

Review

Single-Parent Adoptions in Italy: New Horizons of Collaboration Between Law, Legal Medicine, Ethics, and Psychology

Dalila Tripi ¹, Miriam Ottaviani ¹, Federica Spadazzi ¹, Maria Vittoria Zamponi ¹, Claudia Casella ², Giuseppe Bertozzi ³, Raffaele La Russa ^{4,*} and Lina De Paola ¹

¹ Department of Anatomical, Histological, Forensic and Orthopedic Sciences, Sapienza University of Rome, 00161 Rome, Italy; miriam.ottaviani@uniroma1.it (M.O.); lina.depaola@uniroma1.it (L.D.P.)

² Department of Advanced Biomedical Science-Legal Medicine Section, University of Naples “Federico II”, 80131 Naples, Italy; claudia.casella@unina.it

³ SIC Medicina Legale Basilicata, Petrone, 85100 Potenza, Italy; giuseppe.bertozzi@unifg.it

⁴ Department of Clinical Medicine, Public Health, Life Sciences, and Environmental Sciences, University of L’Aquila, 67100 L’Aquila, Italy

* Correspondence: raffaele.larussa@univaq.it

Abstract

Background: Adoption in Italy has evolved significantly over the years, becoming a critical legal, social, and ethical issue. Recent data indicates a decline in the number of adoptions, reflecting a broader European trend. Historically, adoption was primarily pursued by couples unable to have biological children due to infertility. Today, however, the adoption process in Italy has expanded to include single individuals, following recent legislative reforms that aim to accommodate diverse family structures. **Methods:** We have analyzed the relevant literature through a PubMed search and studied the current regulations considering recent Italian developments. This paper examines the current state of adoption in Italy, focusing on the increasing need for interdisciplinary collaboration between law, forensic medicine, ethics, and psychology. **Results:** The evolving adoption landscape requires a comprehensive approach that addresses legal issues, medical conditions, ethical considerations, and psychological support for both adoptive parents and children. The integration of these fields is essential for ensuring the well-being of the adopted child and the success of the adoption process. **Conclusions:** By exploring the dynamics of adoption, this article highlights the importance of a multidisciplinary framework in meeting the needs of children awaiting adoption and fostering the development of new family structures in Italy. In particular, forensic medicine plays a central role in evaluating parental suitability, detecting potential risk factors, and supporting judicial decisions through technical expertise and medico-legal assessments.

Keywords: adoption; children adoption; medical collaboration; ethics; legal medicine



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1. Introduction

Adoption represents an act of great social and cultural significance, a moment of encounter between the life of a child and that of a family, which, through this gesture, assumes a commitment of love, care, and responsibility. Adoption is a legal process through which a child, declared eligible for adoption, becomes the legally recognized child of their adoptive parents, acquiring all the rights, privileges, and responsibilities of a biological child [1].

In the United States, the first adoption law, *An Act to Provide for the Adoption of Children*, was passed in the mid-19th century. This law required a judge to determine the potential “sufficient capacity to raise the child” of the adoptive parents before the adoption could take place [2].

In Italy, adoption was regulated only in 1983 with Law 184 (later amended by Law 149/2001), establishing the recognition of the child’s right to be adopted and raised within a family. Adoption thus became a right recognized and protected by the state [3]. The aforementioned law explicitly states: “Adoption is permitted for married couples who have been married for at least three years, or who reach this period by adding the duration of premarital cohabitation to the duration of the marriage, and between whom there is no personal separation, even de facto, and who are deemed capable of educating, instructing, and able to maintain the minors they intend to adopt.” Initially considered a solution for orphaned or abandoned children, over the years adoption has seen a continuous evolution, both legally and socially, broadening its horizons.

According to the most recent data, the number of adoptions in Italy is declining, a phenomenon that is also reflected at the European level, where adoption is becoming increasingly rare. In fact, the latest report from the Commission for International Adoptions [4] in 2023 confirmed the numerical decline in the number of couples requesting authorization for the entry of foreign minors into Italy for adoption purposes. In 2012, there were approximately 2500 adoption requests in Italy. During the pandemic, the numbers were just above 500, and in 2023, the number of adoptive couples did not even reach this threshold, stopping at 478 requests. This further decrease in the number of completed adoptions is undoubtedly linked to the challenges faced in the countries of origin, such as Ukraine, from which many minors were historically adopted by Italian families. Moreover, the number of adoptions in Europe is influenced by a variety of factors, including local legislation, which is often slow, entangled, and unprepared.

Until recently, for example, Italian adoption law imposed certain limitations on the possibility for single individuals to adopt a minor. The adoption process was primarily approached by couples who, due to infertility, were unable to have biological children [5,6]. The causes of infertility could be anatomical [7,8], inflammatory, autoimmune [9,10], or often oncological [11–15]. Other common reasons might include social commitment or the desire to help abandoned children, or the value placed on a family based on non-biological ties. From the common causes of adoption, it is clear that collaboration between medical fields is central. In cases of infertility due to anatomical defects or injuries that make procreation impossible, organic conditions in parents [16] or children [10,17,18], or other reasons related to multiple branches of medicine, such as gynecology, endocrinology, or psychology [19], these intersect profoundly with ethics and forensic medicine in the context of adoption [20].

In recent years, the adoption process in Italy has undergone significant legal, cultural, and institutional transformations. Thanks to new regulations that have been introduced, the possibility of adoption has also been extended to single individuals, aligning Italy with many other countries worldwide [21–24]. This is a signal that the law aims to keep pace with the times and is a proponent of a significant change, bringing with it a new legislative approach to the concept of family. These changes are part of a broader social renewal [6,25], which, as already mentioned, inevitably intersects with other fields: legal, forensic, ethical, and psychological.

To date, adoption is no longer a process concerning only the private desires of prospective parents but a complex and multidisciplinary endeavor that involves the evaluation of parental suitability, the psychological well-being of minors, and the safeguarding of their fundamental rights [26].

From a forensic perspective, the adoption process requires a rigorous evaluation framework that prioritizes the minor's best interest while ensuring the legal and psychological suitability of adoptive candidates. Forensic medicine offers a distinctive contribution in this regard, operating at the intersection of clinical assessment, legal accountability, and ethical scrutiny. In practice, medico-legal professionals are frequently involved in court-appointed evaluations (CTUs), where they assess the psychophysical fitness of prospective adoptive parents, verify the consistency of medical documentation, and identify any underlying conditions that could impair parenting capacity [27–29].

Equally relevant is the role of forensic experts in examining the health status and prior experiences of the minor, particularly in cases of international adoption or suspected abuse or neglect. Forensic tools, including radiological age estimation, trauma assessment, and clinical reconstruction, enable an evidence-based analysis that informs judicial decisions with objectivity and scientific rigor. In this light, forensic medicine is not a marginal discipline, but a foundational element of a child-centered, legally sound adoption process. Its integration within a multidisciplinary framework ensures that justice, protection, and ethical responsibility are upheld throughout all phases of adoption.

Therefore, in this context, forensic medicine plays an increasingly central role in ensuring objective, scientifically sound, and ethically guided assessments, particularly in complex cases, such as international adoptions, adoptions by single parents, or post-adoption crises.

The purpose of this article is to provide an overview of the current situation regarding adoptions in Italy, with particular attention to the new regulations, emphasizing the importance of collaboration between various sectors that are crucial to ensuring the well-being of the adopted minor and the correct evaluation of all the involved aspects: legal, forensic, ethical, and psychological, creating a more integrated system that is attentive to the needs of children waiting for adoption and the new families formed.

2. Materials and Methods

A literature review was conducted on PubMed and ResearchGate using the search terms “single parents adoption”. The search strategy was limited to publications from January 2015 to June 2025. The initial search yielded 295 results. We focused on the current regulations surrounding adoption, considering recent developments in Italy. Titles and abstracts were screened to exclude duplicates, non-English publications, and studies unrelated to adoption policies, psychosocial evaluation, or ethical-legal frameworks. After applying inclusion and exclusion criteria, 62 papers were retained for full-text review. Additionally, a manual search of Italian normative and institutional sources was performed, including the websites of the Italian Ministry of Justice, Italian Constitutional Court, Italian Parliament, and Commission for International Adoptions to identify current regulations, official guidelines, and case law relevant to adoption by single applicants.

This review aims to assess the current state of adoption in Italy, with particular attention to the recent constitutional developments and emphasis on the growing need for interdisciplinary collaboration among law, forensic medicine, ethics, and psychology in assessing adoptive suitability and protecting the best interests of the child.

3. Results

3.1. Regulatory Framework (Long) Before the Reform

The institution of adoption was widely practiced among ancient civilizations, although its development was not uniform. The earliest form of adoption can be traced back to the Code of Hammurabi. It reached its most advanced form under Roman law, where the adoptee assumed a new status within the adoptive family, including devotion to a new

household cult, new agnatic rights, inheritance rights, and a new *nomen* (family name) [30]. In the medieval feudal system, adoption became rarer. Adoption was formally recognized and regulated only with the *Code Napoléon* (1804), marking the beginning of its inclusion in the legislative systems of most European countries [31].

In the United States, a combination of mass immigration and the aftermath of the American Civil War (1861–1865) left many children and adolescents homeless. They began to be placed with families who committed to raising them as family members. These practices contributed to the enactment of the first modern adoption law in 1851 in Massachusetts, which, for the first time, recognized the principle of the child's best interests. Prior to this, informal placement of children often led to exploitation in the form of indentured child labor [32].

In 1909, President Theodore Roosevelt hosted a White House Conference that established the nuclear family as the ideal setting for adoption and foster care of abandoned or orphaned children, reinforcing the movement against institutional care. In 1917, the state of Minnesota established the first agency to regulate the adoption process.

The United States ratified the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption only in 2007, with entry into force in 2008, thereby aligning international adoption procedures with established international standards [33].

In Europe, the first law regulating child adoption was enacted in England in 1926. Until then, adoption occurred informally, and adoptive parents had no legal rights over the adopted children. This was followed by similar legislation in the Netherlands, Sweden, and France, where, after World War I, adoption aimed to compensate for the loss of children by establishing legal parent–child relationships.

In Italy, the legal concept of adoption was first acknowledged with the Civil Code of 1865. Although it did not explicitly regulate adoption, it recognized certain aspects of the practice, mainly as a mechanism to ensure the hereditary transmission of property and titles in the absence of legitimate offspring. Adoption was only possible after the adoptee reached the age of 18.

It was only with the Civil Code of 1942 that the adoption of minors was introduced, still primarily aimed at preserving family wealth and lineage, serving the interests of the adult rather than the rights of the child.

Modern adoption, as it is understood today—adoption of minors abandoned morally and materially by their biological parents—was established with Law No. 431 of 1967, known as the “Special Adoption” law [34].

Currently, adoption in Italy is governed by Law No. 184 of 1983, “Regulation of Adoption and Foster Care of Minors” [3–35]. This law stipulates that a child whose biological family is unable to care for them may be fostered and eventually adopted through state intervention (Art. 1).

Foster care is temporary and intended to reintegrate the child into their biological family where possible (Arts. 2–5), whereas adoption is reserved for married couples who have been married for at least three years without legal separation. The adoptive parents must meet specific age requirements (a minimum age difference of 18 years and a maximum of 45–55 years), and must be deemed fit to educate, raise, and support a child who is in a state of moral and material abandonment.

The adoption process includes an assessment of suitability, preparatory training, submission of an application to the Juvenile Court, and a pre-adoptive placement period (Arts. 6–30).

Articles 31–39 also regulate international adoption in accordance with the 1993 Hague Convention, establishing common principles and procedures for international adoptions

among member states. The Commission for International Adoptions oversees authorization requests, applying specific criteria and annual application windows. For an international adoption to be recognized in Italy, the adoptive parents must have resided in the foreign country for at least two years prior to the adoption ruling.

More recently, Law No. 149/2001 [36] reinforced the principle that foster care is a temporary measure, subject to monitoring, and recognized the child's right to be heard in proceedings, emphasizing the child's autonomy and central role in the process. Law No. 173/2015 [37] further protects the emotional bond between the foster child and the foster family.

3.2. The New Regulatory Framework

On 21 March 2025, the Italian Constitutional Court, with ruling no. 33/2025, declared partially unconstitutional—and therefore illegitimate—Article 29-bis, paragraph 1 of Law 184/1983, insofar as it precluded unmarried individuals residing in Italy from adopting foreign minors residing abroad [38].

Specifically, the referring judge raised a question of constitutional legitimacy with respect to Articles 2 and 117 of the Italian Constitution, as well as Article 8 of the European Convention on Human Rights (ECHR) [39], which guarantees the right to respect for private and family life. The ECHR establishes that: "There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety, the economic well-being of the country, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others."

The Constitutional Court held that the exclusion of single individuals from the possibility of adopting foreign minors does not adequately serve the best interests of the child—which is the core objective of adoption—and simultaneously infringes upon the right to private life as protected under Article 8 of the ECHR.

The case concerned an unmarried woman who had submitted a declaration of availability to adopt a foreign minor and requested the issuance of a certificate of suitability for adoption. Although Law 184/1983 generally excluded the possibility for single individuals to adopt foreign minors, the Court observed that the legislation provided for specific exceptions in which such adoptions were permitted [40]. These exceptions, outlined in Article 25, paragraphs 4 and 5, and Article 44, paragraph 3 of the same law, refer to cases involving deceased or separated spouses, as well as relatives or individuals with whom the child has developed a significant bond. In doing so, the law acknowledges the capacity of single individuals to provide a suitable environment for the upbringing of a minor.

In light of this, the Court concluded that, given the ultimate aim of international adoption is to place foreign minors in appropriate family settings, the blanket exclusion of unmarried individuals from adopting foreign minors is unjustified. The ability of a single person to offer a "stable and harmonious environment" is already recognized and explicitly stated by the legislator within Law 184/1983.

This does not, however, exempt the judiciary from its role in verifying the actual suitability of the prospective adoptive parent, including their capacity to support, educate, and raise the child. The provisions declared unconstitutional had, in effect, unjustifiably prevented prospective parents from even presenting themselves as available to adopt, a procedure rooted in principles of social solidarity and intended to protect the best interests of the child.

The Court's reasoning was also supported by consideration of the current socio-legal context, marked by a sharp decline in adoption applications. In this setting, a categorical

prohibition on adoption by single individuals could negatively impact the child's right to be welcomed into a stable and nurturing family environment.

As a result of this ruling, it is now legally permissible in Italy for single individuals to adopt foreign minors in situations of abandonment.

Therefore, the Constitutional Court has removed the absolute prohibition that prevented single individuals residing in Italy from applying for international adoption, but it has not established an automatic right to adopt. Rather, it has merely eliminated a formal discrimination, restoring to the Juvenile Court the responsibility of assessing, on a case-by-case basis, the applicant's suitability in light of the child's best interests. The scope of the ruling applies solely to international adoption, explicitly excluding, at least for the time being, domestic adoption. Moreover, this Italian reform must be reconciled with the laws and practices of the child's country of origin, which may not permit adoption by single persons.

The judgment took immediate effect, and courts can no longer dismiss applications from single individuals on purely formal grounds. However, its implementation phase remains in flux: not all courts have yet aligned with the ruling, and interpretative and procedural differences persist among judicial districts.

From a normative standpoint, the decision partially affects Article 29-bis of Law 184/1983, which previously restricted international adoption to married couples, while leaving the remainder of the legislative framework intact. All general requirements of adoptive suitability—such as age, health, economic and emotional stability, and psychosocial evaluations—remain fully applicable, together with all safeguards designed to protect the child's welfare. The Court also highlighted the existing statutory exceptions that already allowed single individuals to adopt in specific circumstances, signaling that Italian law never entirely excluded the single adoptive parent as a legitimate figure.

In summary, the ruling does not rewrite the adoption law but recalibrates it in a constitutional perspective, overcoming the formal barrier of exclusion and entrusting the judiciary with the task of ensuring that, even in the case of a single applicant, adoption fully serves the paramount best interest of the child.

3.3. Psychological Aspects

The recent ruling by the Italian Constitutional Court, which abolished the prohibition for single individuals to adopt foreign minors, while not explicitly addressing psychological aspects, acknowledges that a single parent can provide a stable and harmonious environment. The decision delegates to the judge the task of assessing the applicant's emotional suitability and the strength of their support network.

From a psychological standpoint, being raised by a single adoptive parent may entail specific features compared to a biparental context. However, contemporary psychological research emphasizes that a child's well-being and healthy development depend primarily on the quality of the emotional relationship and the attachment bond formed with the caregiver, rather than on the composition of the family unit.

Numerous studies on attachment, including that by Golombok et al. [41], have shown that children raised in well-supported single-parent families do not exhibit significant differences in mental health or social competencies compared to their peers raised in two-parent households [42–47]. Therefore, a single parent can certainly provide an emotionally stable, reassuring, and developmentally appropriate environment for the child, provided there is sufficient personal emotional stability, a reliable social support network, and a clear awareness of their parental responsibilities and competencies [48,49].

Significant contributions have also come from the American Academy of Pediatrics (AAP), which stated as early as 2006 and reaffirmed in 2013 that the quality of children's

emotional and social development does not depend on the sexual orientation of the parents, but rather on their emotional stability and educational competence. In the Italian context, the Italian Psychological Association (AIP) emphasized that children's well-being is not determined by the family structure itself, but by the quality of the affective and educational dynamics within the family unit. In 2011 the Italian Psychological Association (AIP) emphasized that the psychosocial well-being of family members does not depend on the family's structure, but rather on the quality of the relational processes that define it. Italian psychological research thus confirms that neither the number nor the gender of the parents—whether adoptive or biological—determines optimal developmental outcomes. Instead, what matters most are parental competence, the quality of the family environment, and the adults' ability to provide appropriate care, foster autonomy, and promote emotional and social skills in children [50–52].

Finally, it is important to highlight that children adopted by single parents may at times face social prejudice and stigmatization, stemming from a traditional and non-inclusive conception of the family. Such biases, often encountered in school or social environments, can lead to feelings of isolation or insecurity in children.

For this reason, it is essential to accompany the legislative openness to adoption by single individuals with targeted awareness and training initiatives for educators, teachers, and school staff. These efforts should aim to foster inclusive, welcoming, and respectful educational environments that embrace diverse family structures, thereby supporting the child's smooth and harmonious social integration [53,54].

In summary, scientific evidence consistently supports the view that the psychological well-being of adopted children does not depend on the formal structure of the family, but rather on the strength and quality of the affective, educational, and social relationships provided by the adoptive parents—regardless of their marital status, sexual orientation, or family configuration [55,56].

Finally, particular attention should be given to the importance of psychological and psychosocial follow-up after adoption [57]. Regular monitoring through periodic evaluations conducted by psychologists, educators, and social workers can serve as a crucial preventive resource. This type of professional support enables the early identification and resolution of any emotional, developmental, or social difficulties that may arise during the growth of a child adopted by a single parent. Timely intervention by experienced professionals within the health and social care system can significantly contribute to building a strong and harmonious parent–child relationship, reinforcing the essential role of professional support in safeguarding the child's psychological well-being and promoting full familial and social integration [58,59].

3.4. Parental Suitability in Single-Parent and Biparental Adoptions: Psycho-Physical Health, Autonomy, and Social Support Networks

The recent legislative shift allowing adoption by single individuals introduces new challenges for forensic physicians, who are now tasked with assessing the psycho-physical suitability of the prospective single adoptive parent. In the monoparental context, the medico-legal evaluation acquires particular relevance, as it must take into account not only the individual's physical and mental health but also their capacity for independent management, emotional stability, and the existence of a strong social support network—factors that are essential to ensuring a stable and nurturing environment for the adopted child [60].

This new legislation places Italy in line with other European countries that already include specific medico-legal assessments in single-parent adoption procedures, highlighting the crucial role of forensic medicine in safeguarding the child's well-being and ensuring the full realization of human rights [61,62].

Another critical dimension concerns the applicant's ability to independently manage all parental responsibilities. The absence of a co-parent places the full burden of daily caregiving and educational duties on a single individual, making it essential to assess their organizational skills, personal autonomy, and overall functional capacity in fulfilling these roles.

Equally important is the examination of the applicant's social support system. In single-parent adoptions, the presence of a robust network of familial, social, and institutional support acquires relevance. The forensic physician, often in collaboration with social services, evaluates the extent to which the applicant can mobilize emotional and practical resources, especially in the face of unforeseen events, emergencies, or periods of stress [63]. A further distinctive element of this assessment is the predictive evaluation of the applicant's emotional and affective stability.

Unlike biparental adoptions, where the evaluative focus often lies on the couple's interpersonal dynamics and complementarity, single-parent adoptions require a more individualized analysis. Here, the emphasis shifts toward the applicant's personal resources, stability, and the ability to assume full parental responsibility in a consistent and sustainable manner [64–66].

3.5. Human Rights and Individual Self-Determination

The new legislation allowing adoption by single individuals represents a significant advancement in the protection of human rights, in accordance with the principles enshrined in the Italian Constitution (Articles 2, 3, and 29) [67] and in major international conventions. These principles affirm the right to self-determination, personal dignity, and equality among individuals, without discrimination based on marital status or other personal and social conditions. In particular, Article 8 of the European Convention on Human Rights (ECHR) guarantees the right to respect for private and family life, recognizing each individual's freedom to shape and pursue their own family project [39]. The recent ruling of the Italian Constitutional Court on 21 March 2025, reaffirmed these principles by declaring the exclusion of single individuals from international adoption procedures unconstitutional, as it violates the right to personal and familial fulfillment [38].

In contrast to biparental adoptions, where the complementarity of the couple represents a key element, single-parent adoption pathways place greater emphasis on individual resilience, the autonomous capacity to manage parental responsibilities, and the presence of a strong social support network [68].

At a comparative level, many European legal systems—such as those of France [69], Germany [70], Spain [71], and the United Kingdom [72]—have long allowed single individuals to adopt, with structured procedures that include comprehensive medico-legal and psychological. Italy thus aligns itself with an international trend toward greater inclusivity, while maintaining the necessary focus on the quality and appropriateness of assessment procedures—essential to ensuring that each child is welcomed into a family environment suitable for their well-being and development [60].

Recognizing the right of single individuals to adopt thus affirms the value of personal freedom in shaping one's own life project, while also entailing significant responsibilities for professionals involved in adoption processes.

An additional point that must be addressed is the confidentiality of data in the context of adoption, which falls within the ethical domain, particularly concerning the protection of dignity, identity, and emotional stability of the child and the adoptive family. The unauthorized disclosure of adoption-related information constitutes a violation of the right to privacy and undermines the well-being of the child and the prospective adoptive parents,

thereby jeopardizing the integrity of the family unit. This highlights the necessity of establishing an appropriate balance between data transparency and individual protection [73].

3.6. Role of the Forensic Physician Following the Recent Legislation

In the context of single-parent adoption, the medico-legal assessment must adopt a comprehensive and structured approach, considering several key factors that differ in emphasis from those typically considered in biparental cases. Firstly, the forensic physician must ascertain that the applicant is in good physical and mental health. This involves a thorough evaluation of any chronic medical conditions, psychological disorders, or relational difficulties that could impair the individual's capacity to provide consistent and adequate care for the child [62].

Given the lack of a second parental figure, the ability to ensure a secure, emotionally nurturing, and developmentally supportive environment is paramount. The forensic physician and forensic psychologist place specific emphasis on assessing the individual's resilience and capacity to maintain emotional equilibrium over time.

The ruling of the Italian Constitutional Court on 21 March 2025, emphasizes that parental capacity must be subject to a thorough psychosocial and medico-legal evaluation, based not on marital status, but on concrete factors such as psychological and emotional stability, relational skills, and the applicant's educational competence. From a medico-legal perspective, this decision carries significant implications, particularly regarding the assessment of a single applicant's eligibility for adoption. Forensic physicians and psychologists thus play a crucial role in ensuring a rigorous and impartial evaluation of the applicant's psychophysical health, social resources, and parenting abilities, thereby safeguarding the best interests of the child, as established by the United Nations Convention on the Rights of the Child.

So, the role of the forensic physician, integrated with psychological and social expertise, is essential not only to ensure the protection of the child's rights, but also to safeguard the dignity and self-determination of adoptive parents, overcoming any form of discrimination that is irrelevant to parental capacity.

In adoption proceedings, the judge must assess the suitability of the prospective adoptive parent through a concrete and in-depth evaluation based on verifiable evidence and well-documented reasoning, produced through the multidisciplinary collaboration of the medical examiner, social worker, and psychologist or psychiatrist. There is no automatic evidentiary mechanism: the court's conviction is formed through the joint analysis of social reports and technical-scientific opinions. Social service investigations constitute the backbone of the inquiry, as they describe the family environment, support network, living conditions, and the candidate's economic and emotional stability. These assessments may be supplemented by court-appointed expert evaluations (CTU *Consulente Tecnico d'Ufficio*) or medico-legal reports, designed to clarify psychological or health aspects relevant to parental capacity.

The judge evaluates all technical and scientific opinions according to methodological coherence and consistency with the social findings, without assigning rigid hierarchies among different sources of proof: a well-reasoned social report can be as decisive as a precise expert assessment. When inconsistencies emerge, it is standard practice to request additional information or new expert evaluations.

From an operational standpoint, the various actors in the system have complementary and interconnected roles. Judges must articulate their reasoning clearly, explaining how social and technical evidence influenced the assessment of suitability, avoiding abstract formulas and emphasizing the best interests of the child. Social workers must prepare detailed and coherent reports, highlighting both the resources and limitations of the family

context, while technical experts must adhere to rigorous scientific and ethical standards, carefully distinguishing observed facts from clinical interpretations. Lawyers, in turn, are responsible for monitoring the methodological soundness of expert reports and requesting clarifications or supplementary investigations when discrepancies arise between social and technical evaluations.

The procedure thus becomes a melting pot of expertise, a complex multidisciplinary process in which diverse professional competences collaborate toward a single shared objective: safeguarding the welfare of the child.

Nonetheless, several key issues remain unresolved. First, it is not yet clear whether the principles affirmed by the Constitutional Court may also extend to domestic adoption, which currently lies outside the scope of the ruling. Moreover, judicial practice remains inconsistent across different courts, with variations in evaluative criteria and in the management of expert consultations. On the international level, the feasibility of adoption by single applicants will depend on the consent and legal frameworks of the child's country of origin, which in some cases still impose restrictions. Finally, it will be necessary to develop shared national guidelines to harmonize social and forensic assessment procedures, ensuring a stable balance between the protection of the child and the individual's right to adopt, in accordance with the constitutional principle of non-discrimination.

4. Discussion

The recent legislative and judicial advancements recognizing the right of single individuals to adopt mark a significant evolution in the legal and ethical framework of adoption practices in Italy. By aligning national norms with the principles enshrined in the Italian Constitution and international conventions, particularly the European Convention on Human Rights [39] and the Nations Convention on the Rights of the Child [74], this shift reinforces a more inclusive and rights-based approach to family formation. As its core lies a commitment to non-discrimination and the affirmation of personal dignity, regardless of marital status [75].

These changes also emphasize the critical role of multidisciplinary collaboration in ensuring the quality, fairness, and child-centeredness of adoption procedures. The evaluation of a prospective single parent must now be guided by integrated expertise spanning legal, medical, psychological, and social fields [76,77]. The contribution of forensic physicians is central in assessing psychophysical health and parenting competence, while psychologists provide crucial insights into emotional stability, attachment styles, and parenting attitudes. Social workers further contextualize the applicant's capacity by examining their support networks, living environment, and broader socio-relational stability [78–80].

Only through such a collaborative, multidimensional approach can the best interests of the child be fully safeguarded [81]. In contrast to traditional couple-based adoptions, where complementarity between partners often plays a defining role, single-parent adoptions require a focus on individual resilience, autonomy, and the capacity to build and maintain secure, nurturing relationships. Evaluating these dimensions requires not only objective criteria but also shared professional standards and structured interdisciplinary dialogue [82,83].

At the same time, the expansion of adoption eligibility raises important ethical and procedural questions that call for ongoing inquiry. The handling of adoption-related data, for instance, demands a coordinated and ethically sensitive approach to confidentiality [84]. Protecting the identity, emotional stability, and privacy of both the child and the adoptive parent must remain a central priority, requiring shared ethical protocols across disciplines [85].

Adoption, therefore, not only represents an act of significant social and emotional relevance but also involves increasingly complex legal and medico-legal assessments, requiring the coordinated intervention of multiple professionals working collaboratively as a team to ensure the ultimate well-being of the adopted child and the adoptive family. A central element in achieving this goal is the evaluation of parental suitability, which cannot be limited to merely socioeconomic analysis, but must also include psychological and forensic assessments to verify whether prospective adoptive parents can meet the emotional, educational, and healthcare needs of the child. In this context, the role of the forensic psychologist is particularly relevant in assessing the compatibility between the child and prospective parents, especially in cases involving past trauma, inadequate previous family environments, behavioral disorders, or systemic health conditions. A noteworthy example is a judicial case in which the adoption of a child with cognitive disabilities was initially authorized but later suspended due to the non-disclosure of critical medical information, raising legal and ethical concerns regarding transparency and child protection.

These situations underscore the importance of a multidisciplinary approach, combining law, forensic medicine, psychology, and ethics, to ensure not only the legality of the adoption process but also the holistic well-being of the child. In this regard, the First Civil Section of the Italian Supreme Court, with ruling no. 15730/2019 [86], filed on 11 June 2019, established that the disability of biological parents does not, in itself, preclude the adoptability of their child, provided that such a condition does not irreversibly compromise their caregiving capacity. Another significant case is represented by ruling no. 19154/2019, issued on 17 July 2019, where parental inadequacy, determined through multidisciplinary evaluations, including forensic psychological and neuropsychiatric assessments, was deemed sufficient to justify the declaration of adoptability [87]. A further relevant case involved parents over the age of sixty who, despite not exhibiting characteristics of social, cultural, or economic marginalization and despite cooperating with social services, received unanimously negative technical evaluations regarding their parental fitness. The Court confirmed their unsuitability, not based on age, but due to a severe emotional misalignment that rendered them incapable of supporting the child's developmental needs. These examples demonstrate the critical role of forensic medicine and clinical psychology, as well as multidisciplinary collaboration, in assessing suitability for adoption. They highlight how only an integrated approach can fully safeguard the best interests of the child throughout the adoption process.

Moreover, forensic medicine provides essential support not only in protecting minors but also in assisting the judiciary throughout the complex assessment procedures that precede and accompany the adoption process. In particular, the role of the court-appointed expert is central within civil and juvenile proceedings [88,89]. The CTU is frequently tasked with conducting thorough evaluations of the physical and psychological fitness of prospective adoptive parents, including the identification of psychiatric conditions or medical disorders that may impair parenting capacity. These assessments often involve a review of clinical histories, behavioral observations, administration of psychodiagnostics tests (in collaboration with psychologists or psychiatrists), and verification of the consistency between medical reports and self-reported information [90,91].

An additional area of forensic intervention involves the analysis of the minor's medical documentation, which may include prior diagnoses, disability certifications, or reports of trauma and abuse. The expert's responsibilities also include assessing the authenticity and completeness of clinical records, with the aim of preventing fraud, omissions, or misrepresentations that could negatively influence judicial decision-making in adoption cases.

In international adoptions, the role of the forensic physician is further expanded to include highly specialized assessments. These may involve identifying physical or psychological signs of prior maltreatment, chronic neglect, or developmental delays consistent with exposure to adverse environments or traumatic experiences. In some cases, particularly in contexts where civil registration is unreliable or manipulable, scientific tests may be necessary to determine a child's chronological age (e.g., through bone radiography or dental analysis) or biological identity (e.g., via genetic testing), in order to prevent legal or procedural irregularities [92–96].

In cases of adoption breakdown or post-adoption crisis, often marked by judicial disputes, forced removals, or social service interventions, medico-legal evaluations become crucial [97,98]. Forensic experts are called upon to reconstruct past events, determine potential negligence or institutional failings, and assess whether the child's physical or psychological integrity has been compromised or their fundamental rights violated [66]. This may include an analysis of dysfunctional relational dynamics, the true causes of incompatibility, and early signs of distress or risk that were possibly overlooked during the pre-adoption process.

The forensic approach, rooted in objectivity, scientific validation, and ethical rigor, ensures that all decisions are guided by the best interests of the child, in alignment with national legislation and international child protection standards [77,81,99]. Forensic medicine works in synergy with psychologists, social workers, and legal professionals, offering essential contributions to comprehensive, impartial, and evidence-based evaluations. This underscores the need for a structured and systematic integration of forensic medicine within the multidisciplinary framework that governs adoption procedures in Italy, ultimately aiming to promote responsible decision-making and ensure the protection and well-being of minors involved in these highly sensitive processes.

In summary, future research should examine the evolving role of forensic medicine in adoption, focusing on how to balance standardized evaluations with culturally sensitive, individualized approaches [100,101]. Further studies are needed to improve interdisciplinary training and coordination, aiming to enhance assessment quality and consistency. Exploring the psychosocial effects of adoption on both single applicants and children can inform more trauma-aware, family-centered practices. Overall, the recognition of single-parent adoption signals a broader shift in the understanding of parenthood, underscoring the need for sustained interdisciplinary collaboration and ethical, inclusive adoption systems.

5. Conclusions

The recognition of the right of single individuals to adopt constitutes a meaningful affirmation of personal freedom, equality, and human dignity. By addressing a long-standing gap in legal protection, it fosters a more inclusive and pluralistic understanding of family life, grounded in individual capacity rather than marital status.

This shift requires strong multidisciplinary collaboration among forensic physicians, psychologists, social workers, and legal professionals to ensure that evaluations are individualized, evidence-based, and centered on the child's best interests. Coordinated efforts are also essential to uphold data confidentiality and ethical standards throughout the adoption process.

Ultimately, this evolution reflects a deeper transformation in how parenthood is understood, based on actual caregiving capacity rather than marital status, and reinforces the need for inclusive, ethical, and professionally integrated adoption systems.

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