

ADOPTION

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Adoption Resources for Americans Living Abroad

BY MELISSA BLAUVELT

Embarking on an adoption journey requires a great deal of research and paperwork for prospective adoptive parents. This is especially true for a family navigating the adoption process while living outside of the United States. American families living abroad need to know that they still have access to the support and expertise of government and adoption professionals who can provide assistance from the beginning of the process, through placement and beyond.

For decades, American families – including members of the U.S. military – residing all over the world have been able to adopt internationally by accessing services and support through entities of the United States government such as USCIS, U.S. embassies and consulate offices, and the U.S. military. In addition, many private social workers, child-placement agencies, and adoption attorneys specialize in working with American expatriates. Families living abroad that are interested in adoption should carefully research what it involves, including the resources and support available to them.

Doing the Research

Both adoptive families and adoption professionals agree that it is imperative for a family to conduct thorough research when considering adoption. One of America World's adoptive parents had this advice for families considering adoption: "While it seems daunting to gather all the information required at first, it is possible.... If you take it one step at a time, it all comes together."



National Council
For Adoption

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As of April 29, 2010, the U.S. Department of State posted the following notice for American citizens adopting abroad:

The Department of State wishes to notify U.S. citizens living abroad in another Hague Adoption Convention country who plan to adopt a child residing in the United States or a third country, that the country where the adoptive parents live may require them to follow local adoption laws and procedures as the receiving country in a Convention adoption, in order for the child to enter that country legally.

Prospective adoptive parents (PAPs) should therefore consult the Central Authority of the receiving country prior to initiating an adoption. Contact information for Central Authorities can be found in the Country Information section of this website. Prospective adoptive parents may also contact the Office of Children's Issues to seek assistance in accessing information from the receiving country to understand the applicable adoption and immigration requirements.

The receiving country may require that an adoption be processed as a Hague Convention intercountry adoption even in cases where the child and the prospective adoptive parents are U.S. citizens. Adoptive parents' failure to comply with local adoption laws and procedures to which their adoption may be subject could result in the adopted child's inadmissibility to enter the receiving country.¹

In addition to identifying the country programs for which they qualify and feel most comfortable with and researching the specific country requirements, a family living abroad should also consider the following factors:

Length of stay in country

How long will you remain in the country in which you currently live? The answer to this question will have an impact on some of your options as an expat family, including whether you can adopt through the traditional route or proceed forward under the regulations of the country where you will live at the time of the adoption. According to Karen Law, an adoption attorney in Northern Virginia with extensive experience in international adoption and immigration, there are several factors that will determine whether or not a family can adopt using the local country procedures and what paperwork will be necessary to complete

¹ Statement available online at: http://adoption.state.gov/about_us/local_requirements_for_AmcitsAbroad.php

the adoption. A family should consult with an adoption attorney or other adoption professional with experience in these processes in order to determine the path that is right for them.

Hague vs. non-Hague

Whether or not a country is a party to The Hague Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption has a significant impact on the adoption process, including the paperwork and immigration documentation required to process the adoption and emigration of the child.

Cultural acceptance and sensitivities

Families should consider the culture of the country in which they are currently living or plan to live as the child grows up, and whether or not there are any prejudices or other racial, cultural, or religious sensitivities in their community to be aware of. During the homestudy report, a social worker should ask whether your community is tolerant of and open to those from other cultures.

Finances

In addition to the costs disclosed by adoption agencies, families should budget for any expenses associated with additional services or travel required due to their living situation. These expenses will vary on a case-by-case basis, so families should contact an adoption agency or attorney for information specific to their situation.

Choosing a social services (homestudy) and placing (adoption) agency

Randy Barlow, founder and homestudy social worker at American Adoption Professionals Abroad, has performed adoption homestudies for hundreds of expatriate families over a 22-year period. He and his staff have extensive knowledge of the adoption processes of several countries, and can provide pre-adoption (research) assistance, homestudies, and post-adoption services and resources for families living abroad. Mr. Barlow recommends that, in addition to conducting thorough research on immigration regulations affecting their adoption, an adoptive family living abroad should also research homestudy providers and placement (adoption) agencies that serve American citizens in the country in which the family resides. Depending on the situation and services available, a family may be able to contract with just one agency, or they may need to contract with two separate agencies (one for the homestudy, one for placement/adoption). Mr. Barlow also advises families living abroad to engage only agencies that have extensive experience working with

adoptive families living outside the U.S. Since most problems faced by expatriate families living abroad involve immigration challenges, he says, it is essential that families conduct thorough research on the process and identify professionals with experience in addressing the unique situations faced by expatriate adoptive families.

Family references and networking

Several families that have adopted while living abroad recommend that expatriate families seek out other families that have been or are going through the same process. Some sources of information may include their friends, the country's expatriate community, and general Internet resources such as Facebook, blogs, and chat groups. In addition, many adoption agencies and social service professionals can provide lists of references to clients. While networking with families that adopted while living abroad can be a helpful source of support, adoption professionals also caution that adoption requirements and regulations are always changing, so a family just beginning the process must recognize that their experience may be quite different from that of another family.

Accessing Professional Services

Placing agencies

The adoption processes of most countries will require a family to identify an adoption service provider (ASP) to assist them with the adoption. Some ASPs may not have the necessary experience or be willing to work with families living overseas, so an expatriate family should inform the ASP of their unique situation at the time of initial contact in order to determine whether the agency is a viable option for them. Once the family identifies an agency or agencies that can assist them, they should then look at the programs offered and research each program to find the one that is best for their family. In some cases a family may choose to research the adoption program first, and then research agencies that offer that program to determine which agency is best able to assist their family. There are many adoption agencies that can assist with adoptions for families living abroad; this may or may not be advertised on the agency's website.

The family should always fully investigate the country requirements and continue to monitor for any potential changes throughout the process. In some countries, such as in Honduras, a government may require adoptive families to identify an ASP to assist them with filing required post-adoption reports and verifying that the family understands the post-adoption process, whether or not they move back to the United States.

Since most problems faced by expatriate families involve immigration challenges, it is essential that families conduct thorough research on the process and identify professionals with experience in addressing the unique situations faced by expatriate families.

These sample questions can help prospective adoptive parents during their initial conversations with or research into adoption service providers:

- Has the ASP completed adoptions for families living abroad? If so, from which programs/countries? Were they Hague or non-Hague countries?
- Does the agency charge extra fees associated with a family adopting while living abroad? If so, what are the reasons and exact amounts for these fees?
- Can the ASP also provide the homestudy, or does the family need to contract with a separate agency for the homestudy?
- Can the agency offer all of its programs to a family living abroad, or are there only specific country programs they will allow the family to consider?
- Will the family receive post-adoption and citizenship assistance/counsel?
- Can the agency provide references of other families that adopted from this agency while living abroad?
- What challenges have other adoptive families faced in the specific country where the prospective parents currently live? What challenges have other families faced when adopting from the country the prospective parents have chosen? What should the prospective parents learn or do differently based on those challenges?

Embassy or consulate services

Families will have to use the services of the embassy or consulate office nearest to them in order to ensure that all immigration procedures are followed. Other expatriate adoptive families recommend that a family have at least one contact at the embassy or consulate to assist with the necessary paperwork. While some USCIS or embassy field officers are knowledgeable about expat adoption, others may not have experience with this unique situation; the family may well be the first family that the officer has assisted with this type of adoption.

Some embassies or consular offices may not have the ability to perform various functions due to certain limitations in their resources. A family planning to adopt should make contact with a consular officer prior to beginning the adoption process in order to learn what services the embassy can offer. In one instance, an expatriate family living in a small European country had to fly to a nearby country in order to be fingerprinted for their USCIS (immigration) application. By conducting

thorough research prior to the start of the adoption process, an expatriate family will be able to plan and budget for this and other potential additional costs or paperwork processes.

These sample questions can help the PAPs during their research or initial conversations with their local consulate or embassy office:

- Does the consulate or embassy have the ability to fingerprint a family for the I600a or i800a (adoption immigration) application?
- Has the office assisted any families living abroad with their adoptions?
 - » If so, ask for any advice or tips they may have based on those prior experiences. What challenges have other families faced during their immigration and paperwork processes and what advice does the office have for prospective adoptive parents?
 - » If not, ask if they are willing to learn with you and help you access the necessary resources (i.e., consulting with other consulates to learn the process).
- Does the embassy or consulate have a notary who can assist with adoption forms, and is there a fee or specific office hours?
- Is there a specific contact person at the embassy or consulate who will assist the family? If so, what is their name/email/phone number?

There are several traveling social services agencies that work with families living abroad.

Social services or homestudy agencies

For military families, the on-base social worker may be able to complete an adoption homestudy. For non-military families, there are several traveling social services agencies that work with families living abroad. Depending on the requirements of the country from which you are adopting, the social worker assisting your family may have to be part of a Hague- or COA-accredited social services agency.

Jim Savley is the Executive Director of Small World Adoption, and he and his staff have assisted hundreds of expatriate families on five continents over a 25-year period. The staff at Small World Adoption is trained to assist and educate families on the process and challenges unique to adopting while living abroad. Mr. Savley states that international adoption for expats “is a complicated area, but completely doable...we will go out of our way to go to a family to help them.”

There are traveling social worker agencies, including Small World Adoption and American Adoption Professionals Abroad. In some cases, the placing agency you choose may also employ or contract with social

workers that have the ability to travel and conduct homestudies in various countries. Upon contacting an agency, the family should ask about the fees associated with engaging a traveling social worker. Typically, the family will need to pay the social worker's travel fees (such as airfare and hotel), in addition to the fees associated with performing the actual social services. The family should ask whether these fees are separate or built into the quoted homestudy price.

These sample questions can help the PAPs during their initial conversations with or research regarding the homestudy/social services agency:

- Has the agency recently completed a homestudy report for the country/program the prospective parents have chosen for their adoption?
- What are the sample travel and homestudy fees? Are there any additional fees the family should be aware of before beginning the process?
- Has the agency completed a homestudy in the country where the prospective parents are currently residing?
- Will the family receive post-adoption and citizenship assistance/counsel?
- Can the agency provide references of other families that adopted from this agency while living abroad?
- What challenges have other adoptive families faced in the specific country where the prospective parents currently live? What challenges have other families faced when adopting from the country the prospective parents have chosen? What should the prospective parents learn or do differently based on those challenges?

Legal services

Many attorneys specialize in adoption and/or immigration law. Families should conduct research on all attorneys with whom they might consider working. Some attorneys may provide a free initial consultation to help a family determine whether they are in need of legal services, but other attorneys might charge for this consultation.

Many adoptive families also find it helpful to obtain legal counsel in navigating issues and paperwork related to re-adoption and U.S citizenship acquisition. In some cases, legal counsel may not be necessary for these steps; however, it may prove necessary in other cases due to the specifics of a particular family's adoption.

These sample questions can help the PAPs during their initial conversations with or research regarding an adoption attorney:

- What are the attorney's fees for a consultation?
- What type of assistance has the attorney provided to other families living abroad? Ask for specifics in terms of both the types of services and the fees involved.
- What are the attorney's recommendations regarding the family's adoption options, and why?
- What challenges have other adoptive families faced in the specific country where the prospective parents currently live? What challenges have other families faced when adopting from the country the prospective parents have chosen? What should the prospective parents learn or do differently based on those challenges?

Resources for military families

Military families should first consult their on-base social worker and legal counsel with initial questions about the base's capabilities to assist them. However, just as with embassy or consulate offices, on-base staff may or may not have the necessary experience to help the family with an adoption.

These sample questions can help the PAPs during their initial conversations with or research regarding the military base social worker and/or legal counsel:

- Have they assisted a family with an adoption before, and was it from a Hague or non-Hague country?
- What fees are associated with the assistance they can provide?
- If the base social worker or legal counsel has never assisted with an adoption, can they access the information and forms needed to proceed?
- Is there a notary on base that can assist with the homestudy and any other adoption paperwork?
- What other resources, programs, or family services does the base offer?

Military families should also be aware that even if the on-base social worker is licensed, he or she still might not be able to conduct the homestudy. Some countries do not accept homestudies performed by independent social workers (i.e., social workers not employed by an accredited social services agency). The family should make sure that they understand the specific country requirements before engaging the on-base social worker to perform the homestudy.

Military families should first consult their on-base social worker and legal counsel with initial questions about the base's capabilities to assist them.

Even if the on-base social worker or legal counsel is unable to assist with the adoption process, they may prove to be a valuable resource for the family. One military family who adopted while living overseas reported that base staff helped them identify and access information on early intervention services, health insurance for their adopted child, access to SOFA (status of forces agreement) for their adopted child, and available adoption expense reimbursements.

(See Appendix A for a list of additional online resources created to help educate and inform expatriate families about their adoption options and the assistance available to them. Additional online resources available to members of the military are listed in Appendix B.)

Suggestions for Prospective Adoptive Parents Living Abroad

1. Be your own advocate.

Complete the necessary research to discover all of your options. Ask a lot of questions, and ask them of several different entities. Determine who is able to provide you with the best possible assistance. As one adoptive parent put it: “You are your best advocate. It is your responsibility to check up on the process of your documents (i.e., criminal checks, child abuse checks, certificates, etc.), and it is your responsibility to ask good questions [of] your social worker and family coordinator. Expect and be willing to be up at all different hours of the night trying to contact departments and people in the United States.”

2. Prepare for the extra financial cost.

In addition to the typical adoption expenses disclosed by adoption agencies, expatriate families may also encounter the following expenses:

- Travel expenses (flights, hotels) for a social worker
- Family travel to the U.S within six months of the adoption, in order to apply for citizenship
- FedEx/shipping fees for various adoption documents
- Travel costs to visit embassy or consulate
- Expense of hiring a notary

3. Expect a longer time frame for completion and receipt of required documents.

Adoptive families living abroad will follow the process outlined by the country or program in which they are enrolled, just as U.S.-based families do; however, there will be some steps that require more time or additional work for those who reside outside the U.S. Receiving

background clearances, obtaining immigration approval, and completing an adoption dossier can take weeks or even months longer for expatriate families, simply because of the logistics and time involved in obtaining and processing all of the information.

An adoptive family living abroad may also encounter an extended travel time/in-country stay as they wait for the processing of their child's visa in the country of origin, and there may be an even longer travel phase if the family decides to return to the United States immediately instead of waiting. The family should contact the embassy in the country in which they live in order to learn about the visa process and the various travel options offered before making specific travel plans.

Finally, families that have adopted while living overseas report that one of the most common delays they faced involved communication with the placing and/or social services agency. Often, expatriate families are working with agencies located in different countries, and may experience unavoidable delays due to distance and time differences.

4. Be committed and flexible.

While the purpose of this article is to provide general and helpful advice for adoptive families living abroad, Jim Savley of Small World Adoption reminds families that “there is no one-size-fits-all approach” to international adoption. If challenges or obstacles appear, try not to be discouraged; focus on what you must do in order to meet them and move on to the next step. Remember, there are knowledgeable professionals ready to assist you and resources available to support you every step of the way.

Even though the process may seem daunting at times, there is a child waiting for you at the end of your journey. The short-term challenges and hassles of paperwork will seem insignificant when compared to the long-term joy of having your child home with you – wherever your home and your family happen to be.

Sources for this article include America World Adoption staff and adoptive families; Jim Savley, Executive Director, Small World Adoption; Karen Law, Fellow of the American Academy of Adoption Attorneys and member of the American Immigration Lawyers Association, the Virginia State Bar, and the Loudoun Bar Association; and Randy Barlow, founder, American Adoption Professionals Abroad.

Families that have adopted while living overseas report that one of the most common delays they faced involved communication with the placing and/or social services agency. Often, expatriate families are working with agencies located in different countries, and may experience unavoidable delays due to distance and time differences.

ABOUT THE AUTHOR

Melissa Blauvelt serves as the Director of Programs for America World Adoption. She spent several years working with families and managing the China program, with a particular focus on the Waiting Child program. Currently she oversees America World Adoption's Haiti, Honduras, and El Salvador programs, in addition to assisting with new program development at the agency.

APPENDIX A: ADDITIONAL RESOURCES

The following list is not all-inclusive and does not represent a specific endorsement for any of the agencies or professionals listed. Families should conduct their own screening methods for determining the agency or adoption professional best suited for them.

Adoption Agencies

A Helping Hand Adoption Agency:

worldadoptions.org

Adopt Abroad: adopt-abroad.com

Adoptions by VIDA: vidaadoptions.org

America World Adoption: awaa.org

American Adoption Professionals Abroad:

randybarlow.com

Children of All Nations: childrenofallnations.com

International Social Service, USA Branch: iss-usa.org

La Vida International: lavida.org

Life Adoption Services: lifeadoption.org

Love Basket: lovebasket.org

Nightlight Christian Adoptions: nightlight.org

Small World Adoption Programs: swa.net

Adoption Attorneys

adoptionattorneys.org

lawadoption.com

General Information

adoption.state.gov

childwelfare.gov

whileabroad.com/adoption

adoptivefamiliescircle.com/groups/group/

Military_Adoptive_Families/

militaryfamily.org/your-benefits/adoption/

americanadoptions.com/adopt/military_adoption

adopting.org/military.html

Training for Agencies Working

with Military Families:

adoptuskids.org/_assets/files/NRCRRFAP/resources/

wherever-my-family-is-thats-home.pdf

APPENDIX B: RESOURCES FOR MILITARY FAMILIES

Reimbursement and Leave: militaryhomefront.dod.mil/pls/psgprod/f?p=MHF:HOME1:0::::SID:20.40.500.10.0.0.0.0

dod.mil/pls/psgprod/f?p=MHF:HOME1:0::::SID:20.40.500.10.0.0.0.0

ID:20.40.500.10.0.0.0.0

Additional Benefits for Special Needs Adoptions:

militaryhomefront.dod.mil/pls/psgprod/f?p=MHF:HOME1:0::::SID:20.40.500.565.0.0.0.0

ME1:0::::SID:20.40.500.565.0.0.0.0

New Parent Support Programs: dtic.mil/whs/directives/corres/pdf/640005p.pdf

directives/corres/pdf/640005p.pdf

Military Adoption Support

Group: groups.yahoo.com/group/AdoptionSupportGroupForMilitaryFamilies/

AdoptionSupportGroupForMilitaryFamilies/

Foster Care Adoptions for Military Families:

adoptuskids.org/for-families/who-can-foster-and-adopt/adoption-resources-for-military-families

adopt/adoption-resources-for-military-families

Military-Global@adoptuskids.org

General Resources for Military Families:

childwelfare.gov/pubs/f_milita.cfm

childwelfare.gov/systemwide/cultural/families/military.cfm

military.cfm

whnt.com/2012/04/02/adoption-help-for-military-families/

military-families/



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www.adoptioncouncil.org