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Taiwan

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Notice: United States and Taiwan to Discuss Implementation of a Pre-Adoption Immigration Review (PAIR) Process

From September 17–24, 2012, a joint Department of State and U.S. Citizenship and Immigration Services (USCIS) technical team traveled to Taiwan to discuss the intercountry adoption process between Taiwan and the United States. The team met with the Taiwan authorities regarding the possibility of implementing a Pre-Adoption Immigration Review (PAIR) process. This process would provide Taiwan courts with information regarding the child's likely eligibility to immigrate to the United States before the court enters an order establishing a permanent legal relationship between the U.S. citizen parents and the child. Taiwan authorities indicated a desire to implement the PAIR process in Taiwan soon.

The PAIR process would provide systematic safeguards for prospective adoptive children and parents. Under PAIR, USCIS reviews a child's eligibility to immigrate to the United States **before** a final adoption order or custody order transfers rights to adopting U.S. parents. Such a review can prevent situations in which U.S. families cannot bring their adopted child to the United States. Additionally, the PAIR process will minimize the possibility of long separations from the child after the adoption or custody decree is issued while waiting for the U.S. authorities to review the child's immigration eligibility. However, per U.S. law, the definitive finding of the child's immigration eligibility would still be made at the time of the adjudication.

To implement PAIR, Taiwan authorities intend to require all licensed adoption service providers operating in Taiwan to submit evidence to the Taiwan courts in each adoption case that USCIS has conducted a PAIR review.

If Taiwan authorities make this procedural change, USCIS will implement a process to allow prospective adoptive parents to obtain a PAIR determination before submitting adoption cases to the appropriate court in Taiwan. Specifically, the PAIR process would allow prospective adoptive parents adopting from Taiwan to file their Form I-600, Petition to Classify Orphan as an Immediate Relative, with all supporting documentation except the final adoption decree, with USCIS before filing their case with the courts in Taiwan. After reviewing the child's immigration eligibility, USCIS would issue a preliminary determination to prospective adoptive parents of the child's immigration eligibility.

USCIS and the State Department will continue to update the public of any new developments on PAIR processing in Taiwan.