee and a biological child is that the biological child will have to receive an upbringing that is an obligation for the father or mother, and the same must happen with adoptees; the family that receives them must encourage the child, not give up on them and return them like a toy.

The fear of dealing with possible traumas from a child's childhood, which may or may not have an influence on their development, is still one of the main refusals when choosing children. This is all due to fear and insecurity, preparation, leaving aside the love and affection that many of these children, although they think they have a traumatic past and history, may not even have any of this, without having to leave sequelae, let alone undesirable behaviors that could influence a relationship between the adopter and the adopted.

The great function of late adoption is to give and guarantee children and adolescents the right and the possibility of being adopted, accepted, welcomed into a family; the child or adolescent accepted into the new family now has all the rights and equal recognition with their siblings, the biological child of the family that takes them in; it also plays an unparalleled social role, after all it works to integrate the child into society, but above all the child is educated, giving the child paths, so that they form a good person within society and not on its margins.

However, with all the aspects of Late Adoption well defined, it suffers enormous obstacles in society, many of which are inspired by the profiles of children and adolescents, after all the demands made by adopters on children and adolescents to be adopted are somewhat unreasonable.

Adopters look for children with a completely different profile from the children in the queue to be adopted; adopters are based on appearance, often looking for children who don't even match their own family profile, which is why there are so many people in the queue, waiting for children with defined profiles, such as Caucasian, straight hair, up to 2 or 3 years old, girls. This forgets that long before fulfilling the desire to have a child who is perfect in the eyes of the couple, there is a social side to be fulfilled, a side where giving of oneself to a little being in need is much greater than the physical appearance that the couple thinks is right.

Trying to understand and put on the agenda the extinction of this prejudice will take time and effort, not only on the part of the applicants, but also on the part of the entire team that makes the whole process happen, within the norms of the adoption law, which has beneficial recommendations for the adoption process.

#### Referências

- [1]. ALBERGARIA, Jason Soares (1980). *Introdução Ao Direito Do Menor*. Belo Horizonte: UNA.
- [2]. ALMEIDA, Maurício Ribeiro De (2003). *A Construção Do Afeto Em Branco E Negro Na Adoção - Assis*.
- [3]. ANDRADE, Maria Margarida De (2001). *Introdução À Metodologia Do Trabalho Científico*. 5. Ed. São Paulo: Atlas.
- [4]. ALMEIDA, João Da Silva (2010). *Manual De Direito Do Consumidor*. 4. Ed. Rev. São Paulo: Saraiva.
- [5]. ALVES, Jones Figueirêdo. *Manual Das Audiências Cíveis / Jones Figueirêdo Alves, Misael Montenegro Filho*. 5. Ed. São Paulo: Atlas, 2015.
- [6]. BESSA, Bráulio. *Poesia Sobre Adoção*. Youtube, 16 Jun. 2017. Disponível Em <<https://www.youtube.com/watch?v=ZGG3O8nedUw>>. Acesso Em: 03 Out.17.
- [7]. BEVILAQUA, Clóvis (1976). *Clássicos Da Literatura Jurídica. Direito De Família*. Rio De Janeiro: Rio, P. 351.
- [8]. BAHIA, Lígia (2008). *As Contradições Entre O SUS Universal E As Transferências De Recursos Públicos Para Os Planos E Seguros Privados De Saúde. Ciência E Saúde Coletiva*. Rio De Janeiro: Associação Brasileira De Pós-Graduação Em Saúde Coletiva.
- [9]. BAHIA, Lígia (2006). *Avanços E Percalços Do SUS: A Regulação Das Relações Entre O Público E O Privado. Trabalho, Educação E Saúde*. Rio De Janeiro: Escola Politécnica De Saúde Joaquim Venâncio – Fundação Joaquim Nabuco.
- [10]. CAMARGO, Mário Lázaro (2006). *Adoção Tardia: Mitos, Medos E Expectativas*. São Paulo: Edusc, Código Civil, Lei 3.071 De 01.01.1916