

The Client's Chosen Child: Adoption Laws, Regulations, and Processes for the Legal Assistance Attorney

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*"There are times when the adoption process is exhausting and painful and makes you want to scream. But, I am told, so does childbirth."*¹

I. Introduction

You are a legal assistance attorney and preparing to meet your first client of the day. Staff Sergeant (SSG) Johnny Langley and his wife are excited to see you. When they come in to your office, they tell you about their plans to expand their family and they want information on adoption.² You are happy to help, but you know very little about this area and are afraid if they see your hesitation, it will dampen their spirits. While they are filling out a client card, you conduct a quick Google search, but there is a large amount of information out there. What do you do? Do you send them away and tell them to get a civilian attorney practicing in that area of the law?

Adoption³ is a complicated area of family law that requires specialized knowledge to inform and prepare a

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¹ SCOTT SIMON, *BABY, WE WERE MEANT FOR EACH OTHER: IN PRAISE OF ADOPTION* 4 (Random House 2010). Scott Simon is a writer, reporter and host of Weekend Edition Saturday on National Public Radio. *Baby, We Were Meant for Each Other* is about his family's experience in the adoption process. Scott Simon—Biography, NPR, <http://www.npr.org/people/3874941/scott-simon> (last visited Jan. 28, 2015).

² Adoption is "[t]he creation of a parent-child relationship by judicial order between two parties who usually are unrelated; the relation of parent and child created by law between persons who are not in fact parent and child. . . . Adoption creates a parent-child relationship between the adopted child and the adoptive parents with all the rights, privileges, and responsibilities that attach to that relationship, though there may be agreed exceptions." BLACK'S LAW DICTIONARY 55 (9th ed. 2009).

³ Army Legal Assistance Offices world-wide assisted approximately 1,855 clients with adoption issues in Fiscal Year 2014. E-mail from John Meixell, Chief, Legal Assistance Policy Division, Office of the

client for expanding his family. Army Regulation (AR) 27-3, The Army Legal Assistance Program, clarifies that legal assistance attorneys may provide advice on adoption "based on the availability of expertise and resources."⁴ State law⁵ and intercountry agreements govern adoption, which can be confusing for your clients to navigate. However, knowing the basics about adoption and the specific impact on Soldiers looking into the process gives you, the legal assistance attorney, a starting point to impart useful information to your client.

The first part of this article explores the many types of adoptions: stepparent, independent (private), agency, foster care (welfare), and intercountry and the classification of open and closed adoptions. The second part lays out an overview of the process associated with an adoption, to include such elements as home studies and financial considerations. This overview also examines legal topics including residency requirements, the Interstate Compact on the Placement of Children (ICPC), parental rights, and citizenship. Finally, this article explores selected topics specific to servicemembers considering adoption, such as leave and healthcare. Additionally, the appendices present a synopsis of state-by-state adoption laws, as well as further information about differences in intercountry adoptions. Thus, the starting point for the client meeting described above is to explain the different types of adoption to SSG Langley and his wife or to ascertain if they have already begun the process, and further assist from there.

Staff Judge Advocate, U.S. Army, to author (Feb. 26, 2015, 14:45 EST) (on file with author) [hereinafter E-mail from John Meixell to author].

⁴ U.S. DEP'T OF ARMY, REG. 27-3, THE LEGAL ASSISTANCE PROGRAM para 3-6(a) (21 Feb. 1996) [hereinafter AR 27-3]. "Legal assistance in adoption and other family law cases may be provided based on the availability of expertise and resources. Legal assistance in adoption cases may include appointment by a court as a guardian ad litem and assistance on placement." *Id.* Since adoption is state-specific and a nuanced subset of family law, this might be a good area for civilian legal assistance attorneys to learn and become the subject matter expert in. Civilian legal assistance attorneys provide needed consistency in a Legal Assistance Office to become experts in state regulations to better inform clients and mentor new military legal assistance attorneys.

⁵ "Federal legislation sets the framework for adoption in the United States; States then pass laws to comply with Federal standards." Child Welfare Information Gateway, *Adoption Options*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES 2 (Jul. 2010), https://www.childwelfare.gov/pubs/f_adoption.pdf.

II. Types of Adoption⁶

Staff Sergeant Langley and his wife must first—if they have not already—determine what kind of adoption they are interested in pursuing. There are a variety of types, to include stepparent, independent (private), agency, foster care (welfare), intercountry, open and closed. Once SSG Langley and his wife know what type of adoption is right for their family, you can better advise them on the next steps they should take.

A. Stepparent Adoption

When you first look at SSG Langley's client card and see he has questions about adoption, you might assume it is about stepparent adoption. This is the most common type of adoption clients seek information about.⁷ This type of adoption occurs when a birth parent of a child remarries and the new spouse adopts that child.⁸ One of the issues arising frequently in this type of adoption is the noncustodial birth parent's refusal to consent to the adoption.⁹ Although there may be consent issues with this type of adoption, once those are resolved, it is generally a more simplified and expedient process than traditional adoptions.¹⁰ Another element to advise your clients on when it comes to stepparent adoptions is that when the noncustodial parent consents to the stepparent adoption and the adoption is final, he or she "gives up all rights and responsibilities, including child support."¹¹ In

⁶ Although not addressed in this article, another option for some couples is surrogacy. Surrogacy is "the process of carrying and delivering a child for another person." BLACK'S LAW DICTIONARY *supra* note 2, at 1584. There are two types of surrogacy: gestational and traditional. *Id.* Laws governing surrogacy are state-specific and heavily rooted in contract law; "American jurisdictions are split on the interpretation and enforceability of these contracts." *Id.* at 1583. You should refer clients seeking assistance with surrogacy to civilian counsel with expertise in this area. See Major Tricia Birdsell, *A Few Minutes of Your Time Can Save Your Client's Dime: Obtaining Pro Bono Assistance for Legal Assistance Clients*, THE ARMY LAWYER (forthcoming June 2015)

⁷ Child Welfare Information Gateway, *Stepparent Adoption*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES 1 (May 2013), https://www.childwelfare.gov/pubs/f_step.pdf. Although the Army does not maintain a statistical breakdown of types of adoptions for which it provides assistance, the assumption is that stepparent adoptions are the most prevalent because of the cost and the fact that some legal assistance offices offer pro se services for stepparent adoptions. See E-mail from John Meixell to author, *supra* note 3.

⁸ ARNOLD H. RUTKIN, FAMILY LAW AND PRACTICE, Ch. 64, § 64.04 (Matthew Bender 2014) (*available at* LexisNexis). Some states have requirements regarding how soon after marriage the adoption can occur, e.g., a year or longer. See *Stepparent Adoption*, *supra* note 7, at 2.

⁹ *Stepparent Adoption*, *supra* note 7, at 2 (consent of noncustodial parent required unless abandonment is determined).

¹⁰ *Id.* However, if the child concerned in a stepparent adoption is older, the child's consent may be required as well. *Id.* In the majority of states that require consent of the child, the age range is ten to fourteen. *Id.*

¹¹ *Id.* at 1.

the context of military clients, if the parent relinquishing parental rights is a servicemember, then when the adoption is finalized, the child is no longer entitled to military benefits associated with being a dependent of that parent. Once your meeting with SSG Langley begins, you learn that he and his wife are not looking at a stepparent adoption situation.

B. Independent (Private) Adoption¹²

In independent adoptions, parental rights transfer directly from birth parents to adoptive parents.¹³ When a client uses the term "private" adoption, you should clarify what he actually means. Many times, when clients say private adoptions, they are actually referring to agency adoptions. Private adoptions occur directly between birth parents and adoptive parents without agency involvement.¹⁴ The adoptive parents do not work through an agency, but instead find a birth mother and make the connection on their own.¹⁵ This occurs through various means governed by state statute,¹⁶ such as newspaper ads or even online websites that allow potential birth mothers to examine profiles of adoptive parents.¹⁷

¹² RUTKIN, *supra* note 8, at n.7 (independent adoptions allowed in all states except Colorado, Connecticut, Delaware, and Massachusetts).

¹³ *Id.* at § 64.04.

¹⁴ BLACK'S LAW DICTIONARY *supra* note 2, at 56.

¹⁵ *Adoption Options*, *supra* note 5, at 5.

¹⁶ Child Welfare Information Gateway, *Use of Advertising and Facilitators in Adoptive Placement*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES 2 (Apr. 2012), <https://www.childwelfare.gov/pubPDFs/advertising.pdf>. For more information on the use of advertising, see Appendix E. Appendices A to D of this article appear in the printed version, but the full appendices (A to J) appear in the online version of the article, available at <https://www.jagcnet.army.mil/DOCLIBS/ARMYLAWYER.NSF/TALDisplay?>. The appendices include: Appendix A, Who May Adopt by State; Appendix B, Adoption Jurisdiction by State; Appendix C, State Statutes Regarding Parental Consent; Appendix D, State Statutes on Postadoption Agreements; Appendix E, State Statutes on Advertising and Use of Facilitators; Appendix F, Differences in Hague versus Non-Hague International Processes; Appendix G, Countries Party to the Hague Convention on Adoption; Appendix H, Convention-Authorized Agencies; Appendix I, Department of Defense Form 2675, Reimbursement Request; and Appendix J, Cost of Adopting by Type.

¹⁷ Mark T. McDermott, *Independent Adoption*, BUILDING YOUR FAMILY: THE FERTILITY AND ADOPTION GUIDE, <http://buildingyourfamily.com/adoption/domestic-adoption/independent-adoption/> (last visited May 12, 2015). There are websites that specifically assist in setting up profile pages for birth parents to search through. Adoption.com offers this service; prospective parents can post videos, have family members leave comments and endorse them, blog, and post pictures. *Frequently Asked Questions, Adopting, Parenting Profiles*, ADOPTION.COM, <http://adoption.com/profiles/faq> (last visited May 12, 2015). This service charges a setup fee of \$99 and then costs a minimum of \$199 a month for three months, but prospective parents can pay more for additional features such as placement on social media sites and prominence on the search page. *Id.*

So, if SSG Langley told you that he and his wife were placing an ad in the paper to find a birth mother who wanted to give her baby up for adoption, that would be an independent or private adoption.¹⁸ Because private adoption takes place directly between adoptive and birth parents, parental rights transfer directly to the adoptive parents.¹⁹ One reason prospective adoptive parents (like SSG Langley and his wife) might prefer this method is that it may prevent the long wait sometimes associated with adoption through an agency.²⁰ Additionally, birth parents prefer the sense of openness they get with selecting the adoptive parents.²¹ However, there are some disadvantages. For example, since adoptive parents are not required to use an attorney or agency during the adoption process, some states place additional restrictions on independent adoptions, which are complicated to navigate.²² Another drawback is that states regulate this process more²³ and it is less systematic than a private agency adoption.²⁴ If SSG Langley wants to pursue independent adoption, you should advise him to consider seeking the assistance of an adoption attorney, since the rules governing independent adoptions vary by state.²⁵ If

¹⁸ The use of advertising to locate a child is restricted in some states. Staff Sergeant (SSG) Langley and his wife would not be authorized to take out this ad in Alabama or Kentucky, but would be authorized to place it in a paper in Connecticut. *Use of Advertising and Facilitators in Adoptive Placements*, *supra* note 16. For a tally of state-specific limitations like these, see Appendix E.

¹⁹ McDermott, *supra* note 17.

²⁰ *Id.*

²¹ *Id.*

²² *Independent Adoptions: The Advantages and Disadvantages of Skipping the Agency when you Adopt a Child*, NOLO, LAW FOR ALL, <http://www.nolo.com/legal-encyclopedia/independent-adoptions-29696.html> (last visited May 12, 2015) [hereinafter *Independent Adoptions*].

²³ *Id.*

²⁴ When adopting from a licensed agency, which is discussed in the following subsection, certain rules and regulations exist to meet licensing requirements. *Agency vs. Independent Adoption*, PARENTS, <http://www.parents.com/parenting/adoption/facts/agency-vs-independent-adoption/> (last visited May 12, 2015) (article reprinted from the editors of “American Baby”). Additionally, if using an attorney, the licensed agency makes assurances that the attorney is following the necessary regulations to maintain American Bar Association accreditation. *Id.* However, if a family pursues a private adoption without those resources, the risk is higher and less recourse exists in the event the adoption does not go as planned. *Id.* One area of little recourse is expenses provided to the birth parents prior to finalization of the adoption; they may not be recoverable if the birth parents revoke consent or change their minds. JOAN H. HOLLINGER, *ADOPTION LAW AND PRACTICE*, Ch.1, § 1.05 (Matthew Bender 2014) (*available at* LexisNexis). Generally, the only time monetary damages can be recovered is in the event of fraud on the part of a birth parent or facilitator. *Id.* See Appendix C for consent revocation by state.

²⁵ McDermott, *supra* note 17. “The role of the adoption attorney varies by state. In most cases, your lawyer will handle all the legal documents, negotiate payments to the birthmother, and represent you at the adoption court hearing.” *Id.*; see also, *Independent Adoptions supra* note 22.

SSG Langley has reservations about independent adoptions, talk to him and his wife about using an agency in the process.

C. Private Agency Adoption

Because SSG Langley and his wife are unsure about an independent adoption, they ask that you give them more information on using an agency. Some adoptive parents choose to use the resources of a private adoption agency, of which there are two types: licensed and unlicensed.²⁶ An unlicensed agency, also referred to as a facilitator, serves as a middleman who simply links the adoptive parents with the birth parents for a fee.²⁷ States usually do not regulate unlicensed agencies and facilitators, which means less protection for the adoptive parents and “little recourse if the plan does not work out as they hoped.”²⁸ Some states do not allow unlicensed agencies or facilitators to enable adoptions.²⁹ Also, unlicensed agencies tend to cost the same as licensed agencies.³⁰ In an agency adoption, generally, the parental rights transfer from birth parents to the agency and then to the adoptive parents.³¹

Therefore, a licensed agency is the preferred route for many adoptive parents. Licensed agencies are state-regulated and required to follow state-specific guidelines, making the process more predictable and reliable for all parties involved.³² Additionally, fees associated with an agency adoption are all-inclusive, which means the legal fees and various expenses are included, resulting in the adopting parents knowing the total cost upfront and being

²⁶ *Adoption Options*, *supra* note 5, at 4, 6. A starting point to find an agency or other state resources is the National Foster Care and Adoption Directory Search, which allows you to search by state and type of resources you or your client are looking for. *National Foster Care and Adoption Directory*, CHILD WELFARE INFO. GATEWAY, U.S DEP’T OF HEALTH AND HUMAN SERVICES, <https://www.childwelfare.gov/nfcad/> (last visited May 15, 2015).

²⁷ *Adoption Options*, *supra* note 5, at 6. “Facilitators may or may not be regulated in their State and may have varying degrees of expertise in adoption practice.” *Id.*

²⁸ *Id.*

²⁹ *Id.* (states prohibiting the use are Delaware and Kansas). See Appendix E for more information about what states allow the use of facilitators and restrictions related to the use.

³⁰ Child Welfare Information Gateway, *Costs of Adopting*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES 2 (Feb. 2011), http://www.childwelfare.gov/pubPDFs/s_costs.pdf. See Appendix J for cost ranges of each type.

³¹ RUTKIN, *supra* note 8. Some agencies allow birth mothers more input into the process, and some agencies allow birth mothers to direct the placement of the child with a certain family. In that situation, the agency oversees placement of the child. *Id.*

³² *Adoption Options*, *supra* note 5, at 4.

able to plan for it.³³ Based on the affiliation of the agency, there may be limitations as to who can apply for adoption through a prospective agency.³⁴ In addition to possible limitations placed on the process by various agencies, another downside to using an agency is the lengthy wait times frequently associated with these types of adoptions.³⁵ If SSG Langley and his wife are concerned about a potentially long wait time in using an adoption agency, you can direct the conversation to foster care adoption, where the process is usually quicker.

D. Foster Care (Welfare) Adoption

You might explain to SSG Langley that a foster care adoption describes the adoption process that occurs when children are adopted from the foster care system after they are taken from the birth home because of abuse or neglect (among other reasons).³⁶ At the time of adoption, these children “are in the custody of their State or county’s Department of Child and Family Services.”³⁷ In 2012, approximately 50,000 children were adopted from the welfare system out of the 102,000 waiting for adoption.³⁸ Obviously, there is no shortage of children in the foster care system waiting to be adopted. However, children adopted via foster care adoptions stayed in foster care for approximately thirty months, on average.³⁹ The reason this statistic is important to a legal assistance attorney (and thus their clients) is that foster care adoptions usually involve older children, not infants.⁴⁰

Foster care adoptions are an especially viable path if your clients are interested in adopting a child with special needs. One consideration when using the term “special needs” is that its definition is broad in the adoption world.⁴¹ Special needs can refer to anything from

disabilities to age, ethnicity, or “any condition that makes it more difficult to find an adoptive family.”⁴² In all states, assistance is available when adopting a special needs child.⁴³ Generally, children older than age five are considered a special needs adoption.⁴⁴ If SSG Langley and his wife adopt an older child from the welfare system, this would be considered a special needs adoption, which is different from the medical definition of special needs since it may not have anything to do with a mental, emotional, or physical handicap.⁴⁵

The first step in starting a foster care adoption is to contact the state’s Department of Child Services. Most states hold meetings offering information on the state-specific procedures.⁴⁶ Advise them to pay special attention to the rules on moving the child from the state and the timelines, especially if your client expects orders for a permanent change of station in the near future. Your clients should start the required home study (more formally known as an investigation), discussed in further detail in section III of this article.

specialneeds.pdf.

⁴² *Id.* In intercountry adoptions, the term special needs refers more commonly to a child with physical or mental disabilities. *Id.*

⁴³ RUTKIN, *supra* note 8. Families adopting special needs children from foster care may be eligible for federal subsidies under Title IV-E for the Social Security Act and state subsidies, which are often called non-Title IV-E. *Adoption Subsidy in the United States*, NORTH AMERICAN COUNCIL ON ADOPTABLE CHILDREN, <http://www.nacac.org/adoption/subsidy/us.html> (last visited May 12, 2015). Title IV-E assistance attaches two additional requirements to special needs adoptions to receive federal assistance: the child cannot be returned to his birth parents and the child could not have been adopted without the financial assistance. *Special Needs Adoption: What Does It Mean?*, *supra* note 41, at 2. “In the U.S. today, almost 90 percent of children and youth adopted from foster care receive adoption subsidy (or adoption assistance) to help their families meet their special needs.” *Adoption Subsidy in the United States*, *supra* note 43. For example, if SSG Langley were adopting a two-year-old child from the foster care system in Illinois, then that child would be considered a special needs child under the Illinois definition. *Illinois State Subsidy Profile*, NORTH AMERICAN COUNCIL ON ADOPTABLE CHILDREN, <http://www.nacac.org/adoption/subsidy/stateprofiles/illinois.html> (last visited May 15, 2015). One of the criteria in the “special needs” category in Illinois is that the child is one year of age or older. *Id.* As a result, the family could receive as much as \$384 a month (adjusts based on age) and a nonrecurring payment of up to \$1,500. *Id.* Additionally, the child is eligible for Medicaid. *Id.* There are also other benefits available, like tuition assistance and child care. *Id.*

⁴⁴ RUTKIN, *supra* note 8.

⁴⁵ BLACK’S LAW DICTIONARY *supra* note 2, at 272.

⁴⁶ *How to Adopt*, HEART GALLERY OF AMERICA INC., http://www.heartgalleryofamerica.org/Adoption/About_Adoption.html#steps (last visited May 12, 2015).

³³ *Costs of Adopting*, *supra* note 30, at 4-5.

³⁴ *Adoption Options*, *supra* note 5, at 4-5.

³⁵ *Id.* at 4.

³⁶ *Id.* at 3.

³⁷ *Adopting Children from Foster Care*, CHILD WELFARE INFO. GATEWAY, U.S. DEP’T OF HEALTH AND HUMAN SERVICES ADMIN. FOR CHILDREN AND FAMILIES, <https://www.childwelfare.gov/topics/adoption/adoptive/choices/foster-care/> (last visited May 12, 2015).

³⁸ U.S. DEP’T OF HEALTH AND HUMAN SERVICES ADMIN. FOR CHILDREN AND FAMILIES, ADMIN. ON CHILDREN, YOUTH AND FAMILIES CHILDREN’S BUREAU, CHILD WELFARE OUTCOMES 2009-2012 REPORT TO CONGRESS 22 (Nov. 6, 2014).

³⁹ *Id.* at 23 (tbl. IV-4, measure C2.2).

⁴⁰ *Id.* at 13 (tbl. III-2). The median percentage of children under the age of 1 in foster care is 5.9%. The majority of children in foster care are older than age 8. *Id.*

⁴¹ Child Welfare Information Gateway, *Special Needs Adoption: What Does It Mean?*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES 2 (Jul. 2010), <https://www.childwelfare.gov/pubs/factsheets/specialneeds/>

E. Intercountry Adoption

Families who adopt from a country other than the United States go through the procedure of an intercountry adoption.⁴⁷ Intercountry adoption entails several legally complicated processes, and the fact that a Soldier is stationed in another country can create additional requirements. Adoptive parents must abide by the state laws in which they reside, along with the requirements of the country where the child is located and the federal requirements for bringing the child back into the United States.⁴⁸ Another important aspect that clients looking into this type of adoption must research is whether the country they are adopting from is a party to the Hague Adoption Convention.⁴⁹ If the country of the prospective adoption is a party to the Hague Adoption Convention, then the Hague process of both the United States and other country must be followed.⁵⁰

When starting the international adoption process, adoptive parents should, in general, find an adoption agency. If your client elects to seek the assistance of an agency for an adoption from a country that is a party to the Hague Adoption Convention, then it is imperative that

the adoptive parents find an accredited adoption agency.⁵¹ Military personnel “on assignment abroad [must] be [a] ‘habitual resident’⁵² in the United States for the purpose of completing an intercountry adoption in accordance with U.S. law and regulation.”⁵³ Additionally, SSG Langley and his wife must be aware that once they have completed the adoption, they still need to obtain a visa for the child prior to bringing the child back to the United States.⁵⁴

F. Closed vs. Open Adoption

Closed adoptions are increasingly rare in domestic adoption, but prospective parents should know about the concept.⁵⁵ “Closed adoption refers to an adoption process where there is no interaction of any kind between birthmothers and prospective adoptive families.”⁵⁶ In a closed adoption, the court usually seals the records and the birth parents and adoptive parents do not have any contact after the adoption is finalized.⁵⁷ This is an attractive option when the adoptive parents do not want their child to have contact with the birth parent for a variety of reasons, such as continued contact might be harmful to the child.⁵⁸ The more common trend in

⁴⁷ Office of Children’s Issues, *Intercountry Adoption from A to Z*, U.S. DEP’T STATE, 7, http://travel.state.gov/content/dam/aa/pdfs/Intercountry_Adoption_From_A_Z.pdf (currently, the countries that U.S. adoptive families adopt from the most are China, Colombia, Ethiopia, Guatemala, Haiti, India, Kazakhstan, Liberia, Philippines, Russia, South Korea, Taiwan, Ukraine, and Vietnam). To see the specific process of a certain country, visit the U.S. Department of State’s website. *Country Information*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP’T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/country-information.html> (last visited May 15, 2015).

⁴⁸ *What is Intercountry Adoption*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP’T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/adoption-process/what-is-intercountry-adoption.html> (last updated June 4, 2013). Some countries will not finalize the adoption, but instead grant guardianship; then, the prospective parent brings the child back to the United States and finalizes the adoption in the state of residence. *Intercountry Adoption from A to Z*, *supra* note 47, at 17. Additionally, the servicemember must determine if there is a Status of Forces Agreement (SOFA) with the host nation and ascertain any restrictions on relocating the adopted child. Child Welfare Information Gateway, *Military Families Considering Adoption*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES 3 (Dec. 2010), https://www.childwelfare.gov/pubPDFs/f_militia.pdf.

⁴⁹ *Intercountry Adoption from A to Z*, *supra* note 47, at 11-12. The Hague Adoption Convention is an agreement signed by more than seventy-five countries (the United States signed it in 1994 and became a party in 2008) to provide more protections and transparency to intercountry adoptions. *Id.* An example of an additional requirement for adopting from a country that is a party to the Hague Adoption Convention is that the prospective parents “must participate in at least ten hours of pre-adoption training before traveling overseas to complete an adoption.” *Id.* See Appendix G for a list of countries party to the Hague Convention.

⁵⁰ *Adoption Process*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP’T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/adoption-process.html> (last visited May 12, 2015). See Appendix F for a chart on the different processes of Hague and non-Hague countries.

⁵¹ *Intercountry Adoption from A to Z*, *supra* note 47, at 7. See Appendix H for a list of accredited agencies.

⁵² The term habitual residence lacks a definition, which causes confusion and leaves room for varying court interpretation. Jeff Atkinson, *The Meaning of “Habitual Residence” Under the Hague Convention on the Civil Aspects of International Child Abduction and the Hague Convention on the Protection of Child*, 63 OKLA. L. REV. 647, 647-49 (2011); *see also*, BLACK’S LAW DICTIONARY *supra* note 2, at 1423.

⁵³ *U.S. Citizens Adopting Abroad*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP’T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/adoption-process/who-can-adopt/us-citizens-adopting-abroad.html> (last visited May 12, 2015).

⁵⁴ *Intercountry Adoption from A to Z*, *supra* note 47, at 21. The status of whether the country is a Hague country or not plays into this part of the process, too. If the country is a party to the convention, then the child must meet the definition of a “convention adoptee” and a form I-800 must be filled out and approved before the child can be brought back to the United States. *Id.* at 22. If the country is not a party to the convention, then a form I-600 needs to be completed and approved to verify the child meets the definition of an orphan under the Immigration and Nationality Act. *Id.* at 21.

⁵⁵ *Open vs. Closed Adoption*, FINDLAW, <http://family.findlaw.com/adoption/open-vs-closed-adoption.html> (last visited May 12, 2015). “Closed adoptions are rare in the United States, but remain common in international adoptions. . . .” *Id.*

⁵⁶ *Closed Adoption Advantages*, AMERICAN PREGNANCY ASSOCIATION, <http://americanpregnancy.org/adoption/closed-adoption-advantages/> (last visited May 12, 2015).

⁵⁷ *Open vs. Closed Adoption*, *supra* note 55.

⁵⁸ The trend is just now changing from more closed adoptions to more open adoptions. “The trend [in the past] reflected common attitudes that children and birth mothers should be protected from the stigma of illegitimacy.” Child Welfare Information Gateway, *Openness in*

domestic adoption is an open adoption.⁵⁹ This is where the adoptive parents know who the birth parents are and have likely met one or both of them.⁶⁰ In an open adoption, it is possible for a relationship between child and birth parent(s) to continue after the transfer of rights: the birth parent(s) stays in touch with the child and adoptive parents.⁶¹ Sometimes, this contact and its frequency is outlined in a postadoption agreement, incorporated into the adoption decree and enforceable by the court.⁶²

III. The Next Steps

Once your clients have settled on the type of adoption they want to pursue, they must start the process. One of the first steps is understanding the procedures and some of the key laws that govern it, such as the Interstate Compact on the Placement of Children (ICPC).

A. Interstate Compact on the Placement of Children

The ICPC is “the main legal mechanism outlining the mandatory legal process that must be followed before a child can be placed from one state to another for purposes of foster care and adoption.”⁶³ “The [ICPC] is comprised

of individual state laws, not federal legislation.”⁶⁴ The tricky part is that “[e]very state has developed its own requirements, procedures and interpretations of the law.”⁶⁵ What this means for your clients is they should be aware that they are a party to an interstate adoption. Because of this fact, they and their team of experts, which may include the adoption agency and/or an adoption attorney, will have to ensure “compliance with the [ICPC] and the applicable laws of the state where the child is to be placed.”⁶⁶ In simple terms, tell your clients it means there is additional paperwork and court filings for an interstate adoption.⁶⁷ This may be another reason your clients should hire an attorney to assist if they are considering an independent adoption.

In cases of agency adoption, the agency handles these procedures. Another point for your client to consider during interstate adoptions is that the process of obtaining court approval to take the child across state lines can vary from seven to twenty-one days.⁶⁸ This is a matter your clients should factor in to planning if they want to stay with the child until approval is given as this could result in the need for additional leave. Two exceptions to the ICPC are stepchildren adoptions and familial adoptions; in those cases, the ICPC does not apply.⁶⁹ Compliance with the ICPC is of utmost importance because failure to comply could result in termination of the adoption.⁷⁰

Adoption: Building Relationships Between Adoptive and Birth Families, U.S. DEP’T OF HEALTH AND HUMAN SERVICES 2 (Jan. 2013), https://www.childwelfare.gov/pubPDFs/f_openadopt.pdf. As a result, the “sense of secrecy” left adopted children with unanswered feelings of loss and without access to information about their medical histories or genetics. *Id.* However, the openness prevalent now in many adoptions allows adopted children access to that information. *Id.*

⁵⁹ “In today’s adoptions, Bethany experiences over 90% of infant adoptions within the U.S. having some form of openness.” *Learn more About Domestic Adoptions*, BETHANY CHRISTIAN SERVICES, <http://www.bethany.org/martinsburg/faq-domestic-adoption> (last visited May 12, 2015).

⁶⁰ *Open vs. Closed Adoption*, *supra* note 55.

⁶¹ *Id.*

⁶² Child Welfare Information Gateway, *Postadoption Contact Agreements Between Birth and Adoptive Families*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES 2 (Jun. 2014), <https://www.childwelfare.gov/pubPDFs/cooperative.pdf>. “Postadoption contact occurred more in private adoption (68 percent) as compared with adoption from foster care (39 percent) and international adoption (6 percent).” *Openness in Adoption: Building Relationships Between Adoptive and Birth Families*, *supra* note 58, at 3 (citing Sharon Vandiver and Karin Malm, *Adoption USA: A Chartbook Based on the 2007 National Survey of Adoptive Parents*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES (2009), <http://aspe.hhs.gov/hsp/09/NSAP/chartbook/index.pdf>). See Appendix D for a list of states that allow postadoption agreements.

⁶³ The Am. Pub. Human Services Ass’n, *Interstate Compact on the Placement of Children: A Pathways Policy Brief* (Apr. 25, 2013), <http://www.aphsa.org/content/dam/AAICPC/PDF%20DOC/Home%20page/ICPC-Policy-Brief.pdf>.

⁶⁴ RUTKIN, *supra* note 8, at § 64.21. The Interstate Compact on the Placement of Children (ICPC) has been enacted by all fifty states and the District of Columbia and the Virgin Islands. *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.* This is important for military clients because of the potential for a permanent change of station before completing the adoption. A servicemember has options if this happens before the adoption is final: he could ask to extend at his current assignment; he could ask the court to allow the non-military adoptive parent to remain in the state to finalize the adoption; or he can work with his adoption professionals to ensure the ICPC compliance and both the receiving and sending state approve the adoption. McKenzie Consulting, Inc., *Where My Family Is: That’s Home!*, ADOPTUSKIDS 69, http://www.adoptuskids.org/_assets/files/nrcrfap/resources/wherever-my-family-is-thats-home.pdf. Once the adoption is final, the servicemember can move with the child without issues. *Military Families Considering Adoption*, *supra* note 48, at 4.

⁶⁸ RUTKIN, *supra* note 8, at § 64.21.

⁶⁹ *Id.*

⁷⁰ *Id.*

The Supreme Court of Montana in *In re Adoption of T.M.M.*, found that the prospective adoptive parents’ failure to comply with the terms and procedures of the ICPC constituted full and sufficient grounds for the revocation of the parents’ consent when the adoptive parents stated they brought the child across state lines for adoption. A number of courts have taken the position that ICPC compliance is required before a petition for adoption may proceed.

To help alleviate the inevitable stress associated with the complicated legalese of various state statutes, it might be helpful to give your clients an overview of what the ICPC requires.⁷¹ The forms filed in the child's state contain the basic administrative information of the adoption, such as the names of the birth parents, the individuals who will be financially responsible for the child, and the type of placement.⁷² Additionally, "[a]ll states require that there be a home study conducted of the prospective adoptive parents."⁷³ One of the benefits to the ICPC is that a majority of states collect the "medical history and social summary of the birth parents," along with the "medical information about the child's birth or the child's medical and social history."⁷⁴ One of the reasons for the delay caused by the ICPC is most states require proof of the relinquishment of parental rights.⁷⁵ Some states have mandatory waiting periods before parental rights can terminate, which can further prolong the process.⁷⁶

B. Parental Rights

An adoption to be deemed final, all states require consent be given by the birth parents or "a statute or court waives the necessity for it."⁷⁷ Consent of the birth parent(s) can "be executed in writing and witnessed as specified by statute or given orally before a court or an individual designated by the court."⁷⁸ Your clients should

Id. (citing *In re Adoption of T. M. M.*, 186 Mont. 460 (Mont. 1980)).

⁷¹ *Id.* The basic principle of the ICPC is that it requires the "receiving" state to approve the process prior to the child arriving in the state. *Id.*

⁷² *Id.*

⁷³ *Id.*; see also *infra* Part III.C (discussing home studies in further detail).

⁷⁴ *Id.* States not requiring the medical history of parents are Montana and Wyoming, and states not requiring the medical history of the child and record of the child's birth are Arizona, Montana, Nevada, and Vermont. *Id.* at n.33-34. In addition to information such as medical history, all states require compliance with the Indian Child Welfare Act (ICWA). *Id.* The ICWA is a federal law governing adoption and foster care of American Indian and Native Alaskan Children. *Id.* § 64.22.

⁷⁵ *Id.* § 64.21.

⁷⁶ *Id.* See Appendix C for more information on waiting periods.

⁷⁷ *Id.* § 64.10. The court may waive the necessity for consent in situations of abandonment, child abuse, failure to communicate, incarceration, mental illness, neglect, non-support, rape and incest, unfitness, or when it is in the best interest of the child. *Id.* § 64.11.

⁷⁸ *Id.* § 64.12. This document is one of the most important documents in the adoption process. *Id.* Issues with the consent documents or deviations from the statute can result in a challenge by the birth parents and possibly termination of the adoption proceedings. *Id.* See *Bozeman v. Williams*, 248 Ga. 606, 285 S.E.2d 9, 1981 Ga. LEXIS 1099 (Ga.

understand that parental consent does not necessarily terminate parental rights; most jurisdictions terminate parental rights and support obligations upon the adoption decree becoming final.⁷⁹ This means parental rights "remain in a state of legal limbo" from the time parental consent is given until the final adoption decree.⁸⁰ Further, some states require birth parents be notified of each step in the process as parental rights do not terminate until the final adoption decree is entered, whereas other states statutorily waive notice, which means that the birth parents are not informed throughout the process.⁸¹ Since state law varies, it is beneficial for your clients to simply include a waiver of notice as part of the consent to adopt.⁸²

It is also important to know, when dealing with parental consent, who must give consent.⁸³ In most circumstances, it is clear who the birth mother is, and she has the "legal right to consent."⁸⁴ The birth father's right to consent is more complicated. In cases where the child is born in wedlock, and the husband is the father of the child, then the father has the right to consent.⁸⁵ In some states, even if the husband is not the father, consent may be required.⁸⁶ Situations where birth parents are not married vary even more, depending on the state. Many states require the birth father to demonstrate he is willing to participate in the childrearing in order to have the right to consent.⁸⁷ "The mere existence of a biological link does not merit equivalent constitutional protections under the Due Process Clause."⁸⁸

In some cases, birth parents transfer their rights to the adoption agency or even to Child Welfare Services, thus requiring agency/department consent.⁸⁹ Consent from an agency is generally handled two ways. The first is for the agency to give consent to the adoptive parents, as if it

1981) (adoption found invalid because no strict compliance with Georgia statute).

⁷⁹ See RUTKIN, *supra* note 8, at § 64.10

⁸⁰ *Id.*

⁸¹ *Id.* See D.C. Code § 16-306(b) (2014) (party who formally gives consent to the adoption waives notice).

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *Id.* (citing *Lehr v. Robertson*, 463 U.S. 248, 261, 103 S. Ct. 2985, 77 L. Ed. 2d 614 (1983)).

⁸⁹ *Id.*

were actually the birth parents consenting.⁹⁰ The second way is the agency/department holds consent until immediately before the final adoption decree, and it transfers with the decree.⁹¹

C. You Want to Adopt? You're Going to Be Investigated

An investigation into the adoptive family is one of the first steps in starting the adoption process.⁹² Almost all individuals seeking adoption must conduct this step, with the exception of stepparent adoptions in some states.⁹³ Generally, the investigation is referred to as a home study, but that only encompasses one element of the investigative process. The investigation is often a three-step process, but varies depending on state requirements.⁹⁴

First, there is a pre-placement evaluation on the suitability of the prospective adoptive parents. Second, there is a report and recommendation to the court, evaluating the placement and describing the adoptive parents, the child and birth parents. Third, there may be a report based upon post-placement supervision, often after entry of an interlocutory order, which reports on the child's adjustment to the adoptive family.⁹⁵

This is one area your client will not be able to look to state statutes for guidance, but instead should examine state regulations to determine the requirements on the

“content and form of home studies and court reports.”⁹⁶ Home studies are required in intercountry adoptions, too.⁹⁷ Clients, or their attorneys, must determine if the country is a party to the Hague Convention and, if so, must follow the rules and requirements of the Hague Convention for the home study.⁹⁸ The result of unclear statutory guidance is that prospective parents rely heavily on the individual conducting the investigation to accomplish the study in compliance with the law.

1. Pre-placement Evaluation

The investigative process starts with a pre-placement evaluation; this is the home study.⁹⁹ The pre-placement evaluation is generally required, but not in all states.¹⁰⁰ The Child Welfare League of America¹⁰¹ has six criteria it uses during the pre-placement evaluation to assist in the determining the suitability for adoption.¹⁰² Those six criteria are “total personality functioning, emotional maturity, quality of spousal relationship, capacity to parent children in need of family membership, attitudes towards childlessness, and readiness to adopt and the

⁹⁶ *Id.* State statutes usually determine who should do the home study and set forth an overview of what it should contain, but the bulk of the information is in state regulations (not in the actual statute). *Id.*

⁹⁷ Child Welfare Information Gateway, *The Adoption Home Study Process*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES 4 (Jul. 2010), http://www.childwelfare.gov/pubs/f_homstu.cfm. For intercountry adoptions, “[s]ome countries accept an authenticated U.S. home study of the prospective adoptive parents; other countries require adoptive parents to travel and be evaluated in-country.” *Intercountry Adoption from A to Z*, *supra* note 47, at 15. Some countries place additional requirements on families adopting from their country. For example, in May 2007, China added an additional criterion that in order to adopt from there, prospective parents had to have body mass index of less than 40. David Katz, *China Restrictions Adoption Policies*, ABCNEWS (Dec. 21, 2006), available at https://www.childwelfare.gov/pubPDFs/f_openadopt.pdf.

⁹⁸ See *The Adoption Home Study Process*, *supra* note 97, at 4.

⁹⁹ RUTKIN *supra* note 8, at § 64.15. When dealing with agency adoptions, there are oftentimes two additional elements prior to the home study: an information meeting to see if the agency is a fit for the family and training to assist the family in understanding challenges they may face in adoption. *The Adoption Home Study Process*, *supra* note 97, at 2.

¹⁰⁰ See RUTKIN *supra* note 8, at § 64.13. The exceptions in some states are in cases of some intra-state private adoptions, step-parent adoptions, and some relative adoptions. *Id.* However, in intra-state private adoptions, a majority of states require a post-placement evaluation. *Id.*

¹⁰¹ “[Child Welfare League of America] leads and engages its network of public and private agencies and partners to advance policies, best practices and collaborative strategies that result in better outcomes for children, youth and families that are vulnerable.” *Who We Are and What We Do, Our Mission*, CHILD WELFARE LEAGUE OF AMERICA, <http://www.cwla.org/about-us/> (last visited May 12, 2015).

¹⁰² RUTKIN, *supra* note 99 (citing CHILD WELFARE LEAGUE OF AMERICA, STANDARDS FOR ADOPTION SERVICES § 5.5 (rev. ed. 1978)). These criteria are only used as guidelines and are therefore not binding.

⁹⁰ *Id.*

⁹¹ *Id.* When consent is withheld, this may be done until completion of the post-placement evaluation. *Id.*; see also *infra* Part III.

⁹² The individual or entity that conducts the investigation and prepares the reports varies from state to state. *Id.* § 64.13. The investigation is generally done by the agency in an agency adoption; in cases of private adoptions, it can be done by an independent social worker, licensed child-placing agency, or court investigator, depending on the state. *Id.* In most cases, the prospective parents select who conducts the investigation. *Id.* It is important that they select an evaluator who has “a similar basic philosophical approach” and is “reputable with the courts, the ICPC office and the adoption community in general.” *Id.*

⁹³ *Id.* Servicemembers living overseas who want to adopt must still have a home study “completed and approved by a social worker licensed in the United States to do adoption home studies.” *Military Families Considering Adoption*, *supra* note 48, at 3. Additionally, if a servicemember has a home study done in one state and then moves to another state, the servicemember must check the requirements of the new state to see if the home study has to be redone or approved by that state to receive approval for an adoption. *Id.* at 4.

⁹⁴ RUTKIN, *supra* note 8, § 64.10.

⁹⁵ *Id.*

reasons for adoption.”¹⁰³ Each state evaluates the criteria differently, depending on the requirements of the specific state.¹⁰⁴ The methods of evaluation include letters of recommendation, interviews with the prospective parents, criminal history, income or employment verification, and home visits.¹⁰⁵ Once the Child Welfare League of America compiles all the information, it prepares a written report containing a recommendation as to the suitability of the applicant for placement.¹⁰⁶

2. Court Report

The investigative process continues with a court report.¹⁰⁷ The court report occurs after placement, usually within ninety days.¹⁰⁸ These “reports typically consist of analysis of the adoptive family, birth parents, and child, and then a recommendation as to the adoption.”¹⁰⁹ It is a compilation of all the information that has already been collected so that the parties can present everything to the court.¹¹⁰ Again, as with the pre-placement evaluation, after all this information is gathered, this report is prepared and contains a recommendation to the court as to adoption.¹¹¹

3. Post-placement Evaluation

Finally, a post-placement evaluation is completed.¹¹² This is not required in all states or countries; in states or

countries that do require it, a negative recommendation in the report is rare.¹¹³ The post-placement evaluation is simply a follow-up to ensure the child is adjusting to her new environment and that the parents are settling into their roles as parents.¹¹⁴ The reason it is important your clients understand the investigative process is, first, they know what to expect as it may feel invasive at times and, second, it takes time to get this accomplished, adding to the timeline to finalize an adoption.¹¹⁵

D. How Much Does It Cost to Adopt?

The projected cost of raising a child, to the age of 18, born in 2013 is \$245,340—before college tuition.¹¹⁶ For clients seeking to start or expand their family through adoption, the costs can begin to accumulate before the child is even born. The financial costs associated with adoption can range from nothing to more than \$40,000, depending on several factors, which may include what type of adoption the client is seeking, whether the client is adopting a special needs child, and if the adoption crosses state lines.¹¹⁷ The financial aspect is something your clients must prepare themselves for. Pointing out to clients they must plan accordingly so the process does not push them into an undesirable financial situation is part of a legal assistance attorney’s job. Additionally, they should be aware of grant and stipend opportunities available to defer some of the costs, discussed further in subsection F below.¹¹⁸

If your client chooses to adopt from foster care or a public agency, the cost may range from zero to \$2,500.¹¹⁹ There are some lesser fees associated with public agency adoptions, but, in most instances, the state provides subsidies to cover expenses or waives fees.¹²⁰ However, once a family decides on a private adoption, international

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.* Other sources of information the social worker may collect are income statements, health statements, and autobiographical statements. *The Adoption Home Study Process*, *supra* note 97, at 4.

¹⁰⁶ See RUTKIN, *supra* note 8, at § 64.13. The recommendation could be favorable, to include that the family only adopt from a certain category, or an unfavorable recommendation. *Id.* During this stage, the social worker generally assists the potential parents in remedying any issues that arise. *Id.* However, some obstacles are harder to overcome. Those issues are child abuse, periods of incarceration, drug and alcohol abuse, and certain physical and mental health issues. *Id.* In addition to the recommendation, the report contains information on family background, education, employment, relationships, daily life, parenting, neighborhood, religion or belief system, and feelings and readiness for adoption. See *The Adoption Home Study Process*, *supra* note 97, at 2.

¹⁰⁷ See RUTKIN, *supra* note 8, at § 64.13.

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ *Id.* The possible recommendations at this point in the process are that the adoption proceed, more investigation occur, or the adoption be denied. *Id.*

¹¹² *Id.*

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ *The Adoption Home Study Process*, *supra* note 97, at 7. The home study process can take approximately three to six months and may vary based on the responsiveness of the adoptive parents. *Id.*

¹¹⁶ News Release No. 0179.14, U.S. Dep’t of Agriculture, Parents Projected to Spend \$245,340 to Raise a Child Born in 2013, according to USDA Report (Aug. 18, 2014) (on file with author).

¹¹⁷ *Costs of Adopting*, *supra* note 30, at 2. See Appendix J for a range of costs for various types of adoption.

¹¹⁸ Bethany Christian Services, *Adoption Loans, Grants & Scholarship Resources*, <http://www.bethany.org/assets/guides/Adoption-Financial-Resources.pdf>; see also, *Affording Adoption*, ADOPTION COVENANT, <http://www.adoptioncovenant.org/affording-adoption.php> (last visited May 12, 2015) (providing examples of resources available to individuals seeking financial assistance).

¹¹⁹ *Costs of Adopting*, *supra* note 30, at 2.

¹²⁰ *Id.*

adoption, or agency adoption, the costs increase. The reason for the increase is the inclusion of the home study,¹²¹ legal fees, foreign fees, and agency fees, among other costs.¹²² Nevertheless, there are ways to reduce these fees and the overall cost of adoption.

E. Easing the Financial Burden

Tax credits can assist in decreasing the financial burden of an adoption. In 2014, the maximum federal tax credit for a qualifying adoption was \$13,190.¹²³ Your clients should consult with tax professionals about state tax credits. For example, Indiana recently enacted a credit for tax year 2015 that allows families who finalized a qualifying adoption in that tax year to receive a credit of 10 percent of the federal credit or \$1,000, whichever is less.¹²⁴

Additionally, the military offers a stipend to active duty members who adopt. The military offers “up to \$2,000 per adoptive child, but no more than \$5,000 per calendar year.”¹²⁵ When advising your clients, ensure they are aware that this stipend is only available for adoptions accomplished through “a qualified adoption agency or other source authorized to place children for adoption under State or local law.”¹²⁶ Additionally, the stipend is only paid when the adoption is finalized, which means to receive this stipend, the servicemember must remain on active duty until the adoption is complete.¹²⁷

Outside of the military, many institutions offer loan, grant, and scholarship opportunities.¹²⁸ An example is the nonprofit organization Help Us Adopt, which issues grants to individuals trying to adopt and needing assistance with the expenses.¹²⁹ Help Us Adopt has paid more than \$900,000 in grants since its creation in 2007.¹³⁰ Although it may be time and work-intensive to seek out financial assistance, other avenues exist for loans and grants to defray adoption costs. Your clients should know that those opportunities are available so they can ask the right questions of experts involved in the adoption process.¹³¹

F. Citizenship

At the conclusion of an intercountry adoption, your happy clients—new parents—may return to your office to ask questions about obtaining citizenship for their new child. You should review the Child Citizenship Act of 2000.¹³² The Child Citizenship Act was designed to make it easier for foreign-born children (including adopted children) who meet the requirements to obtain citizenship automatically.¹³³ Under the Child Citizenship Act, children adopted abroad can automatically acquire U.S. citizenship if the following circumstances exist: “At least one parent of the child is a U.S. citizen; the child is under the age of 18; the child is admitted to the United States as an immigrant for lawful permanent residence; and the adoption is final.”¹³⁴ This means your clients no longer have to submit a separate application for the child to be naturalized; a child will receive citizenship automatically upon meeting the requirements.¹³⁵

¹²¹ The home study fee even varies depending on the type of adoption. For welfare adoptions, the cost may be waived altogether or be as little as \$300 to \$500, which many times is reimbursed. *The Adoption Home Study Process*, *supra* note 97, at 7. In situations of an agency adoption, the cost can range from \$1,000 to \$3,000 and may include other fees. *Id.*

¹²² *Costs of Adopting*, *supra* note 30, at 4.

¹²³ *Topic 607 – Adoption Credit and Adoption Assistance Programs*, I.R.S. (2014), <http://www.irs.gov/taxtopics/tc607.html> (last visited May 12, 2015). Individuals can claim reimbursement for certain expenses for a qualifying adoption up to a maximum of \$13,190 in tax year 2014. *Id.* (explaining tax credit does not apply to stepparent adoptions).

¹²⁴ H.B. 1222, 2014 Gen. Assemb., Reg. Sess. (Ind. 2014).

¹²⁵ U.S. DEP’T DEF., INSTR. 1341.9, DOD ADOPTION REIMBURSEMENT PROGRAM, para. 4.1 (3 Nov. 2007) (C1 23 Apr. 2009). If an adopting couple is dual-military, then only one servicemember can receive the stipend. *Id.*

¹²⁶ *Id.* para. 4.2. (noting stepparent adoptions do not qualify for this stipend).

¹²⁷ *Id.* para. 4.1. In order to apply for the reimbursement, the Soldier must fill out and submit Department of Defense (DD) Form 2675, Reimbursement Request for Adoption Expense, within one year of finalizing the adoption, to the nearest personnel and finance office. *Id.* See Appendix I for a copy of DD Form 2675.

¹²⁸ *Supra* note 118.

¹²⁹ Becky and Kipp Fawcett, *Learn More About Us*, HELPUSADOPT.ORG, http://www.helpusadopt.org/about_us.html (last visited May 12, 2015).

¹³⁰ *Id.*

¹³¹ *Adoption Loans, Grants & Scholarship Resources*, *supra* note 118. Examples of assistance are the Gift of Adoption Fund, which offers grants up to \$7,500 for domestic and international adoptions, and A Child Waits Foundation, offering grants up to \$5,000 and low-interest loans up to \$10,000 for international adoptions. *Id.*

¹³² The Child Citizenship Act of 2000, P. L. No. 106-395, 11 Stat. 1631 (2000).

¹³³ U.S. DEP’T OF JUSTICE, FACT SHEET: THE CHILD CITIZENSHIP ACT OF 2000 (1 Dec. 2000).

¹³⁴ *Intercountry Adoption from A to Z*, *supra* note 47, at 31.

¹³⁵ *Id.* A copy of N-600, Application for Citizenship can be found at <http://www.uscis.gov/sites/default/files/files/form/n-600.pdf>. Although the requirements are simplified, that does not alleviate the costs associated with the forms. Filing a N-600 costs U.S. citizens \$550 per adopted child. Form N-600 Instructions, DEP’T OF HOMELAND SECURITY 7 (rev. 2/3/15), <http://www.uscis.gov/sites/default/files/files/form/n-600instr.pdf>.

One of the exceptions to the Child Citizenship Act is when a child is born outside the United States and is living outside the United States.¹³⁶ In that case, the parents must apply for naturalization and the child must be in the United States for that process to take place.¹³⁷ However, there is an exception for military members stationed overseas.¹³⁸ A servicemember who completed an intercountry adoption and who is living overseas must still apply for naturalization for the child, but the process can take place while overseas.¹³⁹ This is beneficial to your clients, and a simplified step for a servicemember assigned overseas.

IV. Military-Specific Issues

A. Leave

When your clients plan for the adoption process, they should think about the time they will need to be away from work during the process and after they have adopted the child.¹⁴⁰ Soldiers adopting are not authorized leave under the Family Medical Leave Act.¹⁴¹ However, under Public Law 109-163, a servicemember is allowed twenty-one days of adoption leave to take care of the new child.¹⁴² If the adopting parents are dual-military, only one parent may take the twenty-one days.¹⁴³ This leave can be taken in conjunction with ordinary leave.¹⁴⁴ Advise your clients that most daycares will not take a baby under six weeks old.¹⁴⁵ If your clients have opted

¹³⁶ U.S. DEP'T OF JUSTICE, FACT SHEET: THE CHILD CITIZENSHIP ACT OF 2000 (1 Dec. 2000).

¹³⁷ *Id.*

¹³⁸ Child Citizenship Act of 2000 – Sections 320 and 322 of the Immigration and Nationality Act, BUREAU OF CONSULAR AFFAIRS, U.S. DEP'T OF STATE, <http://travel.state.gov/content/travel/english/legal-considerations/us-citizenship-laws-policies/child-citizenship-act.html> (last visited May 12, 2015).

¹³⁹ *Id.*

¹⁴⁰ Your clients should pay particular attention to this in intercountry adoptions and the travel requirements associated with the country they want to adopt from. Some countries require an extended stay or a period of residence prior to completion of the adoption. *Intercountry Adoption from A to Z*, *supra* note 47, at 15.

¹⁴¹ Family Medical Leave Act of 1993, Pub. L. No. 103-3, 107 Stat. 6 (1993). The Family Medical Leave Act allows eligible employees from covered employers to take 12 weeks of unpaid leave for the birth of a child or the adoption of a child; additionally, the employee's position is protected. *Id.*

¹⁴² National Defense Authorization Act for Fiscal Year 2006, Pub. L. No. 109-163, §592, 119 Stat. 3280 (2006).

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Child Development Centers*, NATIONAL MILITARY FAMILY ASSOCIATION, <http://www.militaryfamily.org/get-info/military-kids/child-care/child-development-centers.html> (last visited Jan. 21,

for an international adoption, remember to go through the proper channels for a travel clearance for the country they are adopting from.¹⁴⁶

B. Healthcare

Some private adoption agreements with the birth mother, depending on what the specific state allows, require adopting parents to pay for housing and healthcare relating to maternity expenses of the birth mother.¹⁴⁷ However, Tricare does not cover these costs, which can be substantial.¹⁴⁸ This becomes an out-of-pocket expense for the adopting parent. Once the child is born and is registered in the Defense Enrollment Eligibility System (DEERS), Tricare does cover medical expenses.¹⁴⁹ The child can only be enrolled in DEERS with “a record of adoption or a letter of placement of the child into the home by a recognized placement/adoption agency or the court before the final adoption.”¹⁵⁰ Additionally, “[c]hildren are automatically covered as TRICARE Prime or [TRICARE Prime Remote for Active Duty Family Members (TPRADFM)] beneficiaries for 60 days after birth as long as one family member is enrolled in TRICARE Prime, [TRICARE Prime Remote] or TPRADFM.”¹⁵¹ Therefore, the adopting parents should find a point of contact at TRICARE before the baby arrives and ensure they take appropriate, timely actions once the baby is born. In the case of a non-adopted stepchild, the stepchild need not be adopted for Tricare eligibility.¹⁵² The servicemember simply proves he is “married to the stepchild’s parent” at the time he adds the child to DEERS and that the spouse is the custodial parent.¹⁵³

2015). The Child Development Center, which runs more than 800 child care facilities for military and Department of Defense children, does not take children until they are at least 6 weeks old. *Id.*

¹⁴⁶ U.S. DEP'T OF ARMY, REG. 600-8-10, LEAVES AND PASSES, ch. 8 (15 Feb. 2006).

¹⁴⁷ Child Welfare Information Gateway, *Regulation of Private Domestic Adoption Expenses*, U.S DEP'T OF HEALTH AND HUMAN SERVICES 3 (Mar. 2013), <https://www.childwelfare.gov/pubPDFs/expenses.pdf>.

¹⁴⁸ *Adopting a Child*, TRICARE, <http://www.tricare.mil/LifeEvents/Baby/Adopting.aspx> (last visited May 12, 2015).

¹⁴⁹ *Id.*

¹⁵⁰ *Children*, TRICARE, <http://www.tricare.mil/Plans/Eligibility/Children.aspx> (last visited May 12, 2015).

¹⁵¹ TRICARE, *Maternity Care*, 2 (Feb. 2014), www.tricare.mil/~media/Files/TRICARE/.../Maternity_FS.pdf.

¹⁵² *Adopting a Child*, *supra* note 148.

¹⁵³ *Id.*

V. Conclusion

Adoption is a complicated area of family law that requires specialized knowledge to inform and prepare clients expanding their family. You can assist SSG Langley and his wife with certain parts of the adoption proceedings¹⁵⁴ and give them the tools, knowledge, and advice to start planning the path they want to take. This is an area of practice that is specifically authorized under AR 27-3.¹⁵⁵ The requirement is simply to be knowledgeable in the area;¹⁵⁶ this article gives you that knowledge.¹⁵⁷ Clients like SSG Langley and his wife will walk away from their client consultation more informed about adoption laws and armed with the resources to gain more information. You will have made a difference in their lives and in the lives of the children they adopt.

¹⁵⁴ AR 27-3, *supra* note 4.

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

Appendix A. Who May Adopt by State¹

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife Jointly (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married Adult with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
Alabama	Ala. Code § 26-10A-5	X	X						
Alaska	Ann. Stat. § 25.23.020		X		X	X	X	X	
American Samoa	Ann. Code § 45.0411	X							21 years or older or with court approval
Arizona	Rev. Stat. § 8-103	X	X						Requires residency; all things being equal, preference given to married man and woman
Arkansas	Ann. Code § 9-9-204		X		X	X	X	X	
California	Family Code §§ 8600; 8601; 9326	X	X	X					Adult must be at least 10 years older than the child being adopted; exceptions made for stepparent and familial adoptions
Colorado	Rev. Stat. §§ 19-5-202; 14-1-101	X	X					X	Adult must be 21 years or older or have court approval
Connecticut	Gen. Stat. §§ 45a-726a; 45a-732; 45a-734	X	Must						Sexual orientation of the adopter may be considered and placement not required when adopter is homosexual or bisexual
Delaware	Ann. Code Tit. 13, §§ 903; 951		X		X			X	Must be 21 years of age or older and a resident of the state
District of Columbia	Ann. Code § 16-302	X	Must	X					
Florida	Ann. Stat. § 63.042		X	X	X		X		Prohibition on homosexuals adopting deemed unconstitutional by the Florida Court of Appeals in September 2010

¹ Child Welfare Information Gateway, *Who May Adopt, Be Adopted, or Place a Child for Adoption*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Jan. 2012), <https://www.childwelfare.gov/pubPDFs/parties.pdf>. The information in this appendix is not a substitute for the complete statute. The statutes contain important additional information, to include other requirements and exceptions not noted here. Further, states continually change and update statutes, so ensure you review the current language of the state statutes and applicable regulations.

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife Jointly (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married Adult with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
Georgia	Arm. Code § 19-8-3	X	Must	X					In all adoptions: must be at least 25 years of age or married and living with spouse; at least 10 years older than child; state residency at least 6 months; and financially, physically, and mentally able to permanently care for child
Guam	Arm. Code Tit. 19, § 4203		X	X	X			X	Must be legal residents of Guam
Hawaii	Rev. Stat. § 578-1		X	X	X				
Idaho	Arm. Code §§ 16-1501; 16-1502; 16-1503	X		X		X			Adopter must be at least 15 years older than the child or at least 25 years in age, with the exception of stepparent adoptions
Illinois	Cons. Stat. Ch. 750, § 50/2	X	Must						Legally disabled individuals not authorized to adopt; residency requirement of 6 months or members of the armed forces domiciled in the state for 90 days; residency requirements do not apply in relative adoptions
Indiana	Arm. Code §§ 31-19-2-1; 31-19-2-2; 31-19-2-3; 31-19-2-4	X	Must	X					Must be a resident of the state unless adopting a hard-to-place child
Iowa	Arm. Stat. § 600.4		X	X	X		X	X	
Kansas	Arm. Stat. § 59-2113	X	X						
Kentucky	Rev. Stat. § 199.470	X	Must	X					Must be 18 years of age or older and a resident of the state or have resided in the state for at least 12 months
Louisiana	Ch. Code Art. 1198, 1221		X		X				Single individual must be 18 years or older
Maine	Arm. Stat. Tit. 18-A, § 9-301		X		X				

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married Adult with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
Maryland	Family Law §§ 5-331; 5-3A-29; 5-3B-13	X	Shall	X			X	X	
Massachusetts	Am. Laws Ch. 210 § 1	X	X	X					
Michigan	Comp. Laws § 710.24	X	X						
Minnesota	Am. Stat. § 259.22	X							Residency requirement of 1 year (waivable if familial or close relationship with the child exists)
Mississippi	Am. Code § 93-17-3	X	X		X				Adoption by same-sex couples prohibited; state residency of 6 months required
Missouri	Am. Stat. § 453.010	X	X						If married and spouse does not join, court may require joinder and, if not complied with, the action may be dismissed
Montana	Am. Code § 42-1-106		X	X	X		X	X	If unmarried or married and filing without consent of spouse, then individual must be 18 or older
Nebraska	Rev. Stat. § 43-101	X	Must	X					
Nevada	Rev. Stat. Am. §§ 127.020; 127.030; 127.190	X	Must						Adult person must be at least 10 years older than adopted minor
New Hampshire	Rev. Stat. § 170-B:4		X	X	X		X	X	
New Jersey	Am. Stat. §§ 9:3-39.1; 9:3-43	X	X	X				X	Must be at least 18 years of age and 10 years older than child
New Mexico	Am. Stat. § 32A-5-11	X		X			X	X	Must be a resident of the state, unless the child is less than 6 months of age and in the care of a state agency

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife Jointly (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married Adult with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
New York	Dom. Rel. Law § 110		X	X	X			X	Two unmarried adult intimate partners may adopt; in addition to legal separation, individual living apart from his or her spouse for a period of more than 3 years is allowed to adopt
North Carolina	Gen. Stat. § 48-1-103	X							
North Dakota	Cent. Code § 14-15-03		X	X	X		X	X	
Northern Mariana Islands	Commonwealth Code Tit. 8, § 1403	X	X	X	X				Must be at least 10 years older than the child
Ohio	Rev. Code § 3107.02		X	X	X		X	X	
Oklahoma	Am. Stat. Tit. 10, § 7503-1.1		X	X	X			X	Age requirement of 21 years old
Oregon	Rev. Stat § 109.309	X							At least one party to adoption must have at least 6 months of residency prior to petition
Pennsylvania	Cons. Stat. Tit. 23, § 2312	X							
Puerto Rico	Am. Law Tit. 31, § 531; 532	X	X	X					Residency requirement of 6 months, be at least 18 years of age, have the legal capacity to act and be at least 14 years older than the child; in stepparent adoptions, adopting spouse must be married to the other spouse for 2 years or be at least 14 years older than the child
Rhode Island	Gen. Laws § 15-7-4	X	Must						Residency requirements apply unless child is in custody of a child placing agency

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife jointly (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married Adult with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
South Carolina	Ann. Code § 63-9-60	X							Residency requirements apply unless child is special needs, child is being placed with a relative, at least one of the adoptive parents is a member of the military, unusual or exceptional circumstances and dictate it is in the best interest of the child to place outside of state, or child has been in foster care for more than 6 months and there is no resident prospective parent
South Dakota	Ann. Laws §§ 25-6-2, 25-6-3	X				X		X	Adult must be at least 10 years older than the child
Tennessee	Ann. Code §§ 36-1-115; 36-1-107	X	Must						Adult must be at least 18 years of age and been a resident for 6 consecutive months; if in the military stationed outside of Tennessee, residency requirement is waived if the individual lived in the state 6 consecutive months immediately prior to entering military; exception for relative adoption
Texas	Fam. Code § 162.001	X							
Utah	Ann. Code §§ 78B-6-117; 78B-6-114; 78B-6-118		X	X	X	X		X	Individuals living together but not married cannot adopt; individual adopting must be at least 10 years older than the child (if married, only one person must be 10 years older)
Vermont	Ann. Code Tit. 15A, § 1-102	X		X					
Virgin Islands	Ann. Code Tit. 16, § 141	X	Shall						Must be a resident

State	Statute Reference (see statute for additional details on adoption requirements)	Any Adult (see statute for definition of adult and residency requirements)	Husband and Wife Jointly (not including cases of stepparent adoptions)	Stepparent (age and residency requirements do not apply to stepparent adoption in many states)	Unmarried Adult	Married with Consent of Spouse	Married Adult Without Consent of Spouse (unable to ascertain consent: absence, incompetence, unavailable, etc.; see statute for definition of unavailable)	Married, Legally Separated	Other Requirements/Additional Information
Virginia	Arm. Code §§ 63.2-1201; 63.2-1201.1	X	X	X					Adopter must be a resident of the state; foster parent can adopt without residency if child is already in their care through a child placement agency; exception to the residence requirement are parties to a surrogacy contract
Washington	Rev. Code § 26.33.140	X							Age requirement of 18 or older
West Virginia	Arm. Code § 48-22-201		X		X	X			
Wisconsin	Arm. Stat. §§ 48.82; 882.01		X	X	X				Residency required
Wyoming	Arm. Stat. § 1-22-103	X							Residency in the state for at least 60 days is required

Appendix B. Adoption Jurisdiction by State²

State	Jurisdiction Statute Reference	Circuit Court	District Court	Superior Court	Probate Court	Family Court	Juvenile Court	Other Court	Additional Information
Alabama	Ala. Code § 26-10A-3				X				
Alaska	Alaska Stat. § 25.23.030			X					
American Samoa	Amn. Code §§ 45.0103(8); 45.0115		Uncontested					Trial Division of the high court for contested adoptions	
Arizona	Rev. Stat. § 8-102.01			X					For out-of-state adoption, jurisdiction transfers to circuit court
Arkansas	Amn. Code §§ 9-9-202(2), 9-9-205				X				
California	Fam. Code § 200; Welf. & Inst. Code § 366.3			X					
Colorado	Rev. Stat. § 19-1-104(1)						X		
Connecticut	Amn. Stat. § 45a-727				X				
Delaware	Amn. Code Tit. 13, § 902					X			Family court still retains jurisdiction even if petitioner moves into another jurisdiction
District of Columbia	Amn. Code § 16-301			X					
Florida	Amn. Stat. § 63.102(1)	X							Circuit court retains jurisdiction until final judgment
Georgia	Amn. Code § 19-8-2(a)			X			X		Specific county dictates whether it is the superior court or the juvenile court
Guam	Amn. Code Tit. 19, §§ 5102, 5103			Family Division					
Hawaii	Rev. Stat. § 578-1					X			In the relevant circuit
Idaho	Amn. Code § 16-1506		X						If the petition is the result of a child protective case, then the court with original jurisdiction of the child protective case has jurisdiction over the adoption unless relinquished
Illinois	Comp. Stat. Ch. 750 § 50/4	X							
Indiana	Amn. Stat. §§ 31-19-1-2; 31-19-2-1				X				If the county does not have a probate court, then the court that hears probate matters will hear the petition for adoption
Iowa	Amn. Stat. § 600.3						X	Any county court	
Kansas	Amn. Stat. § 38-2203		X						
Kentucky	Amn. Stat. § 199.470	X							

² Child Welfare Information Gateway, *Court Jurisdiction and Venue for Adoption Petitions*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Jan. 2012), <https://www.childwelfare.gov/pubPDFs/jurisdiction.pdf>. The information in this appendix is not a substitute for the complete statute. The statutes contain important additional information, to include other requirements and exceptions not noted here. Further, states continually change and update statutes, so ensure you review the current language of the state statutes and applicable regulations.

State	Jurisdiction Statute Reference	Circuit Court	District Court	Superior Court	Probate Court	Family Court	Juvenile Court	Other Court	Additional Information
Louisiana	Children's Code Art. 1180						X		
Maine	Rev. Stat. Tit. 18-A, § 9-103				X				
Maryland	Fam. Law § 1-201							Equity Court	Unless the juvenile court already has jurisdiction over the child and the child has been deemed in need of assistance
Massachusetts	Ann. Laws Ch. 210, § 1				X				District or juvenile court may exercise jurisdiction if pending proceeding is already before that court
Michigan	Comp. Laws § 710.22	Family division							If adoption proceeding starts in another state, that state retains jurisdiction
Minnesota	Ann. Stat. § 259.23, subd. 1						X		
Mississippi	Ann. Code § 93-17-3				X				
Missouri	Ann. Stat. § 453.010	Juvenile division							
Montana	Ann. Code § 42-1-104		X						
Nebraska	Rev. Stat. § 43-102							Country Court	If juvenile court already has jurisdiction over the child, then the juvenile court will have concurrent jurisdiction with the county court
Nevada	Rev. Stat. § 127.010		X						Exception when jurisdiction of the child falls under an Indian Tribe pursuant to Child Welfare Act
New Hampshire	Rev. Stat. § 170-B:15(f)				X				
New Jersey	Ann. Stat. § 9:3-42			X					
New Mexico	Ann. Stat. §§ 32A-1-4; 32A-1-9		Children Court Division						Petition will be transferred to the Indian child's tribe on petition from the child's parent, guardian, or tribe, but will be barred if there is an objection by the parent of the child or the tribe
New York	Fam. Ct. § 641					X			
North Carolina	Gen. Stat. § 48-2-100			X					If jurisdiction is already being exercised by the court of another state, then that court will retain jurisdiction
North Dakota	Cent. Code § 14-15-01		X						
Northern Mariana Islands	Commonwealth Code Tit. 8, § 1101							Commonwealth Trial Court	

State	Jurisdiction Statute Reference	Circuit Court	District Court	Superior Court	Probate Court	Family Court	Juvenile Court	Other Court	Additional Information
Ohio	Rev. Code § 3107.01				X				Uniform Child Custody Jurisdiction and Enforcement Act shall govern
Oklahoma	Rev. Stat. Tit. 10, § 7502-1.1		X						A party to the adoption (petitioner, child, or consenting parent, but not an adoption agency) must be a resident of the state (see statute for additional information on residency and jurisdiction)
Oregon	Rev. Stat. § 109.309(1)-(3)	X							
Pennsylvania	Cons. Stat. Tit. 23, § 2301							Court of Common Pleas	
Puerto Rico	Ann. Laws Tit. 32, § 2699b							Family part of the court of first instance	
Rhode Island	Gen. Laws § 15-7-4					X			Residency is required, but jurisdiction is retained if the petitioner leaves the state after the filing; additionally, petition can be filed if nonresidents but the child is in the custody of the state
South Carolina	Ann. Code § 63-9-40					X			
South Dakota	Ann. Stat. § 25-6-6	X							
Tennessee	Ann. Code § 36-1-102(16)	X						Chancery Court	
Texas	Fam. Code. § 101.008		X				X	Any court already having jurisdiction over the parent-child relationship	
Utah	Ann. Code §§ 78B-6-105; 78A-6-103		X				X (if original jurisdiction on the termination of parental rights)		

State	Jurisdiction Statute Reference	Circuit Court	District Court	Superior Court	Probate Court	Family Court	Juvenile Court	Other Court	Additional Information
Vermont	Ann. Stat. Tit. 15A, § 3-101			Probate Division					In accordance with the Uniform Child Custody Jurisdiction and Enforcement Act, no court of this state will assume jurisdiction if a petition has already been filed in another state
Virgin Islands	Ann. Code Tit. 4, § 76			X					
Virginia	Ann. Code § 63.2-1201	X							
Washington	Rev. Code § 26.33.030			X					
West Virginia	Ann. Code § 48-22-201	X							
Wisconsin	Ann. Stat. § 48.83							County Court	
Wyoming	Ann. Stat. § 1-22-104		X						Jurisdiction can be transferred to juvenile court if the court has had prior and continuous jurisdiction in the case

State	State Statutes Regarding Consent	Child Consent/Age	When Consent May Be Executed	Revocation of Consent Allowed (Prior to Entry of Final Decree)
Alabama	Ala. Code §§ 26-10A-7; 26-10A-8; 26-10A-9; 26-10A-10; 26-10A-11; 26-10A-12; 26-10A-13; 26-10-14	Yes - age 14 (waived if lacks mental capacity)	Consent by the mother may be given prior to birth but must be reaffirmed after birth; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress or coercion; finding that withdrawal is in the best interest of the child (petition must be filed within 14 days)
Alaska	Alaska Stat. §§ 25.23.040; 25.23.050; 25.23.060; 25.23.070	Yes - age 10 (the court may dispense with consent if it is in the best interest of the child)	Any time after birth	Consent can be withdrawn up to 10 days after given, but then irrevocable unless it can be shown that revocation is the best interest of the child
American Samoa	Am. Code §§ 45.0401; 45.0412(a); 45.0412(b); 45.0414(a); 45.0431	Yes - age 12		Consent can be withdrawn for 2 years after given, but then irrevocable
Arizona	Rev. Stat. § 8-106(A), (B), (C), (D), (G), and (J)	Yes - age 12	Waiting period of 72 hours (3 days) after birth	Consent was obtained by fraud, duress or coercion
Arkansas	Ann. Code §§ 9-9-206; 9-9-207; 9-9-208	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Any time after birth	Consent can be withdrawn for 10 days after given, but then irrevocable
California	Fam. Code §§ 8602; 8603; 8604; 8605; 8606; 8606.5; 8606.6; 8700; 8801.3; 8814; 8814.5	Yes - age 12	Any time after birth for agency placements and after the mother has been discharged from the hospital in direct placement adoptions (if an Indian Child, then there is a 10-day waiting period)	Consent can be withdrawn up to 30 days after given for direct placement, but then irrevocable; consent can be withdrawn up to 2 years after given for an Indian Child, but then is irrevocable unless evidence of fraud or duress; if the placement is not made with a specific family within 30 days
Colorado	Rev. Stat. §§ 19-3-604; 19-5-103; 19-5-104; 19-5-104(7)(a); 19-5-203; 19-5-207	Yes - age 12	Any time after birth	Consent was obtained by fraud, duress or coercion (must be filed within 90 days)
Connecticut	Gen. Stat. §§ 45a-724; 45a-715; 45a-715(d); 45a-717(g); 45a-715(e)-(f); 45a-717(f); 45a-719	Yes - age 12	Waiting period of 48 hours after birth	If there is a finding that withdrawal is in the best interest of the child
Delaware	Ann. Code Tit. 13, §§ 907; 908; 909; 1106(c)	Yes - age 14 (the court may dispense with consent if it is in the best interest of the child)	Any time after birth; alleged birth father can execute consent any time before or after birth	Consent can be withdrawn up to 60 days after given, but then irrevocable
District of Columbia	Ann. Code §§ 16-304; 16-304(a); 4-1406(f); 4-1406(e)-(f)	Yes - age 14	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 10 days after given, but then irrevocable
Florida	Ann. Stat. §§ 63.062; 63.064; 63.082	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 48 hours after birth	Consent was obtained by fraud, duress, or coercion
Georgia	Ann. Code §§ 19-8-4; 19-8-5; 19-8-9(b); 19-8-10;	Yes - age 14	Any time after birth	Consent can be withdrawn up to 10 days after given, but then irrevocable
Guam	Ann. Code Tit. 19, §§ 4206; 4207; 4208	Yes - age 12		If there is a finding that withdrawal is in the best interest of the child
Hawaii	Rev. Stat. §§ 578-2; 571-61	Yes - age 10 (the court may dispense with consent if it is in the best interest of the child)	Consent by the mother may be given prior to birth but must be reaffirmed after birth; alleged birth father can execute consent any time before or after birth	If there is a finding that withdrawal is in the best interest of the child
Idaho	Ann. Stat. §§ 16-1504; 16-1506; 16-1515	Yes - age 12 (waived if lacks mental capacity)		Consent may not be revoked unless an appeal of termination of parental rights, proceeding is pending
Illinois	Cons. Stat. Ch. 750, §§ 50/8; 50/9; 50/10; 50/11; 50/12	Yes - age 14 (waived if lacks mental capacity)	Waiting period of 72 hours (3 days) after birth; alleged birth father can execute consent any time	Consent was obtained by fraud, duress, or coercion (the claim must be filed within 12 months)

³ Child Welfare Information Gateway, *Consent to Adoption*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Apr. 2013), <https://www.childwelfare.gov/pubPDFs/consent.pdf>. The information in this appendix is not a substitute for the complete statute. The statutes contain important additional information, to include other requirements and exceptions not noted here. Further, states continually change and update statutes, so ensure you review the current language of the state statutes. See the specific state statutes and applicable regulations for definitions and explanation regarding who can or must give consent.

State	State Statutes Regarding Consent	Child Consent/Age	When Consent May Be Executed	Revocation of Consent Allowed (Prior to Entry of Final Decree)
			before or after birth	
Indiana	Ann. Code §§ 31-19-9-1; 31-19-9-8 to 31-19-9-10; 31-19-9-8 to 31-19-9-10; 31-19-10-3; 31-19-10-4	Yes - age 14	Any time after birth; alleged birth father can execute consent any time before or after birth	If there is a finding that withdrawal is in the best interest of the child (petition must be filed within 30 days)
Iowa	Ann. Stat. §§ 600.7; 600A.4; 600A.8	Yes - age 14	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 96 hours after given, but then is irrevocable unless evidence of fraud or duress
Kansas	Ann. Stat. §§ 59-2114; 59-2115; 59-2116; 59-2129; 59-2136(d), (h)	Yes - age 14 (waived if lacks mental capacity) (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 12 hours after birth	Consent was obtained by fraud, duress, or coercion
Kentucky	Rev. Stat. §§ 199.500; 199.502; 625.040	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 20 days after given, but then irrevocable
Louisiana	Ch. Code Art. 1113; 1120; 1122; 1123; 1130; 1147; 1193; 1195; 1245	Not addressed	Waiting period of 72 hours (3 days) after birth for agency adoptions and 5 days for private adoptions; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress, or coercion
Maine	Rev. Stat. Tit. 18-A, §§ 9-202; 9-302	Yes - age 14	Any time after birth	Consent can be withdrawn up to 3 days after given, but then is irrevocable unless evidence of fraud or duress; if the adoption is not finalized within 18 months
Maryland	Fam. Law §§ 5-3B-21(2); 5-3B-22; 5-338; 5-339; 5-351	Yes - age 10	Any time after birth	Consent can be withdrawn up to 30 days after given, but then irrevocable
Massachusetts	Ann. Laws Ch. 210, §§ 2; 3	Yes - age 12	Waiting period is until the fourth day after birth	Consent irrevocable on execution
Michigan	Comp. Laws §§ 710.29; 710.31; 710.37; 710.43; 710.44; 710.51(6)	Yes - age 14	Any time after birth	
Minnesota	Ann. Stat. § 259.24	Yes - age 14	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 10 days after given, but then is irrevocable unless evidence of fraud or duress
Mississippi	Ann. Code § 93-17-5; 93-17-7; 93-17-15	Yes - age 14	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 6 months after given, but then irrevocable
Missouri	Rev. Stat. §§ 453.030; 453.040	Yes - age 14 (waived if lacks mental capacity)	Waiting period of 48 hours after birth	Consent can be withdrawn until confirmed by the court, but then irrevocable
Montana	Ann. Code §§ 42-2-301; 42-2-302; 42-2-303; 42-2-405; 42-2-408; 42-2-410	Yes - age 12 (waived if lacks mental capacity)	Waiting period of 72 hours (3 days) after birth	If the birth parents and adoptive parents mutually agree to withdraw
Nebraska	Rev. Stat. §§ 43-104; 43-105; 43-106	Yes - age 14	Waiting period of 48 hours after birth	
Nevada	Rev. Stat. §§ 127.020; 127.040; 127.043; 127.053; 127.057; 127.070; 127.080; 127.090	Yes - age 14	Waiting period of 72 hours (3 days) after birth; alleged birth father can execute consent any time before or after birth	If no petition for adoption is filed within 2 years
New Hampshire	Rev. Stat. §§ 170-B:3; 170-B:5; 170-B:7; 170-B:8; 170-B:9; 170-B:10; 170-B:12	Yes - age 14 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 72 hours (3 days) after birth	Consent was obtained by fraud, duress, or coercion; if there is a finding that withdrawal is in the best interest of the child

State	State Statutes Regarding Consent	Child Consent/Age	When Consent May Be Executed	Revocation of Consent Allowed (Prior to Entry of Final Decree)
New Jersey	Ann. Stat. §§ 9:3-41; 9:3-45; 9:3-46; 9:3-49;	Yes - age 10 (waived if lacks mental capacity)	Waiting period of 72 hours (3 days) after birth; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress, or coercion
New Mexico	Ann. Stat. §§ 32A-5-17; 32A-5-18; 32A-5-19; 32A-5-21; 32A-5-23	Yes - age 14 (waived if lacks mental capacity)	Waiting period of 48 hours after birth	Consent was obtained by fraud, duress, or coercion
New York	Dom. Rel. Law §§ 111; 113; 115-b; Soc. Serv. Law. § 384	Yes - age 14 (the court may dispense with consent if it is in the best interest of the child)		Extrajudicial consent can be withdrawn up to 45 days after given, but then irrevocable unless it can be shown that revocation is the best interest of the child; judicial consent is irrevocable
North Carolina	Gen. Stat. §§ 48-3-601; 48-3-602; 48-3-603; 48-3-604; 48-3-605; 48-3-606; 48-3-607; 48-3-608; 48-3-609	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Any time after birth; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress, or coercion; consent can be withdrawn up to 7 days after given, but then is irrevocable unless evidence of fraud or duress; if the birth parents and adoptive parents mutually agree to withdraw
North Dakota	Cent. Code §§ 14-15-05; 14-15-06; 14-15-07; 14-15-08	Yes - age 10	Any time after birth	If there is a finding that withdrawal is in the best interest of the child
Northern Mariana Islands	Commonwealth Code Tit. 8, §§ 1404; 1405(a); 1406(a); 1407	Yes - age 10	Any time after birth	If there is a finding that withdrawal is in the best interest of the child
Ohio	Rev. Code §§ 3107.06; 3107.07; 3107.08; 3107.081	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 72 hours (3 days) after birth	If there is a finding that withdrawal is in the best interest of the child
Oklahoma	Ann. Stat. Tit. 10, §§ 7503-2.1; 7503-2.2; 7503-2.3; 7503-2.4; 7503-2.6; 7503-2.7; 7505-4.2	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Any time after birth; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress, or coercion (the claims must be filed within 3 months); extrajudicial consent can be withdrawn up to 15 days after given, but then irrevocable; consent can be withdrawn up to 30 days after given, but then is irrevocable unless evidence of fraud or duress; if the birth parents and adoptive parents mutually agree to withdraw; if the adoption petition is not filed within 9 months
Oregon	Ann. Stat. §§ 109.312; 109.314; 109.316; 109.322; 109.324; 109.326; 109.328; 109.346; 418.270	Yes - age 14		Consent was obtained by fraud, duress, or coercion
Pennsylvania	Cons. Stat. Ch. 23, §§ 2501-2504; 2511; 2711; 2713; 2714	Yes - age 12	Waiting period of 72 hours (3 days) after birth; alleged birth father can execute consent any time before or after birth	Consent can be withdrawn up to 30 days after given, but then is irrevocable unless evidence of fraud or duress
Puerto Rico	Ann. Laws Tit. 31, § 535; Tit. 32, § 2699b; 2699q	Yes - age 10		Consent was obtained by fraud, duress, or coercion
Rhode Island	Gen. Laws §§ 15-7-5; 15-7-6; 15-7-7; 15-7-10; 15-7-21.1	Yes - age 14	Waiting period of 15 days after birth	Consent can be withdrawn up to 180 days after given, but then irrevocable unless it can be shown that revocation is the best interest of the child
South Carolina	Ann. Code §§ 63-9-310; 63-9-320; 63-9-330; 63-9-340; 63-9-350	Yes - age 14 (waived if lacks mental capacity) (the court may dispense with consent if it is in the best interest of the child)	Any time after birth	Consent was obtained by fraud, duress, or coercion; if there is a finding that withdrawal is in the best interest of the child
South Dakota	Codified Laws §§ 25-5A-16; 25-6-4; 25-6-5; 25-6-12; 25-6-21	Yes - age 12	Within for 5 days after birth	Consent was obtained by fraud, duress, or coercion (the claim must be filed within 2 years)
Tennessee	Ann. Code §§ 36-1-110; 36-1-111; 36-1-112; 36-1-117	Yes - age 14 (waived if lacks mental capacity)	Waiting period of 72 hours (3 days) after birth	Consent can be withdrawn up to 10 days after given, but then is irrevocable unless evidence of fraud or duress

State	State Statutes Regarding Consent	Child Consent/Age	When Consent May Be Executed	Revocation of Consent Allowed (Prior to Entry of Final Decree)
Texas	Fam. Code §§ 161.001 through 161.007; 161.103; 161.1035; 161.106; 162.010; 162.011	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 48 hours after birth; alleged birth father can execute consent any time before or after birth	Consent can be withdrawn up to 10 days after given, but then is irrevocable unless evidence of fraud or duress
Utah	Ann. Code §§ 78B-6-111; 78B-6-120; 78B-6-121; 78B-6-123; 78B-6-124; 78B-6-125; 78B-6-126	Yes - age 12 (waived if lacks mental capacity)	Waiting period of 24 hours after birth; alleged birth father can execute consent any time before or after birth	Consent irrevocable on execution
Vermont	Ann. Stat. Tit. 15A, §§ 2-401; 2-402; 2-404; 2-405; 2-407; 2-408; 2-409	Yes - age 14 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 36 hours after birth	Consent can be withdrawn up to 21 days after given, but then is irrevocable unless evidence of fraud or duress; if the birth parents and adoptive parents mutually agree to withdraw (request must be made within 21 days)
Virgin Islands	Ann. Code Tit. 16, §§ 142(a); 142(b); 144	Yes - age 14		No provisions for revocation
Virginia	Ann. Code §§ 63.2-1202; 63.2-1204; 63.2-1223; 63.2-1233; 63.2-1234; 63.2-1241	Yes - age 14 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 72 hours (3 days) after birth; alleged birth father can execute consent any time before or after birth	Consent was obtained by fraud, duress, or coercion; consent can be withdrawn up to 7 days in a direct placement if the child is at least 10 days old and 7 days in an agency placement, but then irrevocable; consent can be withdrawn up to 15 days after given, but then is irrevocable unless evidence of fraud or duress; if the birth parents and adoptive parents mutually agree to withdraw (request must be made within 15 days)
Washington	Rev. Code §§ 26.33.080; 26.33.120; 26.33.160; 26.33.170	Yes - age 14	Waiting period of 48 hours after birth (if the child is an Indian child then there is a 10-day waiting period)	Consent was obtained by fraud, duress, or coercion (the claim must be filed within 1 year, or 2 years for an Indian Child)
West Virginia	Ann. Code §§ 48-22-301; 48-22-302; 48-22-303; 48-22-304; 48-22-305; 49-3-1	Yes - age 12 (the court may dispense with consent if it is in the best interest of the child)	Waiting period of 72 hours (3 days) after birth	Consent was obtained by fraud, duress, or coercion (the claim must be filed within 6 months); if the birth parents and adoptive parents mutually agree to withdraw
Wisconsin	Ann. Stat. §§ 48.028; 48.415; 48.41; 48.42; 48.46(2); 48.837	Yes - age 12	Any time after birth	Consent was obtained by fraud, duress, or coercion
Wyoming	Ann. Stat. §§ 1-22-109; 1-22-110	Yes - age 14	Any time after birth	Consent was obtained by fraud, duress, or coercion

Appendix D. State Statutes on Postadoption Agreements⁴

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Alabama	Ann. Code § 26-10A-30	Visitation of natural grandparents in relative adoption	Natural grandparents and the relative (and spouse) who adopted the child	Yes, if in the best interest of the child	May seek enforcement, but may not seek termination of the relinquishment because the privileges are being withheld	Yes, if by clear and convincing evidence it is in the best interest of the child
Alaska	Alaska Stat. §§ 25.23.130(e); 47.10.089(d); 25.23.180(k), (l); 47.10.089(f)&(g); 25.23.180(i); 47.10.089(g)&(j)	Future contact (communication and visitation) may be retained, but it must be in writing and described with specificity	Adopted child and the child's natural parents or other natural relative of the adopted child	Court shall incorporate retained privileges (if in writing and with specificity) in the termination order and recommend they be in the adoption decree		
American Samoa	None found	Communication between child and birth parents; agreement must contain a clause that communication will be terminated if not in best interest of child and must contain a clause specifying continued jurisdiction of the court to enforce and modify; failure to comply with the contract is not grounds for termination of adoption	Adoptive parents, birth parent concerned and the division of agency with whom the child is in the custody of.	Court determines if it is in the best interest of child (taking the child's wishes into consideration if 12 years or older); court where decree of adoption was entered retains jurisdiction over the matter; good faith attempt of mediation required before court will hear any issues	Must be in writing and approved by the court; failure to comply is not grounds for termination of the adoption	Modification can be made if in the best interests of the child
Arizona	Rev. Stat. Ann. § 8-116.01					
Arkansas	None found	Limited to provisions about visitation, future contact, and information sharing; agreement will contain (in bold print), that adoption will not be set aside for failure to comply with the agreement, will not serve as a basis for affecting child custody, and no action will be taken by the court unless petitioner has attempted mediation in good faith	Adoptive parent(s), birth relatives, the child (and, if governed by the Indian Child Welfare Act, then the child's Indian Tribe); child will be a party to the agreement and if child is 12 or older, then he or she must consent in writing to the agreement and any modification	Court may grant postadoption privileges in accordance with an agreement.	Jurisdiction falls under court that issued the petition of adoption; court may not set aside adoption because of a failure to comply with terms in the agreement (but see statute for exceptions); enforcement must be in best interest of child	If all parents agree to termination or modification or the court finds it is in the best interest of the child, there has been a substantial change to circumstances that warrant it, or after participation or good faith participation in mediation
California	Fam. Code § 8616.5; Welf. & Inst. Code § 366.29					
Colorado	None Found	May include communication, future visits, and maintenance of medical history; agreement must include that adoption is irrevocable and that birth parent(s) may seek enforcement of agreement; no presumption of contact in absence of an agreement	Birth parent(s) and adoptive parents; only applicable to the birth parent(s) who is a party to the agreement	Must approve postadoption agreement and determine if it is in best interest of child	Enforceable but must contain a provision stating that adoption is irrevocable and that the agreement may be enforced	Court will not act unless there is a good faith attempt or participation in mediation; modifications or termination possible when in best interest of child
Connecticut	Gen. Stat. §§ 45a-715(h); 45a-715(i); 45a-715(j); 45a-715(k); 45a-715(m); 45a-715(n)					

⁴ Child Welfare Information Gateway, *Postadoption Contact Agreements Between Birth and Adoptive Families*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Jun. 2014), <https://www.childwelfare.gov/pubPDFs/cooperative.pdf>. The information in this appendix is not a substitute for the complete statute. The statutes contain important additional information, to include other requirements and exceptions not noted here. Further, states continually change and update statutes, so ensure you review the current language of the state statutes and applicable regulations.

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Delaware	Ann. Code Tit. 13, § 929	Exchange of identifying information may take place up to the finalization of the adoption	Written consent for the exchange of information must be obtained by adoptive parents, birth parents, and child (if aged 14 or older), department or licensed agency may prevent this if it deems it is not in best interest of child	Family Court of the Superior Court must enforce if in best interest of child, if child was the subject of a child abuse or neglect case, court will review postadoption agreement prior to finalizing adoption to determine best interest of child		
District of Columbia	Ann. Code § 4-361	Written postadoption contract agreement for contact; children aged 14 or older must consent in writing to contact	Adoptive parent(s), birth parent or other birth relative	Court determines if contact is in best interest of child based on several factors (see statute) and determines nature/frequency of contact; this will be part of final adoption decree, but failure to comply will not terminate adoption; also, this will not affect the adoptive parents' ability to move outside state with child	Failure to comply will not be grounds to set aside the adoption	Court may modify agreement if it finds it is in best interest of child; parties must attempt to participate or participate in good faith in mediation before bringing the matter to the court; adoptive parents select mediator
Florida	Ann. Stat. § 63.0427	Court may consider appropriateness of communication, to include visits, written correspondence, or telephone calls	Child has the right to have contact with his or her siblings and (with agreement of adoptive parents) shall have the right to have contact with birth parents or biological relatives			Adoptive parents may petition for termination or modification at any time when they deem it in the best interest of the child; court can order it if it deems the same; contact cannot be increased without consent of adoptive parents
Georgia	Ann. Code § 19-8-27	May include visitation, contact, sharing of information about the child or birth relatives, must contain (in 14-point bold font) that adoption cannot be set aside for failure to comply or changing of the agreement; adoption or orders of child custody will not be affected by disagreement between the parties or litigation regarding agreement	Child who is 14 or older, adoptive parent(s), birth parent(s), and birth relative (see statute for further explanation of birth relatives)	Court that issued final adoption decree maintains jurisdiction for purposes of agreement; parties may specifically waive enforcement, or modification and may terminate agreement	If in writing, and signed by all parties to the agreement	Modification or termination possible if all parties have voluntarily signed the modified postadoption agreement; court may terminate or modify; if it finds (preponderance of evidence) it is in best interest of child, mediation may be required before court will hear issue
Guam	None found					
Hawaii	None found					
Idaho	None found					

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Illinois	None found	Privileges may not include visitation; agreement must contain provisions where: (1) birth parents acknowledge adoption is irrevocable even if adoptive parents do not abide by the terms of the postadoption agreement and (2) acknowledge by adoptive parents that birth parents may seek enforcement of postadoption agreement	Court grants postadoption privileges to birth parents who consented to the adoption or voluntarily gave up parental rights; parents may order adoptive postadoption contact with a sibling if child is older 2 (if court deems it in best interest of child and adoptive parents consent); postadoption contact for child under the age of 2 need not be court-approved	Court may grant if it deems it in best interest of child, child is at least 2, and court finds an emotional attachment, the adoptive parents consent, the child is at least 12 years of age and consents, or based on the recommendation of persons listed in the statute	Court hears petitions to compel compliance; court may appoint attorney ad litem if child's interests differ from those of adoptive parents	Adoptive parents or both parents may file petition for termination or modification and court can do so if in best interest of child; to determine best interest of child, court appoints guardian ad litem or court-appointed special advocate
Iowa	None found					
Kansas	None found					
Kentucky	None found	Must be in writing and signed by adopting parents and any adult granted contact; agreement may provide for exchange of information, communication, or direct visitation; court may refer parties to mediation in drafting agreement and may also appoint independent counsel to represent best interest of child (see statute for provisions that must be declared in agreement)	In agency adoptions (the department is the custodian of the child), court may approve an agreement if the person the child will have contact with had a relationship with the child previously and loss of the relationship will cause substantial harm to the child or contact will otherwise be in the best interest of the child	Agreement must be filed within 10 days after petition is filed (good cause must be shown if filed later than 10 days); if either side objects, then court may hold a hearing prior to approving agreement; court will incorporate the agreement if it is in best interest of child; if court rejects agreement, it will provide specific findings of fact to support the decision	Only if filed with the court and approved, failure to comply with agreement is not terms for termination of adoption	Court that had jurisdiction after final decree of adoption maintains jurisdiction and hears motions of termination or modification; parties will be referred to mediation prior to hearing the motion; any modification or termination will only be ordered when in best interest of child
Louisiana	Children's Code Arts. 1264; 1269.2; 1269.3; 1269.4; 1269.5; 1269.6; 1269.8		Adoptive parent may enter into a written agreement with a birth parent or former parent; a sibling may petition the court for reasonable sibling visitation rights	Court refers parties to mediation if a dispute arises (see statute for more information on enforcement of sibling visitation)	Yes, unless not in best interest of child	If modification is justified because of exceptional circumstances and court finds that modification to be in best interest of child
Maine	None found	Authorized while child is a minor				
Maryland	Fam. Law §§ 5-308; 5-525.2					

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Massachusetts	Gen. Laws Ann. Ch. 210, §§ 6C, 6D	Postadoption agreement on communication may be entered into prior to entry of an adoption decree (see statute for provisions agreement must include); agreement must be in writing and signed before a notary public; if child is above age 12 his or her written consent is required and if child is in custody of Department of Children and Families or licensed child care agency, then that entity will provide written approval of agreement)	Birth parents and adoptive parents	Court approves an agreement if it is entered voluntarily and knowingly and is in best interest of child	Yes, as long as it is in writing, approved by the court prior to entry of the adoption decree, and incorporated in the adoption decree; agreement will cease to be enforceable when child turns 18	Court may modify agreement if there has been a material and substantial change in circumstances and court finds it in best interest of child
Michigan	None found					
Minnesota	Ann. Stat. § 2.59.58	Authorized regarding communication, contact, or visitation	Adoptive parents, birth parents, birth relatives that the child lived with prior to adoption, or any other birth relatives if child is being adopted by a relative upon the death of his or her birth parent or foster parents	Order may be sought from the court at any time prior to the decree of adoption; court will only approve the order if it is in writing and the necessary parties consent	Only if agreement is in writing and entered in accordance with the statute; failure to comply with the terms of the agreement is not grounds for termination of the adoption	Order will only be modified if court finds it in best interest of child, parties have agreed to it, and modification is result of exceptional circumstances that have resulted since the initial order
Mississippi	None found					
Missouri	Ann. Stat. § 453.080(4)	Prior to completion of adoption, exchange of information is authorized at discretion of the parties; after adoption has been finalized, contact is at discretion of adoptive parents	Parties to the adoption	Court will not have jurisdiction to deny continuing contract or exchange of information		
Montana	Ann. Code § 42-5-301	Written agreement completed after relinquishment and consent to adopt is authorized and independent of the adoption proceedings	Placing parent and the prospective adoptive parents	Agreement is valid if it is after relinquishment and consent, but failure to comply with terms does not set aside adoption decree	Agreement will not be enforced if it is detrimental to the child, undermines the adoptive parents' authority, or compliance is unduly burdensome	

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Nebraska	Rev. Stat. §§ 43-155; 43-156; 43-157; 43-158; 43-159; 43-160; 43-162; 43-163; 43-165	Department of Health and Human Services determines if exchange of information is in best interest of child, if so, it is a 2-year, renewable obligation, voluntarily agreed to and signed by adoptive parents, birth parents, and the department	Birth parents, adoptive parents, and the department	Court appoints guardian ad litem to represent best interest of child prior to approving 2-year agreement; agreement may only be approved if in best interest of child (see statute for factors to be considered in determining if exchange of information is in best interest of child)	Yes, as long as it was approved by the court	Modifications may be made by parties with consent of all parties if it is determined that original terms of agreement are no longer in best interest of child; court may modify agreement if in best interest of child, and birth parents, and exceptional circumstances have arisen since original agreement
Nevada	Rev. Stat. §§ 127.187; 127.188; 127.1875; 127.1885; 127.1895	Agreement must be in writing, signed by parties, and incorporated into order of decree of adoption	Child, adoptive parents and birth parents	Court that incorporates agreement into adoption decree retains jurisdiction	Yes, but any motion to enforce must be filed with court within 120 days of breach	Only adoptive parents may petition court for modification or termination of agreement; request to modify or terminate is granted if court finds it in best interest of child and both parties agree to termination or modification
New Hampshire	Rev. Stat. § 170-B:14	Agreement is enforceable if made knowingly and voluntarily; if child is in custody of Department of Health and Human Services, agreement must be voluntary and mediated (see statute for additional provisions that must be contained in agreement); agreement must be signed by a notary public	Department, adoptive parents, and birth parents may all take part in court-approved mediation to reach a mediated agreement; if child is 14 or older, then agreement must contain child's written consent	Court approves agreement if it determines that agreement is in best interest of child and agreement was made knowingly and voluntarily (see statute for list of factors court considers in determining best interest of child)	Unless department is a party, agreement will not be enforceable; agreements where department is a party are enforceable; enforcement will not affect validity of adoption decree	Modification or termination can be sought from court with original jurisdiction; before filing with court, moving party must show he or she participated or attempted to participate in mediation in good faith; court may modify or terminate agreement if material and substantial change in circumstances and it is in best interest of child
New Jersey	None found					

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
New Mexico	Ann. Stat. § 32A-5-35	Agreements are authorized and are presumed to be in the best interest of the child without evidence to the contrary; agreement may include such contact as exchange of information or visitation	Adopted parents and birth parents, if involving contact with a sibling, then the sibling's parent, or legal guardian must consent	Court may appoint guardian ad litem, especially in cases involving visitation; if child is 14 or older, court may appoint attorney for child and child's wishes will be taken into consideration when determining child's best interest	Court that entered adoption decree retains jurisdiction	Only if the moving party shows that they has been a change of circumstances and that the agreement is no longer in the child's best interest.
New York	Soc. Serv. Law § 383-c(2)(b); Dom. Rel. Law § 112-b Soc. Serv. Law § 383-c(2)(b); Dom. Rel. Law § 112-b, Fam. Crt. Act § 1055-a	Agreements are authorized and contain terms and conditions for communication and contact	Parties to the adoption	Court in which surrendered document is presented determines whether agreement is in best interest of child and approve if it is; if agreement is not approved, court will give birth parents opportunity to withdraw from surrender before approving surrender instrument	Agreement can be enforced as soon as it is approved, even before adoption is finalized; to be enforceable, agreement must be in writing and incorporated into written court order and is in best interest of child	
North Carolina	Gen. Stat. § 48-3-610	Agreement may be entered, but may not be a condition to consent; failure to comply with agreement does not invalidate consent	The person giving consent and the adopting parents		No	
North Dakota	None found					
Northern Mariana Islands	None found					
Ohio	Rev. Code §§ 3107.62; 3107.63; 3107.65	Authorized, but with limitations; agreement not allowed for such things as shared authority over child, deny adoptive parents access to social or medical histories, provide that agreement to an open adoption be binding or enforceable (see statute for complete list of prohibited provisions)	Birth parents and adoptive parents	Probate court will not deny final decree of adoption just because it contains a provision that adoption remain open; exception to this is if court determines an open adoption is not in best interest of child	Open adoption agreement is nonbinding and nonenforceable	Agreement is voluntary and any person may withdraw at any time

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Oklahoma	Ann. Stat. Tit. 10, § 7505-1.5	Agreement may be entered between adoptive parents and birth relative, which includes birth parent (if child lived with birth relative before being adopted) before or after adoption proceedings	Adoptive parent and the birth relative	Court will only enter proposed agreement if approved in writing by adoptive parents and birth relative, and agreement is in best interest of child	Agreement is only enforceable if it is contained in a written court order in accordance with the statute; failure to comply with terms of agreement will not necessarily result in setting aside adoption decree	Agreement may be modified based on a petition of a party, but court must determine that both parties agree to modification and that exceptional circumstances have arisen justifying the modification
Oregon	Rev. Stat. § 109.305	Authorized and must be approved by court	Adoptive parent and birth relative	Written agreement must be approved by court and agreement must be incorporated by reference into adoption judgment	Agreement may be enforced, but before court can enter an order it must be demonstrated that the moving party attempted or participated in good faith in mediation	Agreement may be modified by court if it finds it in best interest of child, mediation was sought prior to seeking modification, modification is agreed to by original parties to agreement, and exceptional circumstances have arisen since original agreement that give rise to need for modification
Pennsylvania	Cons. Stat. Tit. 23, §§ 2731; 2733; 2734; 2735; 2736; 2737; 2738; 2739	Authorized if it is in best interest of child, is appropriate based on role of individuals in child's life, recognizes parties' desires and interests for ongoing contact or communication, and is approved by the court	Adoptive parents and birth relative; if agreement involves contact with a sibling with whom the parents do not have parental rights, then the sibling will have an attorney ad litem representing his or her interests; if child is 12 years or older, then child must consent to agreement	Agreement will be filed with court that finalized adoption; court will approve agreement if it finds agreement was made knowingly and voluntarily and is in best interest of child (see statute for list of factors court considers in determining best interest of child)	Yes, as long as it is court-approved on or before date of adoption decree; to issue an order to enforce, court must find that moving party is in substantial compliance with terms and that it is in best interest of child; failure to comply with terms of agreement will not be grounds to set aside adoption decree	Only adoptive parent or child 12 or older may seek modification of agreement; to modify, court must find by clear and convincing evidence it is in best interest of child
Puerto Rico	None found					

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Rhode Island	Gen. Laws § 15-7-14.1	Agreements are authorized and must contain an acknowledgment by birth parents that adoption is irrevocable even if terms of agreement are not complied with and acknowledgment by adoptive parents that birth parents may seek to enforce agreement	Adoptive parents and birth parents	Court may grant birth parents postadoption privileges of visitation, contact or exchange of information; these privileges may be granted if court determines it is in best interest of child, court finds a significant emotional attachment between child and birth parent, there is a jointly negotiated and executed postadoption privileges agreement filed with and approved by court, any department, attorney ad litem, or licensed child placing agency recommending approval of agreement and consent of child if child is 12 or older	Yes, but failure to comply with terms does not revoke decree of adoption	Either party can seek modification and court can modify or terminate at any time before or after adoption if deemed best interest of child
South Carolina	Ann. Code § 63-9-760(D)	Authorized before entry of decree, but does not affect validity of final adoption decree	Adoptive parents and birth parents	Court has no involvement	No	
South Dakota	Codified Laws § 25-6-17	Not allowed except in cases of natural party being adopted; stepparent or in cases of voluntary consent and there is a preadoption agreement	Adoptive parents and birth parents in situation of voluntary consent and there is a preadoption agreement, and in stepparent adoptions, parties to the adoption	Courts do not have jurisdiction over these agreements	Not addressed. However, postadoption visitation is an extreme remedy and may only be exercised by adoptive parents when deemed in best interest of child	
Tennessee	Ann. Code § 36-1-121(f)	Nothing prohibits open adoptions but no conditions can be placed on adoption by adopting parent	Sole discretion of adopting parents	Court has no involvement other than to ensure nothing prohibits open adoptions; visitation and contact is in sole discretion of adopting parents	No	

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Texas	Fam. Code §§ 161.2061; 161.2062	Order of termination may allow for exchange of information, written communication, or limited contact Agreement is authorized but it must describe specifics of any visits, degree of supervision during a visit, what information will be provided, if any, ground on which adoptive parents may decline to permit visits or provide information, and that the state presumes adoptive parents' judgment is in best interest of child in any action to enforce, modify, or terminate; agreement cannot limit adopting parents' ability to move outside state	Biological parents and Department of Protective and Regulatory Services Adoptive parents and birth parents or birth relatives; birth parents are not required to be a party if contact is sought with a birth relative	Court may allow limited post-termination contact if in best interest of child Court with jurisdiction over adoption decree retains jurisdiction over agreement; failure to comply with agreement is not grounds to set aside adoption	May be enforced if moving party shows mediation was attempted in good faith prior to filing	No
Utah	Ann. Code § 78B-6-146				Yes, if court-approved, signed by all parties, and approved by child if 12 years or older (see statute on how a party overcomes presumption that actions of adopting parents are in best interest of child)	Only with consent of adoptive parents
Vermont	Ann. Stat. Tit. 15A, §§ 1-109; 4-112	Stepparent adoptions only; written agreements for visitation or communication authorized	Stepparent adoptions only; person, petitioner, petitioner's spouse, child (if 14 or older), and, if placed by an agency, then the agency	Stepparent adoptions only; court may enter order if deemed in best interest of child; (see statute for factors court considers in determining best interest of child)	Only in stepparent adoptions if enforcement is in best interest of child; failure to comply is not grounds to set aside adoption	Stepparent adoptions only; modification can only take place if court determines it is in best interest of child; parties to order request modification, and exceptional circumstances since issuing the original order justify modification
Virgin Islands	None found					
Virginia	Ann. Code §§ 16.1-283.1; 63.2-1220.2; 63.2-1220.3; 63.2-1220.4	Agreements are authorized and must contain acknowledgement by birth parents that adoption is irrevocable even if terms of agreement are not complied with and acknowledgment by adoptive parents that birth parents may seek to enforce; documents are referred to as written postadoption contact and communication agreement	Adoptive parents and birth parents	Court considers permanency planning hearing and, if all requirements are met, court incorporates them into order; court determines if it is in best interest of child, whether the parties consented, and that agency authorized to consent to adoption and/or attorney ad litem recommends approving agreement	Enforceable if approved by circuit court and incorporated into final order of adoption; court appoints attorney ad litem before hearing a motion to compel compliance	Any party may move for modification and court may grant modification if it is in child's best interest; moving party must establish change in circumstances that makes the current agreement no longer in child's best interest

State	Postadoption Agreement State Statutes	What May Be Included in Postadoption Agreements	Who May be a Party to the Agreement	Court Oversight of the Agreement	Legally Enforceable	May be Terminated or Modified
Washington	Rev. Code §§ 26.33.295, 26.33.420; 26.33.430	Authorized	Adoptive parents and birth parents	Court only approves agreement if it is in writing and approved by parties (to include representatives of department of licensed child-placing agency if child is in their custody); agreement will not be approved by court unless it is in best interest of child	Enforceable if it is written and in accordance with statute requirements; prevailing party in enforcement action may be awarded attorney fees in a reasonable amount (fixed by court)	Agreement may be modified by court if court finds it in best interest of child, modification is agreed to by original parties to agreement, and exceptional circumstances have arisen since the agreed upon order
West Virginia	Ann. Code § 48-22-704			No decree of order will be vacated or set aside based on allegations of failure to comply with agreement for visitation or communication with adopted child	Court may hear a petition for enforcement and determine if enforcement is in best interest of child	
Wisconsin	Ann. Stat. § 48.925(1)-(4)		Stepparent and relative adoptions only; relative may petition for visitation if that relative has maintained a parent-child-like relationship within 2 years prior to filing	Court will determine if it is in the best interest of child; adoptive parents' relationship with child will not be undermined and petitioner will not act in a manner contrary to parenting decisions of adoptive parent; court will take child's desires into consideration when possible; restrictions on petitioners who have certain convictions (see statute for more information)	Order for visitation is enforceable and anyone who interferes will be held in contempt (only remedial sanctions will be imposed)	
Wyoming	None found					

Appendix E. State Statutes on Advertising and Use of Facilitators⁵

State	Advertisement Statute Reference	Intermediary/Facilitator Statute Reference	Use of Advertising	Use of Intermediary/Facilitator
Alabama	Ala. Code § 26-10A-36	Ala. Code §§ 26-10A-22; 26-10A-34	Prohibited	No
Alaska	None found	None found	Not addressed	Not addressed
American Samoa	None found	Ann. Code § 45.0430	Not addressed	No
Arizona	None found	Rev. Stat. §§ 8-130; 8-114; 8-134	Not addressed	A licensed attorney
Arkansas	None found	None found	Not addressed	Not addressed
California	Family Law § 8609(a)	Family Law §§ 8623 through 8638	Prohibited unless done by person or organization licensed to place children	Allowed (but see statute for restrictions)
Colorado	None found	Rev. Stat. § 19-5-213	Not addressed	No
Connecticut	Ann. Stat. § 45a-728d	Ann. Stat. § 53-21	Authorized for both adopting parents and birth parents	No
Delaware	Ann. Code Tit. 13, § 930	Ann. Code Tit. 13, § 930	Prohibited unless done by Department of Services for Children or a licensed agency	No
District of Columbia	None found	Ann. Code § 4-1405(a)	Not addressed	Only child-placing agencies
Florida	Ann. Stat. § 63.212(1)(g)	Ann. Stat. §§ 63.032; 63.039; 63.085; 63.212(c), (f)	Prohibited unless adoption entity	Only adoption entities
Georgia	Ann. Code § 19-8-24(a)(1), (d)	Ann. Code § 19-8-24(a)(2), (b)	Prohibited unless a child-placing agency	Only child-placing agencies
Guam	None found	None found	Not Addressed	Not addressed
Hawaii	None found	None found	Not Addressed	Not addressed
Idaho	Ann. Code § 18-1512A	None found	Prohibited	Not addressed
Illinois	Cons. Stat. Tit. 22.5, § 10/12	Cons. Stat. Tit. 720, § 52.5/1	Prohibited unless a child care facility or child welfare agency licensed by the department.	Only child welfare agency
Indiana	Ann. Code § 35-46-1-21	Ann. Code § 35-46-1-22	Prohibited unless a licensed attorney or licensed child placing agency	Only state departments, a licensed child-placing service, or attorney
Iowa	None found	None found	Not Addressed	Not addressed
Kansas	Ann. Stat. § 59-2123(a)(1), (b)-(c)	Ann. Stat. § 59-2123(a)(2)-(3)	Prohibited unless a licensed child-placing agency, Department of Social and Rehab Services or individual seeking child. Essentially, advertising to be a vacillator is prohibited.	No
Kentucky	Rev. Stat. § 199.590(1)	Rev. Stat. § 199.590(3), (5)	Prohibited	Only the Cabinet for Health and Family Services or a child-placing institution agency.
Louisiana	Rev. Stat. § 46:1425(A)	Rev. Stat. § 14:286(B)-(C)	Prohibited unless licensed child-placing agency or a Louisiana-based crisis pregnancy center.	Prohibited

⁵ Child Welfare Information Gateway, *Use of Advertising and Facilitators in Adoptive Placements*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Apr. 2012), <https://www.childwelfare.gov/pubPDFs/advertising.pdf>. The information in this appendix is not a substitute for the complete statute. The statutes contain important additional information, to include other requirements and exceptions not noted here. Further, states continually change and update statutes, so ensure you review the current language of the state statutes and applicable regulations.

State	Advertisement Statute Reference	Intermediary/Facilitator Statute Reference	Use of Advertising	Use of Intermediary/Facilitator
Maine	Rev. Stat. Tit. 18-A, § 9-313	None found	Prohibited unless child-placing agency	Not addressed
Maryland	None found	Fam. Law §§ 5-362; 5-3A-45; 5-3B-32	Not Addressed	Prohibited
Massachusetts	Ann. Laws Ch. 119, § 391/2; Ch. 28A, § 14	Ann. Laws Ch. 15D, § 6	Prohibited unless by approved or licensed agency or with consent of Department of Children and Families	Only licensed or approved placement agencies
Michigan	None found	Comp. Laws §§ 722.124b(c)-(d); 722.956	Not addressed	Only child-placing agency or an adoption attorney
Minnesota	None found	Ann. Stat. §§ 259.21; 259.47; 259.55, Subd. 3; 260.93	Not addressed	Only the commissioner, an agency, or entity licensed by the commissioner
Mississippi	Ann. Code § 43-15-117	Ann. Code § 43-15-117	Prohibited unless the child-placing agency holds a valid and current license.	Only entities with a valid license
Missouri	None found	Ann. Stat. §§ 568.175; 453.014	Not addressed	Prohibited unless permitted under chapter 453.
Montana	Ann. Code § 42-7-105(1)(a)	Ann. Code §§ 42-7-105(1)(b); 52-8-101	Prohibited unless Department of Public Health and Human Services or licensed child-placing agency	Only child-placing agencies or Department of Public Health and Human Service
Nebraska	Rev. Stat. § 43-701	Rev. Stat. § 43-701	Prohibited unless licensed under the Department of Health and Human Services or authorized under the Nebraska Indiana Child Welfare Act	Only the parent, or individual licensed under the Department of Health and Human Services or authorized under the Nebraska Indiana Child Welfare Act
Nevada	Rev. Stat. §§ 127.283; 127.310	Rev. Stat. §§ 127.240; 127.290(1); 127.285(1)	Prohibited except a licensed child-placing agency or agency that provides child welfare services	Only licensed child-placing agency, child welfare agency or the parent of the child; allows an individual in his personal capacity to share information regarding a possible adoption if no money is paid
New Hampshire	Rev. Stat. § 170-E:39	None found	Prohibited unless a child-placing agencies operating under the proper permits.	Not addressed
New Jersey	None found	Ann. Stat. §§ 9:3-38(1); 9:3-39.1(a)(4)	Not addressed	Allowed, but no compensation authorized and there are requirements for placements by an intermediary
New Mexico	None found	Ann. Stat. § 32A-5-42(A)	Not addressed	Only agencies

State	Advertisement Statute Reference	Intermediary/Facilitator Statute Reference	Use of Advertising	Use of Intermediary/Facilitator
New York	None found	Soc. Serv. Law § 374(2)	Not addressed	Only authorized agencies or parents
North Carolina	Gen. Stat. § 48-10-101(b)-(b1)	Gen. Stat. §§ 48-10-102, 48-10-101; 48-1-101(3a); 48-3-202	Individuals seeking to adopt may advertise; county department of social services, an adoption facilitator, or licensed agency may advertise that they will place/accept a child for adoption	Facilitators allowed (but see statute for restrictions on authorized services and restrictions on compensation)
North Dakota	Cent. Code §§ 23-16-08; 50-11-06; 50-19-11; 50-12-17	Cent. Code § 50-12-17	Only entities licensed by the Department of Human Services	Prohibited unless the person has a license from the Department of Human Services
Northern Mariana Islands	None found	None found	Not addressed	Not addressed
Ohio	Rev. Code § 5103.17	Rev. Code § 3107.01(A)	Only private child-placing agencies, private noncustodial agencies certified by the department, or a public children services agency.	Individuals seeking to adopt a minor will use an attorney or agency.
Oklahoma	Ann. Stat. Tit. 21, § 856(A)(g)-(h)	Ann. Stat. Tit. 21, § 866(A)(1)(a)-(c)	Only individuals seeking a child after a favorable preplacement home study recommendation (no money can be offered) or a licensed child-placing agency or attorney	Prohibited unless a licensed child-placing agency or an attorney
Oregon	Rev. Stat. § 109.311(4)	Rev. Stat. § 109.311(3)	Only State Office for Service to Children and Families, licensed Oregon adoption agencies or agents, or other authorization from the State Office; individuals with a favorable preplacement assessment can advertise the desire for a child	Compensation prohibited unless licensed adoption agencies
Pennsylvania	None found	Cons. Stat. Tit. 23, §§ 2102, 2530, 2533	Not addressed	Authorized (but see restriction in statute)
Puerto Rico	None found	None Found	Not addressed	Not addressed
Rhode Island	None found	None Found	Not addressed	Not addressed
South Carolina	None found	Ann. Laws §§ 63-9-30(5); 63-9-310(F); 63-9-710(A)(11)	Not addressed	Authorized
South Dakota	None found	Ann. Stat. § 25-6-4.2	Not addressed	Authorized
Tennessee	Ann. Code § 36-1-108(a)(2)	Ann. Code § 36-1-108(a)(1)	Only licensed child-placing agency, a licensed clinical social worker, prospective parent, or attorney subject to the Tennessee Supreme Court rules	Prohibited except for the department, a licensed child-placing agency or a licensed clinical social worker; individual not listed can still advise on necessary arrangements, but no compensation can be given (except customary medical and legal expenses)

State	Advertisement Statute Reference	Intermediary/Facilitator Statute Reference	Use of Advertising	Use of Intermediary/Facilitator
Texas	Penal Code § 25.09	Penal Code §§ 25.08(a)-(b); 162.025	Prohibited unless a licensed child-placing agency	Prohibited unless a licensed child-placing agency or parent (legal guardian); medical and legal services can be provided if parent found prospective adoptive family without professional assistance
Utah	Ann. Code § 62A-4a-602(2)(b)	Ann. Code §§ 62A-4a-602(1), (2)(a), (3); 76-7-203	Prohibited by attorneys, physicians, or other persons	Only licensed child-placing agencies; additionally, attorneys, physicians, or other individuals may assist in locating a child or a family, but not for compensation
Vermont	None found	Ann. Stat. Tit. 15A, §§ 2-102(a)-(d); 2-105(c); 7-105(a)	Not addressed	Authorized but compensation is prohibited
Virgin Islands	None found	None found	Not addressed	Not addressed
Virginia	Ann. Code §§ 63.2-1218; 63.2-1225	Ann. Code § 63.2-1218	Prohibited	Compensation for placement prohibited (see statute for authorized expenses)
Washington	Rev. Code § 26.33.400(1)-(2)	Rev. Code §§ 26.33.390(2)-(3); 9A.64.030	Prohibited unless an authorized agent, contracted, or employee of the department or a child's agency or institution, licensed by the department to care for and place children or an individual with a favorable preplacement report	Authorized, but compensation for placement prohibited
West Virginia	None found	Ann. Code § 48-22-803	Not addressed	Authorized but compensation for placement prohibited, customary and reasonable fees allowed by the department or duly licensed child-placement agency
Wisconsin	Ann. Stat. § 48.825	Citation: Ann. Stat. § 9.48.24	Prohibited unless a department, county department, or licensed welfare agency, foster care or adoption resource center, state adoption center, birth parent seeking to place her/his child, or a prospective parent with a favorable preplacement home study	Authorized, but compensation for placement prohibited
Wyoming	None found	None found	Not addressed	Not addressed

Appendix F. Differences in Hague v. Non-Hague International Processes⁶

	Convention Countries	Non-Convention Countries
Your Adoption Service Provider	Licensed in U.S. state of residence + Accredited or approved by one of the Department of State's designated Accrediting Entities	Licensed in U.S. state of residence
Adoption Services Contract	Adoption services contract contains information about agency's policies, fees, history, relationships with supervised providers, etc.	Though many ASPs disclose policies, fees and relationships with supervised providers, they are not required by most state laws to do so.
Home Study	Must meet both state and federal requirements; prepared by an accredited agency, supervised provider, or exempted provider	Must meet state level and USCIS federal requirements
Adoption Fees	Itemized in adoption services contract	
	Convention Countries	Non-Convention Countries

⁶ *Hague vs Non-Hague Adoption Process*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP'T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/hague-convention/hague-vs-non-hague-adoption-process.html> (last visited May 12, 2015).

Parent Education	10 Hours of parent education	Parent education only if mandated by U.S. state of residence or voluntarily provided by agency
Adoptive Parent's Eligibility	Form I-800-A; Must be filed before being matched with a child (and before Form I-800)	Form I-600-A; Can be filed at the same time as the Form I-600.
Provisional Petition Approval; Child's Eligibility	Country of origin must determine the child is adoptable with Convention consents and other protections, must meet definition of Convention adoptee Form I-800	Must meet orphan definition Form I-600
Child's Medical Records	Prepared and provided by Convention country's competent authorities; prospective adoptive parents given at least 2 weeks to review	
Visa Type	IH-3 or IH-4 Visas	IR-3 or IR-4 Visas
Visa Application	Submitted before foreign adoption/legal custody proceedings	Submitted after foreign adoption/ legal custody proceedings (except Guatemala and Vietnam)
Adoption Records	Preserved for 75 years	

Appendix G. Countries Party to the Hague Convention on Adoption⁷

Albania	Georgia	Peru
Andorra	Germany	Philippines
Armenia	Greece	Poland
Australia	Guatemala	Portugal
Austria	Guinea	Romania
Azerbaijan	Haiti	Rwanda
Belarus	Hungary	San Marino
Belgium	Iceland	Senegal
Belize	India	Serbia
Bolivia	Ireland	Seychelles
Brazil	Israel	Slovakia
Bulgaria	Italy	Slovenia
Burkina Faso	Kazakhstan	South Africa
Burundi	Kenya	Spain
Cambodia	Latvia	Sri Lanka
Canada	Lesotho	Swaziland
Cape Verde	Liechtenstein	Sweden
Chile	Lithuania	Switzerland
China (and Hong Kong)	Luxembourg	Thailand
Colombia	Macedonia	Togo
Costa Rica	Madagascar	Turkey
Croatia	Mali	United Kingdom
Cuba	Malta	Uruguay
Cyprus	Mauritius	Venezuela
Czech Republic	Mexico	Vietnam
Denmark	Moldova	
Dominican Republic	Monaco	
Ecuador	Mongolia	
El Salvador	Montenegro	
Estonia	Netherlands	
Fiji	New Zealand	
Finland	Norway	
France	Panama	
	Paraguay	

* Countries in bold are party to the convention but U.S. residents are not currently authorized to complete convention adoptions with those countries.

⁷ *Convention Countries*, BUREAU OF CONSULAR AFFAIRS, U.S. DEP'T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/hague-convention/convention-countries.html> (last visited May 15, 2015).

Appendix H. Convention-Authorized Agencies⁸

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
1:17 Center for Global Adoption 10850 E. Traverse Hwy. Suite 2292 Traverse City, MI 49684	Michigan	COA Accredited Non-Profit Agency	4/17/2014	4/17/2018	Incoming
A Family in Bloom Adoption 5426 Ptarmigan Circle Boulder, CO 80301	Colorado	COA Approved For-Profit Organization	02/11/2014	02/11/2018	Incoming
A Helping Hand Adoption Agency 1510 Newton Pike, Suite 152 Lexington, KY 40511	Kentucky	COA Accredited Non-Profit Agency	04/01/2008	11/29/2016	Incoming
A Love Beyond Borders, LLC 4155 E. Jewel Avenue, Suite 800 Denver, CO 80222	Colorado	COA Approved For-Profit Organization	11/22/2011	11/22/2015	Incoming
A New Arrival P.O. Box 445 Twin Bridges, MT 59754	Montana	COA Accredited Non-Profit Agency	03/14/2014	03/14/2018	Incoming
A.A.C. Adoption and Family Network, Inc. 735 E Hwy 56 Berthoud, CO 80513	Colorado	COA Accredited Non-Profit Agency	09/12/2008	09/01/2016	Incoming
AAA Full Circle Adoptions and Family Building Center 39 Main Street Northampton, MA 01060	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming and Outgoing
ABC Adoption Services, Inc. 10 E. Church Street; Suite JA Martinsville, VA 24018	Virginia	COA Accredited Non-Profit Agency	04/01/2008	06/30/2016	Incoming
About a Child 479 Tiller Lane Redwood City, CA 94065	California	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Across the World Adoptions 395 Taylor Boulevard, Suite #116 Pleasant Hill, CA 94523	California	COA Accredited Non-Profit Agency	04/01/2008	11/30/2016	Incoming
Adopolis 5247 Wisconsin Ave, NW Unit 3, 2nd Floor Washington, DC 20015	District Of Columbia	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Adopt Abroad 1424 North 2nd Street Harrisburg, PA 17102	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Adopt International 1000 Brannan Street #301 San Francisco, CA 94103	California	COA Accredited Non-Profit Agency	04/01/2008	03/27/2017	Incoming and Outgoing
Adopt! inc. 135 Lackawanna Road Lexington, KY 40503	Kentucky	COA Accredited Non-Profit Agency	03/28/2013	03/28/2017	Incoming
Adopt-A-Child, Inc. 6315 Forbes Ave, Suite L-120 Pittsburg, PA 15217	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	07/31/2016	Incoming
Adoption & Beyond, Inc. 16236 Metcalf Avenue Overland Park, KS 66085	Kansas	COA Accredited Non-Profit Agency	03/15/2012	03/15/2016	Incoming
Adoption Advocates, Inc. 11407 Seminole Boulevard Largo, FL 33778	Florida	COA Accredited Non-Profit Agency	03/08/2011	03/08/2015	Outgoing

⁸ *Adoption Service Provider Search*, INTERCOUNTRY ADOPTION, BUREAU OF CONSULAR AFFAIRS, U.S. DEP'T OF STATE, <http://travel.state.gov/content/adoptionsabroad/en/hague-convention/agency-accreditation/adoption-service-provider-search.html> (last visited May 15, 2015).

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Adoption Associates 1338 Baldwin Jenison, MI 49428	Michigan	COA Accredited Non-Profit Agency	04/01/2008	01/31/2017	Incoming
Adoption Avenues 9498 SW Barbur Blvd, Suite 305 Portland, OR 97219	Oregon	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Adoption Center of Washington 10605 B-2 Judicial Drive Fairfax, VA 22030	Virginia	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming
Adoption Options 13900 E Harvard Ave. Ste. 200 Aurora, CO 80014	Colorado	COA Accredited Non-Profit Agency	02/29/2008	04/01/2016	Incoming
Adoption Related Services, Inc. 8 South Main Street ,P.O. Box 201 Shrewsbury, PA 17361	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Adoption Resource Center / Adoption ARC 4701 Pine Street J-7 Philadelphia, PA 19143	Pennsylvania	COA Accredited Non-Profit Agency	06/10/2008	03/31/2016	Outgoing
Adoption S.T.A.R. 131 Muir Drive Amherst, NY 14228	New York	COA Accredited Non-Profit Agency	04/01/2008	03/04/2017	Incoming
Adoption-Link 1113 South Boulevard Oak Park, IL 60302	Illinois	COA Accredited Non-Profit Agency	02/03/2011	02/03/2019	Incoming and Outgoing
Adoptions Together 10230 New Hampshire Ave Suite 200 Silver Spring, MD 20903	Maryland	COA Accredited Non-Profit Agency	04/01/2008	01/24/2017	Incoming
Adoptions Unlimited, Inc. 4091 Riverside Drive, Suite 115 Chino, CA 91710	California	Hague Accredited Non-profit agency	7/17/2014	7/31/2018	Incoming and Outgoing
Advocates for Children and Families 16831 NE 6th Avenue N. Miami Beach, FL 33162	Florida	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming and Outgoing
Agape Adoption Agency of Arizona, Inc. P.O. Box 50246 Phoenix, AZ 85076	Arizona	COA Accredited Non-Profit Agency	02/20/2014	02/28/2018	Incoming
Agape Adoption doing business as (dba) Americans Adopting Orphans 1410 Main Street Summer, WA 98390	Washington	COA Accredited Non-Profit Agency	02/22/2011	02/22/2019	Incoming
Agape of Central Alabama P. O. Box 230472 Montgomery, AL 36123	Alabama	COA Accredited Non-Profit Agency	06/27/2013	06/27/2017	Incoming
Alaska International Adoption Agency 308 G Street #225 Anchorage, AK 99501	Alaska	COA Accredited Non-Profit Agency	05/26/2011	05/26/2015	Incoming
All About Adoption Services, Inc. 105 Sioux Drive Berthoud, CO 80513	Colorado	COA Accredited Non-Profit Agency	11/20/2014	11/20/2018	Incoming
All Blessings International Inc., dba Kentucky Adoption Services 3808 South Griffith Avenue Owensboro, KY 42303	Kentucky	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
All God's Children International, dba Families are Forever International 3308 NE Peerless Place Portland, OR 97232	Oregon	COA Accredited Non-Profit Agency	04/01/2008	07/31/2016	Incoming
Alliance for Children 464 Hillside Avenue, Suite 300 Needham, MA 02494	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming and Outgoing

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Amazing Grace Adoptions 9203 Baileywick Road, Suite 101 Raleigh, NC 27615	North Carolina	COA Accredited Non-Profit Agency	05/14/2008	03/31/2017	Incoming
America World Adoption 6723 Whittier Avenue McLean, VA 22101	Virginia	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Americans for International Aid and Adoption 2151 Livernois, Suite 200 Troy, MI 48083	Michigan	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Angeldance International 2237 W. 30th Ave. Denver, CO 80211	Colorado	COA Accredited Non-Profit Agency	02/29/2008	04/01/2016	Incoming
Angels Haven Outreach 818 Grayson Rd., Suite #200 Pleasant Hill, CA 94523	California	COA Accredited Non-Profit Agency	08/31/2011	08/31/2015	Incoming
Ascentria Care Alliance, Inc. 888 Worcester Street Wellesley, MA 02482	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Baker Hall / Baker Victory Services 780 Ridge Road Lackawanna, NY 14218	New York	COA Accredited Non-Profit Agency	04/01/2008	08/31/2016	Incoming
Bal Jagat Children's World, Inc 5199 East Pacific Coast Hwy Suite 204 Long Beach, CA 90804	California	COA Accredited Non-Profit Agency	04/01/2008	07/31/2016	Incoming
Baptist Children's Home & Family Services 949 County Road 1300 N. Carmi, IL 62821	Illinois	Hague Accredited Non-profit agency	8/21/2014	8/21/2018	Incoming
Bay Area Adoption Services 465 Fairchild Drive #215 Mountain View, CA 94943	California	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Bellefaire Jewish Children's Bureau 22001 Fairmount Boulevard Shaker Heights, OH 44118	Ohio	COA Accredited Non-Profit Agency	04/01/2008	01/31/2017	Incoming
Bethany Christian Services 901 Eastern Avenue, NE Grand Rapids, MI 49503	Michigan	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Buckner Adoption and Maternity Services 5200 South Buckner Boulevard Dallas, TX 75227	Texas	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Building Arizona Families 18355 West Ivy Lane Surprise, AZ 85388	Arizona	COA Accredited Non-Profit Agency	04/02/2008	03/31/2017	Incoming
Carolina Adoption Services, Inc. 301 N. Elm Street #500 Greensboro, NC 27401	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	06/30/2016	Incoming
CASI Foundation for Children, Inc. 2308 N. Cole Road, Suite E Boise, ID 83704	Idaho	COA Accredited Non-Profit Agency	04/01/2008	12/31/2016	Incoming
Catholic Charities Baltimore, Associated Catholic Charities, Inc., Child and Family Services Division 2601 N. Howard Street, Suite 200 Baltimore, MD 21218	Maryland	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Catholic Charities Diocese of Charlotte 1123 South Church Street Charlotte, NC 28203	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Catholic Charities North Dakota 5201 Bishops Boulevard, Suite B Fargo, ND 58104	North Dakota	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Catholic Charities of Fairfield County, Inc. 238 Jewett Avenue Bridgeport, CT 06606	Connecticut	COA Accredited Non-Profit Agency	04/01/2008	03/13/2017	Incoming
Catholic Charities of Tennessee, Inc. 30 White Bridge Road Nashville, TN 37205	Tennessee	COA Accredited Non-Profit Agency	05/10/2012	05/10/2016	Incoming
Catholic Charities of the Archdiocese of Chicago 721 N. LaSalle Chicago, IL 60654	Illinois	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Catholic Charities of the Diocese of Arlington, Inc. 200 North Glebe Road, Suite 506 Arlington, VA 22203	Virginia	COA Accredited Non-Profit Agency	10/05/2010	10/05/2018	Incoming
Catholic Charities of the Diocese of Baton Rouge 1900 S. Acadian Thruway Baton Rouge, LA 70821	Louisiana	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Catholic Charities of the Diocese of Greenburg, PA 711 East Pittsburg Street Greenburg, PA 15601	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Catholic Charities of the Diocese of La Crosse, Inc. 3710 East Avenue South La Cross, WI 54602	Wisconsin	COA Accredited Non-Profit Agency	07/22/2010	07/22/2018	Incoming
Catholic Family Center 87 North Clinton Avenue Rochester, NY 14604	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Catholic Guardian Services 1011 First Avenue, 10th Floor New York, NY 10022	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Child Adoption Associates, Inc. 200 Swanton Street, #635 Winchester, MA 01890	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Children & Families of Iowa 1111 University Avenue Des Moines, IA 50314	Iowa	COA Accredited Non-Profit Agency	10/01/2013	10/01/2017	Incoming
Children at Heart Adoption Services, Inc. 254 N. Front Street, Suite 200 Wilmington, NC 28401	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	11/24/2016	Incoming
Children of the World, Inc. 82 Plantation Point #292 Fairhope, AL 36532	Alabama	COA Accredited Non-Profit Agency	06/14/2011	06/14/2015	Incoming
Children's Aid Society in Clearfield County 1008 South 2nd Street Clearfield, PA 16830	Pennsylvania	COA Accredited Non-Profit Agency	10/11/2012	10/11/2016	Incoming
Children's Home Society of Minnesota 1605 Eustis Street St. Paul, MN 55108	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Children's Home Society of Washington 3300 NE 65th Street Seattle, WA 98115	Washington	COA Accredited Non-Profit Agency	06/27/2013	06/27/2017	Incoming
Children's Home Society of West Virginia 1422 Kanawha Boulevard East; P.O. Box 2942 Charleston, WV 25330	West Virginia	COA Accredited Non-Profit Agency	04/01/2008	05/31/2016	Incoming
Children's Hope International 11780 Borman Drive, St. Louis, MO 63146	Missouri	COA Accredited Non-Profit Agency	12/10/2008	03/31/2017	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Children's House International 2084 Adler Street / P.O. Box 1829 Ferndale, WA 98248	Washington	COA Accredited Non-Profit Agency	11/24/2009	11/24/2017	Incoming
China Adoption with Love 251 Harvard Street, #19 - 20 Brookline, MA 02446	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Chinese Children Adoption International 6920 S. Holly Circle Centennial, CO 80112	Colorado	COA Accredited Non-Profit Agency	02/29/2008	04/01/2016	Incoming
Christian Adoption Services 624 Matthews-Mint Hill Road Suite 134 Matthews, NC 28105	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Christian Family Services of the Midwest, Inc. 10500 Barkley, Suite 216 Overland Park, KS 66212	Kansas	COA Accredited Non-Profit Agency	03/26/2012	03/26/2016	Incoming
Christian Social Services of Illinois dba Caritas Family Solutions 8601 W. Main Street, Suite 201 Belleville, IL 62223	Illinois	COA Accredited Non-Profit Agency	04/01/2008	05/31/2016	Incoming
Chrysalis House 7395 N. Palm Bluffs, Suite 106 Fresno, CA 93711	California	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Cradle of Hope Adoption Center 8630 Fenton Street, Suite 310 Silver Spring, MD 20910	Maryland	COA Accredited Non-Profit Agency	03/18/2009	09/15/2016	Incoming
Creative Adoptions, Inc. 8808 Centre Park Drive, Suite 208 Columbia, MD 21045	Maryland	COA Accredited Non-Profit Agency	01/28/2009	09/30/2016	Incoming
Crossroads Adoption Services 7600 Parklawn, Suite 352 Minneapolis, MN 55435	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Dillon International, Inc. 3227 E. 31st Street, Suite 200 Tulsa, OK 74105	Oklahoma	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Dillon Southwest 3014 North Hayden Road #101 Scottsdale, AZ 85251	Arizona	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Dove Adoptions International 13980 North Maine Street, Suite A, Banks, OR 97106	Oregon	COA Accredited Non-Profit Agency	03/07/2010	03/07/2017	Incoming
DRC Adoption Services, LLC dba Africa Adoption Services, LLC 11331 Top Walnut Loop Louisville, KY 40229	Kentucky	COA Approved For-Profit Organization	01/14/2014	01/14/2018	Incoming
Embraced by Grace, Inc. 5023 South US Hwy 17-92 Casselberry, FL 32707	Florida	COA Accredited Non-Profit Agency	12/18/2014	12/18/2018	Incoming
European Adoption Consultants, Inc. 12608 Alameda Drive Strongsville, OH 44149	Ohio	COA Accredited Non-Profit Agency	04/01/2008	04/30/2016	Incoming
European Children Adoption Services 6050 Cheshire Lane North Plymouth, MN 55446	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	01/19/2017	Incoming
EVOLVE Adoption and Family Services 5850 Omaha Avenue N. Oak Park Heights, MN 55082	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Faith International Adoptions 1105 Tacoma Avenue South Tacoma, WA 98402	Washington	COA Accredited Non-Profit Agency	06/11/2008	03/31/2017	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Families Through Adoption, Inc. 354 Norwood SE Grand Rapids, MI 49506-1717	Michigan	Hague Accredited Non-profit agency	8/21/2014	8/21/2018	Incoming
Families Thru International Adoption, Inc. 401 SE 6th Street, Suite 202 Evansville, IN 47713	Indiana	COA Accredited Non-Profit Agency	04/01/2008	11/01/2016	Incoming
Families United Network, Inc. P.O. Box 264 Muncy, PA 17756	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	11/30/2015	Incoming
Family & Community Services, Inc. dba Family Adoption Consultants 705 Oakwood Street, Suite 221 Ravenna, OH 44266	Ohio	COA Accredited Non-Profit Agency	04/01/2008	11/13/2016	Incoming
Family and Children's Agency, Inc. 9 Mott Avenue Norwalk, CT 06850	Connecticut	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Family Connections Christian Adoptions 1120 Tully Road Modesto, CA 95350	California	COA Accredited Non-Profit Agency	04/01/2008	12/26/2016	Incoming
Family Connections, Inc. P.O. Box 5555 Cortland, NY 13045	New York	COA Accredited Non-Profit Agency	4/17/2014	4/17/2017	Incoming
Family Focus Adoption Services 54-40 Little Neck Parkway, Suite 4 Little Neck, NY 11362	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Family Resource Center 5828 N. Clark Street Chicago, IL 60660	Illinois	COA Accredited Non-Profit Agency	04/01/2008	09/06/2016	Incoming and Outgoing
Forever Families Through Adoption, Inc. 62 Bowman Avenue Rye Brook, NY 10573	New York	COA Accredited Non-Profit Agency	06/03/2009	06/03/2017	Incoming and Outgoing
Frank Adoption Center (NC) 2840 Plaza Place, Suite 102 Raleigh, NC 27612	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Gateway Woods Family Services P.O. Box 125 Leo, IN 46765	Indiana	COA Accredited Non-Profit Agency	12/19/2013	12/19/2017	Incoming
Generations Adoptions 400 Schroeder Waco, TX 76710	Texas	COA Accredited Non-Profit Agency	04/01/2008	11/30/2016	Incoming
Global Adoption Services, Inc. 2046 Rushmore Court Bel Air, MD 21015	Maryland	COA Accredited Non-Profit Agency	04/18/2013	04/18/2017	Incoming
Golden Cradle Adoption Services 95 West Gate Drive Cherry Hill, NJ 08034	New Jersey	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming and Outgoing
Grace International Adoption Agency 6221 South Claiborne Ave New Orleans, LA 70125	Louisiana	COA Accredited Non-Profit Agency	04/07/2008	03/31/2017	Incoming
Great Wall China Adoption / Children of all Nations 248 Addie Roy Road A102 Austin, TX 78746	Texas	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Hand in Hand International Adoptions 2519 S. Shields #106 Fort Collins, CO 80526	Colorado	COA Accredited Non-Profit Agency	02/29/2008	04/01/2016	Incoming
Hands Across the Water 781 Avis Drive; Suite 200 Ann Arbor, MI 48108	Michigan	COA Accredited Non-Profit Agency	04/01/2008	01/10/2017	Incoming
Hawaii International Child Placement and Family Services, Inc.	Hawaii	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
1168 Waimanu Street Honolulu, HI 96814					
Heart of Adoptions Alliance, Inc. 418 W. Platt Street, Suite C Tampa, FL 33606	Florida	COA Accredited Non-Profit Agency	01/23/2014	01/23/2018	Incoming and Outgoing
Heartsent Adoptions 140 Brookwood Road, Suite 100 Orinda, CA 94563	California	COA Accredited Non-Profit Agency	04/01/2008	03/12/2017	Incoming and Outgoing
Hillcrest Family Services 2005 Asbury Road Dubuque, IA 52001	Iowa	COA Accredited Non-Profit Agency	10/16/2012	10/16/2016	Incoming
Hillside Family of Agencies 1183 Monroe Avenue Rochester, NY 14620	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2016	Incoming
Holston United Methodist Home for Children, Inc. 404 Holston Drive; P.O. Box 188 Greensville, TN 37744	Tennessee	COA Accredited Non-Profit Agency	05/07/2008	02/15/2017	Incoming
Holt International Children's Services, Inc. 1195 City View Street; P.O. Box 2880 Eugene, OR 97402	Oregon	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Home at Last Adoption Agency, Inc. 1727 N. Atlantic Avenue Cocoa Beach, FL 32931	Florida	COA Approved Non-Profit Agency	02/01/2013	02/01/2017	Incoming and Outgoing
Homestudies and Adoption Placement Services 668 American Legion Drive Teaneck, NJ 07666	New Jersey	COA Accredited Non-Profit Agency	02/23/2009	02/23/2017	Incoming
Hope Adoption, dba Hope International 5944 Luther Lane, Suite 875 Dallas, TX 75225	Texas	COA Accredited Non-Profit Agency	12/16/2013	12/31/2017	Incoming and Outgoing
Hope's Promise 309 Jerry St. Ste. 202 Castle Rock, CO 80104	Colorado	COA Accredited Non-Profit Agency	02/29/2008	04/01/2016	Incoming
Hopscotch Adoptions, Inc. 1208 Eastchester Drive, Suite 120 High Point, NC 27265	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	11/16/2016	Incoming
Illien Adoptions International 1250 Piedmont Avenue NE Atlanta, GA 30309	Georgia	COA Accredited Non-Profit Agency	04/01/2008	12/31/2016	Incoming and Outgoing
Illini Christian Ministries, Inc. 411 E. Park Street, Suite 106 Champaign, IL 61820	Illinois	COA Accredited Non-Profit Agency	03/14/2014	03/14/2018	Incoming
International Adoption Net 7500 E. Arapahoe Road Centennial, CO 80112	Colorado	COA Accredited Non-Profit Agency	08/12/2008	07/01/2016	Incoming
International Adoption Services, Inc. 4940 Viking Drive, Suite 7B Minneapolis, MN 55435	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	01/31/2016	Incoming
International Child Foundation 11449 N Mandarin Lane Tucson, AZ 85737	Arizona	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
International Christian Adoptions 41745 Rider Way #2 Temecula, CA 92590	California	COA Accredited Non-Profit Agency	04/01/2008	12/31/2016	Incoming and Outgoing
International Family Services, Inc. 700 South Friendswood Drive, Suite F Friendswood, TX 77546	Texas	COA Accredited Non-Profit Agency	06/03/2009	06/30/2016	Incoming
James Fletcher Thompson, LLC 302 E. Saint John Street Spartanburg, SC 29302	South Carolina	COA Approved For-Profit Organization	04/01/2008	01/31/2017	Outgoing

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Jewish Child Care Association 858 East 29th Street Brooklyn, NY 11210	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Jewish Family & Career Services of Louisville 2821 Klempner Way Louisville, KY 40205	Kentucky	COA Accredited Non-Profit Agency	03/15/2012	03/15/2016	Incoming
Jewish Family Service of Rochester 441 East Avenue Rochester, NY 14607	New York	COA Accredited Non-Profit Agency	05/13/2008	05/31/2016	Incoming
Joshua Tree Adoptions, Inc. / American International Children's Alliance 2331 Belleair Road Suite C Clearwater, FL 33764	Florida	COA Accredited Non-Profit Agency	03/23/2009	03/23/2017	Incoming
Journeys of the Heart Adoption Services 1005 NE Cornell Road; P.O. Box 39 Hillsboro, OR 97123	Oregon	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming
Joyful World Ministries, Inc. 11811 Menaul Boulevard NE, Suite #5 Albuquerque, NM 87112	New Mexico	COA Accredited Non-Profit Agency	09/18/2014	09/18/2018	Incoming and Outgoing
KidsFirst International Adoption, Inc. 9135 N. Meridan Street, Suite B-4, Indianapolis, IN 46260	Indiana	COA Accredited Non-Profit Agency	03/28/2013	03/28/2017	Incoming
La Vida International 101 Lindenwood Drive, Suite 225 Malvern, PA 19355	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming and Outgoing
Life Adoption Services, Inc. 440 West Main Street Tustin, CA 92780	California	COA Accredited Non-Profit Agency	08/31/2009	08/31/2017	Incoming
Lifeline Children's Services 2104 Rocky Ridge Road Hoover, AL 35216	Alabama	COA Accredited Non-Profit Agency	04/01/2008	11/29/2016	Incoming
Lifelink International Adoption 188 Industrial Drive, Suite 206 Elmhurst, IL 60126	Illinois	COA Accredited Non-Profit Agency	04/01/2008	01/31/2017	Incoming
Lilyfield, Inc. 501 E. 15th Street, Suite 400A Edmond, OK 73013	Oklahoma	COA Accredited Non-Profit Agency	4/15/2014	4/15/2018	Incoming
Little Miracles International, Inc. 600 S. Tyler, Suite 1302 Amarillo, TX 79101	Texas	COA Accredited Non-Profit Agency	04/01/2008	11/30/2016	Incoming
Living Hope Adoption Agency 449 Pennsylvania Ave. Fort Washington, PA 19034	Pennsylvania	COA Accredited Non-Profit Agency	04/09/2008	03/31/2017	Incoming
Love Basket 10306 Business 21 Hillsboro, MO 63050	Missouri	COA Accredited Non-Profit Agency	04/01/2008	12/26/2016	Incoming
Lutheran Family and Children's Services of Missouri 8631 Delmar Boulevard St. Louis, MO 63124	Missouri	COA Accredited Non-Profit Agency	04/01/2008	10/17/2017	Incoming and Outgoing
Lutheran Family Services Rocky Mountains 363 S. Harlan, Suite 200 Denver, CO 80226	Colorado	COA Accredited Non-Profit Agency	08/15/2013	08/15/2017	Incoming and Outgoing
Lutheran Social Services of Minnesota 2485 Como Avenue St. Paul, MN 55108	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Lutheran Social Services of New York 475 Riverside Drive, Suite 1244 New York, NY 10115	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Lutheran Social Services of the South, Inc. 8305 Cross Park Drive Austin, TX 78754	Texas	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
Lutheran Social Services of Wisconsin and Upper Michigan, Inc. 647 W. Virginia Street, Suite 200 Milwaukee, WI 53204	Wisconsin	COA Accredited Non-Profit Agency	04/01/2008	12/12/2016	Incoming
Madison Adoption Associates 1009 Woodstream Drive Wilmington, DE 19810	Delaware	COA Accredited Non-Profit Agency	11/23/2008	02/15/2017	Incoming
Michael S. Goldstein, Esq. 62 Bowman Avenue Rye Brook, NY 10573	New York	COA Approved For-Profit Organization	04/01/2008	03/31/2017	Incoming and Outgoing
Miriam's Promise 522 Russell Street Nashville, TN 37206	Tennessee	COA Accredited Non-Profit Agency	05/24/2012	05/24/2016	Incoming
MLJ Adoptions, Inc. 617 E. North Street Indianapolis, IN 42604	Indiana	COA Approved For-Profit Organization	11/24/2009	08/15/2017	Incoming
New Beginnings Family and Children's Services 87 Mineola Boulevard Mineola, NY 11501	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
New Beginnings International Children and Family Services 2164 Southridge Drive Tupelo, MS 38801	Mississippi	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
New Hope Christian Services, Inc. dba New Hope for children 113 Bay Road Newmarket, NH 03857	New Hampshire	COA Accredited Non-Profit Agency	04/14/2011	04/14/2015	Incoming
New Horizons Adoption Agency, Inc. 302 South Grove Street P.O. Box 188 Blue Earth, MN 56013	Minnesota	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming
Nightlight Christian Adoptions 4430 E. Miraloma Ave., Suite B Anaheim Hills, CA 92807	California	COA Accredited Non-Profit Agency	04/01/2008	03/27/2017	Incoming and Outgoing
One World Adoption Services 1400 Buford Highway Suite C Sugar Hill, GA 30518	Georgia	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
Open Seas Adoption Services, Inc. 270 Madison Avenue, Suite 1410 New York, NY 10016	New York	COA Accredited Non-Profit Agency	12/18/2014	12/18/2018	Incoming
Options for Families and Youth 5131 West 140th Street Brook Park, OH 97219	Ohio	COA Approved Non-Profit Agency	11/12/2013	11/12/2017	Incoming
Orphans Overseas 3300 NW 185th Street, #127 Portland, OR 97229	Oregon	COA Accredited Non-Profit Agency	04/01/2008	12/26/2016	Incoming
Pearl S. Buck International 520 Dublin Road Perkasie, PA 18944	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	03/27/2017	Incoming
Premier Adoption Agency, Inc. 590 West Mesquite Blvd Suite 202 B Mesquite, NV 89027	Nevada	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming and Outgoing
Promise Kids A Future 117 North Broadway Ste.2 Georgetown, KY 40324	Kentucky	COA Accredited Non-Profit Agency	12/18/2014	12/18/2018	Incoming
Resources for Life 59349 Olomana Road	Hawaii	COA approved For-Profit Agency	6/26/2014	6/26/2018	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Kamuela, HI 96743					
Saint Mary International Adoption 1515 Mockingbird Lane Suite 204 Charlotte, NC 28209	North Carolina	COA Accredited Non-Profit Agency	04/01/2008	05/31/2016	Incoming
Shepherd Care Ministries, dba Adoption by Shepherd Care 5935 Taft Street Hollywood, FL 33021	Florida	COA Accredited Non-Profit Agency	04/01/2008	08/31/2016	Incoming and Outgoing
Small World, Inc. 1550 N. Mount Juliet Road Suite 207; P.O. Box 1109 Mount Juliet, TN 37121	Tennessee	COA Accredited Non-Profit Agency	04/01/2008	09/30/2016	Incoming
Spence-Chapin Services to Families and Children 410 East 92nd Street New York, NY 10128	New York	COA Accredited Non-Profit Agency	04/01/2008	01/31/2017	Incoming
Steffas & Associates, P.C. 4343 Shallowford Road, H-1 Marietta, GA 30062	Georgia	COA Approved For-Profit Organization	02/24/2009	09/30/2015	Incoming and Outgoing
Sunny Ridge Family Center, Inc. 270 Remington Boulevard Suite C Bolingbrook, IL 60440	Illinois	COA Accredited Non-Profit Agency	04/01/2008	02/09/2017	Incoming
TFI Family Services, Inc. (formerly The Farm, Inc./TFI Family Services, Inc.) 618 Commercial Street 910 West 24th Street Lawrence, KS 66801	Kansas	COA Accredited Non-Profit Agency	01/14/2010	01/14/2018	Incoming
The Baby Fold 108 East Willow Street Normal, IL 61761	Illinois	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
The Barker Foundation 7979 Old Georgetown Road Bethesda, MD 20814	Maryland	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming
The Cradle Society 2049 Ridge Avenue Evanston, IL 60201	Illinois	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
The Datz Foundation 311 Maple Ave, W. Vienna, VA 22180	Virginia	COA Accredited Non-Profit Agency	04/01/2008	12/31/2015	Incoming
The Family Network, Inc. 2959 Park Avenue, Suite D Soquel, CA 95073	California	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
The Gladney Center for Adoption 6300 John Ryan Drive Fort Worth, TX 76132	Texas	COA Accredited Non-Profit Agency	04/01/2008	03/27/2017	Incoming
The Home for Little Wanderers 271 Huntington Avenue Boston, MA 02115	Massachusetts	COA Accredited Non-Profit Agency	02/19/2013	02/19/2017	Incoming
The Lutheran Service Society of New York 6680 Main Street Williamsville, NY 14221	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
The Maine Children's Home for Little Wanderers 93 Silver Street Waterville, ME 04901	Maine	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming
The Open Door Adoption Agency 218 E. Jackson Street Thomasville, GA 31799	Georgia	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming and Outgoing
The Sacred Portion Children's Outreach 7104 Bristol Lane Bozeman, MT 59715	Montana	COA Accredited Non-Profit Agency	01/10/2012	01/10/2016	Incoming

Provider	State	Accreditation	Starts	Expires	Adoptions with the U.S.
Tree of Life Adoption Center 5816 SE Powell Boulevard, Suite A Portland, OR 97206	Oregon	COA Accredited Non-Profit Agency	06/10/2008	06/09/2018	Incoming
Villa Hope International Adoptions 6 Office Park Circle #218 Birmingham, AL 35223	Alabama	COA Accredited Non-Profit Agency	04/01/2008	12/07/2016	Incoming
Vista Del Mar Child and Family Services 3200 Motor Avenue Los Angeles, CA 90034	California	COA Accredited Non-Profit Agency	04/01/2008	08/31/2016	Incoming
Voice for International Development and Adoption (V.I.D.A.) 354 Allen Street Hudson, NY 12534	New York	COA Accredited Non-Profit Agency	04/01/2008	03/31/2018	Incoming and Outgoing
WACAP (World Association for Children and Parents) 315 South Second Street Renton, WA 98138	Washington	COA Accredited Non-Profit Agency	04/01/2008	01/24/2017	Incoming
Wasatch International Adoptions 1140 36th Street #204 Ogden, UT 84403	Utah	COA Accredited Non-Profit Agency	04/01/2008	03/31/2017	Incoming
West Sands Adoptions 1240 East 100 South #1 St. George, UT 84790	Utah	COA Accredited Non-Profit Agency	10/28/2008	02/28/2017	Incoming
Wide Horizons for Children 38 Edge Hill Road Waltham, MA 02451	Massachusetts	COA Accredited Non-Profit Agency	04/01/2008	02/28/2017	Incoming
World Links Association, Inc. 418 Jefferson Avenue Scranton, PA 18510	Pennsylvania	COA Accredited Non-Profit Agency	04/01/2008	11/29/2016	Incoming
Wyoming Children's Society 314 East 21st ST Cheyenne, WY 82001	Wyoming	COA Accredited Non-Profit Agency	02/15/2011	02/15/2019	Incoming

REIMBURSEMENT REQUEST FOR ADOPTION EXPENSES					
<i>(Please read Privacy Act Statement and Application Processing Instructions on page 3 before completing this form.)</i>					
SECTION I - MEMBER INFORMATION					
1. NAME OF MEMBER (Last, First, Middle Initial) (Print or Type)				2. SSN	
3. MARITAL STATUS (Check one)		a. SINGLE		b. MARRIED	
				c. DIVORCED	
4. PAY GRADE	5. EXPIRATION OF SERVICE DATE (YYYYMMDD)	6. HOME TELEPHONE NO.	7. WORK TELEPHONE NO.	8. CELL PHONE NO.	
9. MEMBER'S BRANCH OF SERVICE (Must be in active duty status with 180 days of continuous service)					
a. AIR FORCE		b. ARMY		c. MARINE CORPS	
				d. NAVY	
10. CORRESPONDENCE ADDRESS (Include 9-digit ZIP Code and Apartment number, if applicable)			11. EMAIL ADDRESS		
			12. ANY PREVIOUS REIMBURSEMENT CLAIMED FROM DOD IN CURRENT CALENDAR YEAR (Check one)		
			YES		
			NO		
SECTION II - SPOUSE INFORMATION					
13. IS SPOUSE A MEMBER OF THE ARMED FORCES (Including the U.S. Coast Guard) (Check one)				YES	
				NO	
14. IF YES, NAME OF SPOUSE (Last, First, Middle Initial)			15. SSN OF SPOUSE		
16. BRANCH OF SERVICE OF SPOUSE					
a. AIR FORCE		b. ARMY		c. MARINE CORPS	
				d. NAVY	
				e. COAST GUARD	
SECTION III - ELECTRONIC FUND TRANSFER INFORMATION (RTN must be provided.)					
17. ROUTING TRANSIT NUMBER		18. ACCOUNT NUMBER		19. ACCOUNT TYPE (Check one)	
				CHECKING	
				SAVINGS	
20a. INSTITUTION NAME			20b. MAILING ADDRESS OF INSTITUTE (Include 9-digit ZIP Code)		
SECTION IV - ADOPTION INFORMATION					
21. DATE OF HOME STUDY (YYYYMMDD)		22. DATE CHILD PLACED IN HOME (YYYYMMDD)		23. DATE ADOPTION FINALIZED (YYYYMMDD)	
				24. STATE OR COUNTRY WHERE THE ADOPTION WAS FINALIZED	
25. NOTES:					
a. Members on nonactive duty or members on active duty less than 180 days are not eligible for adoption reimbursement.					
b. Reimbursement of adoption expenses may be paid only after the adoption is final. Members who leave active duty before the final adoption decree is granted are not entitled to reimbursement.					
c. Reimbursement claims must be submitted no later than 365 days after adoption is finalized. Failure to do so may result in loss of benefits.					
26. NAME OF ADOPTED CHILD (Last, First, Middle Initial)			a. DATE OF BIRTH (YYYYMMDD)		b. SEX (Check one)
					MALE
					FEMALE
27. ADOPTION ARRANGED BY (Documentation attached) (Check one)					
a. A state or local government agency.					
b. A nonprofit adoption agency that is authorized by state or local law to place children for adoption.					
c. Other source authorized by state or local law to place children for adoption.					

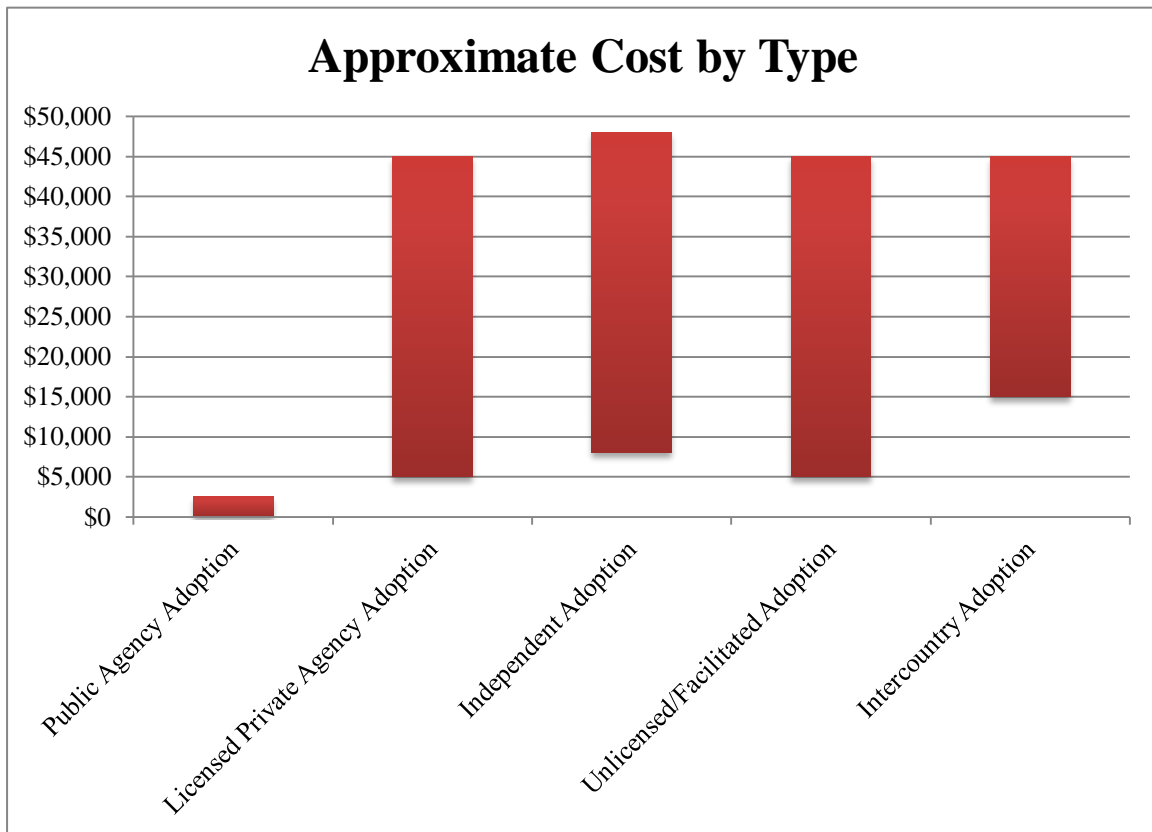
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⁹ DoD Forms Management Program—The Official DoD Website for DoD Forms, DOD ISSUANCES, <http://www.dtic.mil/whs/directives/forms/eforms/dd2675.pdf>.

28. EXPENSES INCURRED <i>(Complete as applicable and attach documentation)</i>		
a. Public and private agency fees.		\$
b. Temporary foster care charges when such care is required before the placement of the child.		
c. Legal fees, including court costs.		
d. Medical expenses, including hospital expenses for the newborn infant, for medical care furnished the adoptive child before the adoption, and for physical examinations of the biological mother of the child to be adopted.		
e. Placement fees, including fees charged adoptive parents for counseling.		
f. Expenses relating to pregnancy and childbirth for the biological mother, including counseling and maternity costs.		
g. Subtotal of expenses listed above <i>(Items 28 a. through 28 f.)</i> .		
h. Amount of reimbursement previously applied for and/or received under any other adoption benefits program administered by the Federal government or under such program administered by a State or Local government.		
i. Total expenses <i>(Subtotal (Item 28.g.) minus any reimbursements in Item 28.h.)</i> .		
SECTION V - ARMED FORCES MEMBER CERTIFICATION		
<p>I certify that the above information and expenses are true and correct to the best of my knowledge. I understand and agree that reimbursement of expenses is limited to \$2,000 per adopted child with maximum reimbursement of \$5,000 in any calendar year to a member, or couple where both spouses are members of the Armed Forces (including the U.S. Coast Guard). I agree not to seek further reimbursement under this program for the adoption of this child.</p> <p>I further certify that neither I nor my spouse have received a reimbursement under any other adoption benefit program administered by the Department of Defense. To the best of my knowledge, I am the only active duty member of the Armed Forces or U.S. Coast Guard claiming reimbursement of \$ _____.</p>		
29. MEMBER'S NAME <i>(Last, First, Middle Initial)</i> <i>(Print or Type)</i>	a. MEMBER'S SIGNATURE	b. DATE SIGNED <i>(YYYYMMDD)</i>
SECTION VI - AUTHORIZATION AND CERTIFICATION FOR ADOPTION EXPENSES		
<p>I certify that, based upon information provided and documentation attached, the below named individual is eligible for reimbursement of adoption expenses, subject to final approval by the Defense Finance and Accounting Service (DFAS).</p>		
30. NAME OF ACTIVE DUTY MEMBER <i>(Last, First, Middle Initial)</i>	31. SSN	
32. TITLE OF CERTIFYING OFFICIAL <i>(Commanding Officer or Designee) (Print or Type)</i>		
a. TYPED NAME <i>(Last, First, Middle Initial)</i>	b. DSN	c. COMMERCIAL TELEPHONE
d. SIGNATURE	e. DATE SIGNED <i>(YYYYMMDD)</i>	
33. DUTY STATION DELIVERY ADDRESS <i>(APO/FPO Designation and ZIP Code)</i>		



¹⁰ Child Welfare Information Gateway, *Costs of Adopting*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Feb. 2011), http://www.childwelfare.gov/pubPDFs/s_costs.pdf.