



INTERCOUNTRY ADOPTION

STEPS IN AN OUTGOING CONVENTION ADOPTION CASE

An intercountry adoption case is an outgoing Convention case if it has all of the following components:

- ☑ The child being adopted is resident in the United States;
- ☑ The prospective adoptive parent(s) is (are) resident in a foreign Convention country, where they will move the child after adoption in the U.S. or plan to move the child for the purpose of adoption; and
- ☑ The prospective adoptive parents initiated the adoption process by applying to the Central Authority in their country of residence on or after April 1, 2008 (the date the Convention entered into force for the United States).

The discussion below summarizes the steps involved in an outgoing case. Every case is different and may involve components not described.

- **Child in need of placement.**
- **Child background study.** A U.S.-authorized entity prepares a child background study and obtains necessary consents.
- **Reasonable efforts to find a timely domestic placement.** The adoption service provider makes reasonable efforts pursuant to 22 CFR 96.54 to actively recruit and make a diligent search for a timely domestic placement.
- **Prospective adoptive parent(s) wants to provide home for U.S. child in need.** A prospective adoptive parent(s) who is (are) resident in another Convention country decides to provide a home for a child(ren) in need of placement who is (are) resident in the United States.
- **Home study.** The prospective adoptive parent(s) has a home study prepared that meets the requirements of 1) the receiving country in which he/she is (they are) resident, 2) the State with jurisdiction over the adoption, and 3) 22 CFR part 97 if the prospective adoptive parent(s) seeks a Hague Adoption Certificate (HAC) or Hague Custody Declaration (HCD).
- **Prospective adoptive parent(s) applies to adopt.** The prospective adoptive parent(s) files an application to adopt with a foreign authorized entity. Once the application is approved, the prospective adoptive parent(s) provides the home study, the criminal background check, and the approval to adopt to the U.S. authorized entity.
- **Placement proposal.** The U.S.-authorized entity transmits to a foreign authorized entity for approval the child background study, proof that necessary consents have been obtained, and a proposed placement, along with the reason for its determination that the proposed placement is in the child's best interests,

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April 2008

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Or contact the U.S. Central Authority at AdoptionUSCA@state.gov



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based on the home study and child background study and giving due consideration to the child's upbringing and his or her ethnic, religious, and cultural background.

- **Prospective adoptive parent(s) agrees to the proposed adoption.**
- **Entry authorization.** Once the prospective adoptive parent(s) has accepted the match, the U.S. authorized entity must seek and obtain the authorization from the foreign authorized entity that the child will be able to enter and reside permanently in the receiving country.
- **U.S. State adoption court proceedings.** U.S. State adoption laws and court procedures vary widely. In every case, the prospective adoptive parent(s) must petition a U.S. State adoption court with jurisdiction over the case to adopt the child, and must present all supporting evidence required by State law.
 - ☑ **Preliminary review:** A U.S. State adoption court with jurisdiction over the adoption proceeding may, depending on State law, preliminarily review the proposed adoption to determine whether it is appropriate to grant initial guardianship to the prospective adoptive parent(s) to travel with the child to the receiving country prior to a final adoption order. If guardianship is granted, the prospective adoptive parents will return to the U.S. State adoption court for the final adoption, if required.
 - ☑ **Final review:** After the foreign-authorized entity provides the entry authorization, the U.S. State adoption court performs a final review of the proposed adoption.
- **Application for a Hague Adoption Certificate (HAC) or Hague Custody Declaration (HCD).** Any party involved in an outgoing adoption may apply to the Department of State for an HAC or HCD, including but not limited to: adoptive or prospective adoptive parent(s), birth parent(s), and the adopted child.
- **Issuance of an HAC or HCD.** The Department of State will review the HAC or HCD application, and either issue an HAC or HCD or request additional information. If the party applying for the HAC or HCD fails to provide the required additional information within 120 days of the request, the application may be considered abandoned.
- **Emigration of child to receiving country.** The child and parent(s) enter the receiving country. Post placement monitoring is performed, if required.

Detailed information on the process will be available in the "Intercountry Adoption" section of the Department of State's website, travel.state.gov. Inquiries may be directed to the Office of Children's Issues at AdoptionUSCA@state.gov.

Note: This document is not a substitute for the Hague Intercountry Adoption Convention, the Intercountry Adoption Act of 2000 (IAA), or its implementing regulations, nor is it a comprehensive summary of the regulations. In the case of any inconsistencies between this document and the Convention, the IAA, or the regulations, the language of the Convention, the IAA, or the regulations governs.