



INTERCOUNTRY ADOPTION

INTERCOUNTRY ADOPTION UNDER THE HAGUE CONVENTION: STEPS TO FOLLOW IN THE ADOPTION PROCESS

The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (the Convention) entered into force for the United States on April 1, 2008. The Convention governs all adoptions between the United States and the over 70 countries party to the Convention. There are a few key changes to the intercountry adoption process under the Convention that you should consider when adopting a child from a Convention country:

Adoption service providers that provide adoption services in Convention adoption cases must be accredited, temporarily accredited or approved (hereinafter referred to generally as "accredited"). For the first time ever, U.S. adoption service providers (providers) are subject to federal oversight by the Department of State and its designated accrediting entities (the Colorado Department of Human Services (CO) and the Council on Accreditation (COA)). Only accredited providers may provide certain key adoption services in connection with Convention adoption cases, so you will need to work with a provider on the Department of State's current list of accredited providers. The list is available on the Department's website at travel.state.gov. The list will be updated on a rolling basis as providers receive, or lose, accreditation.

New DHS procedures and forms: New Department of Homeland Security (DHS) rules require prospective adoptive parents (PAPs) to identify the country from which they will adopt in their initial application. New Forms I-800A and I-800 will replace Forms I-600A and I-600 for Convention adoption cases. Through Form I-800, children adopted from a Convention country must meet a new definition of a "Convention adoptee," which expands the category to include children relinquished for adoption by two living parents if they are incapable of providing proper care. Form I-800A must be filed prior to Form I-800.

New U.S. visa requirements: A consular officer must determine whether the child appears to meet the criteria for visa eligibility before the adoption is finalized or custody is granted in the country of origin (COO). After the adoption or grant of custody, Department of State consular officers in Convention countries will issue a Hague Adoption Certificate (HAC) or Hague Custody Certificate (HCC) and grant a visa in cases where the adoption or grant of custody has met the requirements of the Convention and the Intercountry Adoption Act. New visa categories, IH-3 and IH-4, will be used in Convention adoption cases.

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.

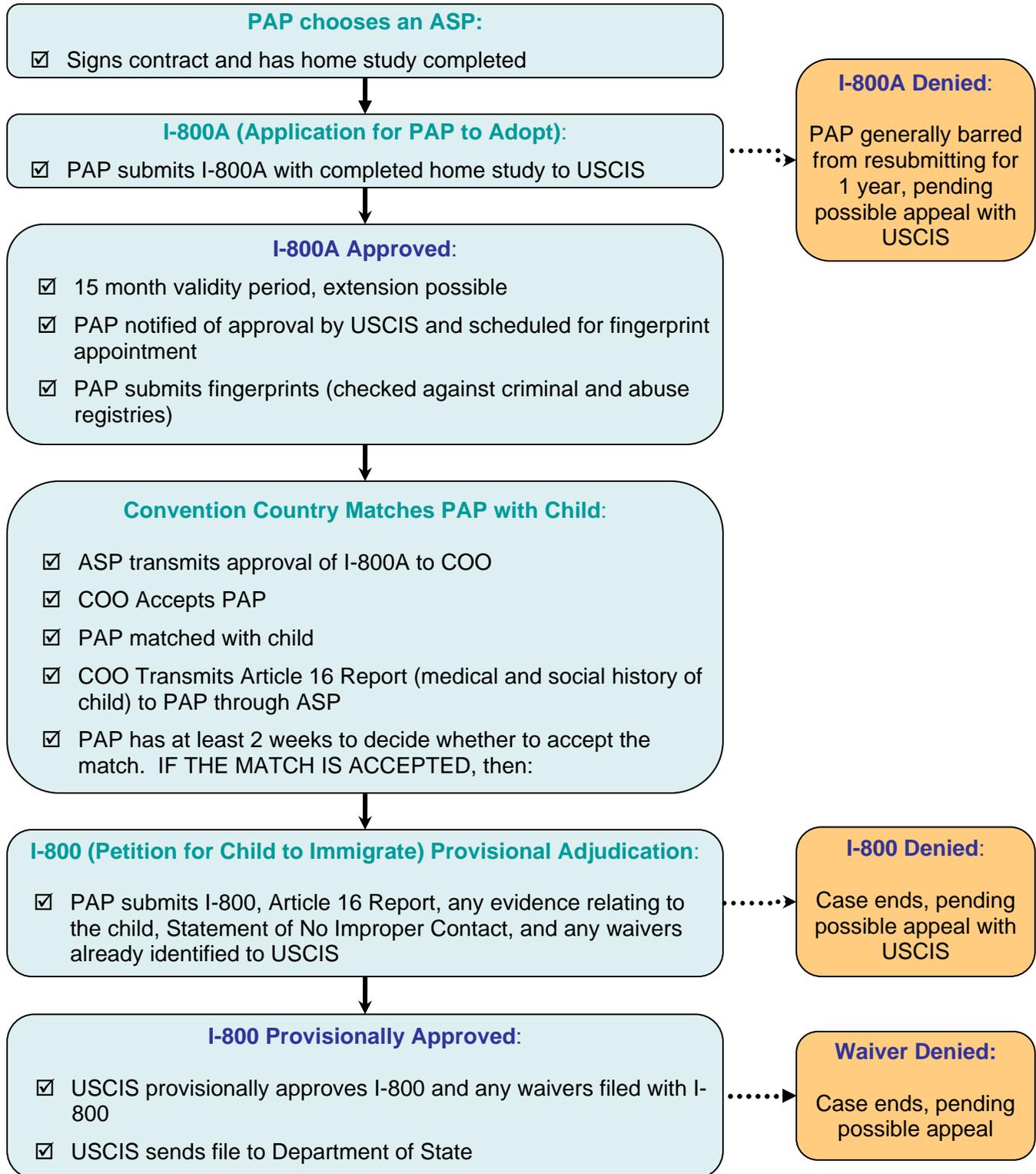
Office of Children's Issues



April 2008

For more information please see our website at travel.state.gov
Or contact the U.S. Central Authority at AdoptionUSCA@state.gov

FILING YOUR APPLICATION & THE CHILD'S PETITION



Dark Red indicates Department of State action

Indigo indicates USCIS action

ASP – Adoption Service Provider
PAP – Prospective Adoptive Parent

COO – Country of Origin
USCIS – U.S. Citizenship & Immigration Services (DHS)

VISA PROCESS

