



Military Families Considering Adoption

Adoption is a realistic option for military personnel who want to expand their families. In many ways, the adoption process for military families is very similar to adoption for civilian families. This factsheet provides an overview of adoption resources and challenges that are specific to families with one or more service members.

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The Adoption Process

The adoption process will vary depending on whether you are currently stationed in the United States or overseas. In either case, you can begin by speaking with a Military OneSource consultant about your family's desire to adopt. They can help you locate an agency and identify what benefits are available to you: 800.342.9647 or <http://www.militaryonesource.mil/>.

At a very basic level, steps in the adoption process include the following:

- Understand the applicable laws
- Choose an agency and complete a home study
- Prepare for matching and placement of your child

Adoption: Where Do I Start?, a factsheet by Child Welfare Information Gateway that answers many of the questions that families have when considering adoption, is available at <https://www.childwelfare.gov/pubs/f-adoption/>.

Understand the Law

The laws governing your adoption depend on where your family is stationed and where the child you wish to adopt lives.

If You Are Stationed in the United States

Each State's laws govern adoptions by its residents. The State Statutes Search feature on the Information Gateway website provides information on the adoption laws in each State. Information regarding who may adopt, timeframes for consent and revocation of consent to adoption, and more are provided in the database and can be searched by State, territory, or region at <https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>.

If the child you want to adopt lives in a different State from where you are currently stationed, you need to be aware of the Interstate Compact on the Placement of Children. This is an agreement between States that

regulates the placement of children across State lines. Your social worker or agency should be familiar with its requirements and can provide you with more information, including how this may impact the timeframe.

If you are stationed at home but want to adopt a child who lives outside the United States, you will need to comply with the laws of your State of record, U.S. immigration law, and the laws of the country where the child lives. Information Gateway's factsheet, *Intercountry Adoption: Where Do I Start?*, provides a good overview of this process and where to learn more at <https://www.childwelfare.gov/pubs/f-inter/>.

The Hague Adoption Convention is a treaty that governs adoptions among the United States and nearly 75 other countries. For families interested in intercountry adoption, adopting a child from a country that is a member of the Hague Convention is different from adopting a child from a non-Hague Convention country. For more information, read Information Gateway's *Intercountry Adoption From Hague Convention and Non-Hague Convention Countries* at <https://www.childwelfare.gov/pubs/factsheets/hague/>.

If You Are Stationed Overseas

Military families living overseas must comply with the same laws as those living in the United States, with a few added intricacies. If you are adopting a child living in the United States, your adoption may be governed by the laws of the State of your legal residence in addition to the State where the child lives. If you are adopting a child from another country, you will need to comply with the laws of your country of residence and your child's home country (if they are different), in addition to U.S. Citizenship and Immigration Services policy (to ensure you can bring the child back to the United States with you).

The Judge Advocate General or legal assistance office may be able to point you to applicable laws, policies, and agreements the United States has with countries where military personnel are stationed. For example, not all countries and bases support adoption of children with

particular educational and/or medical needs. You may want to ask how the Status of Forces Agreement (SOFA), a treaty between a host country and a nation stationing troops in that country, affects the relocation of children from one country to another.

Choose an Agency and Complete a Home Study

If You Are Stationed in the United States

You may choose to work with a public agency, a licensed private agency, an attorney (“independent adoption”), or an adoption facilitator (if allowed by laws in your State) or unlicensed agency. Public and licensed private agencies are required to meet State standards and have more oversight to ensure standardized quality services. Many adoption agencies offer free orientation sessions that will give you an overview of their available pre- and postadoption services prior to making any commitment to work with them.

Find lists of public and licensed private agencies for both domestic and intercountry adoptions in Information Gateway’s National Foster Care & Adoption Directory at <https://www.childwelfare.gov/nfcad>.

No matter what agency or facilitator you use, all prospective adoptive parents must have a home study (also called a family study or family assessment). The home study involves education, preparation, and information gathering about the prospective adoptive parents. This process can take from 2 to 10 months to complete. Intercountry adoption may carry special home study requirements, depending on the country and agency involved.

Although the home study process is generally the same for military families and civilian families, military families might encounter the following:

- Your home study may require more criminal background checks than is typical, because agencies may require background checks for every State in which you have lived.

- Depending on how familiar your assigned social worker is with military culture, you may encounter questions about how often your family moves and/or how you will provide a stable environment for a child. This is a good opportunity to point out that the military provides a high level of consistency and support for families, including access to the same health insurance, health care, and family supports no matter where they live. You can also refer your social worker to Information Gateway’s bulletin, *Working With Military Families as They Pursue Adoption*, for more information at <https://www.childwelfare.gov/pubs/militarybulletin/>.

If You Are Stationed Overseas

Families overseas must have a home study completed and been approved by a social worker licensed in the United States to do adoption home studies. Two agencies licensed to place U.S. children with overseas families are Adopt Abroad (<http://adopt-abroad.com>) and Voice for International Development and Adoption (<http://www.vidaadoptions.org>). Also, the International Social Service has social workers in 140 of the countries where the United States has military installations. Find more information at <http://www.iss-usa.org>.

Keep in mind that obtaining necessary documents, such as certified copies of birth and marriage certificates, may take extra time when you live overseas. If your documents must be notarized, you may need to contact the issuing State or county to get them.

Prepare for Matching and Placement of Your Child

The time it takes for a child to be matched with your family and placed in your home will vary greatly depending on the type of adoption, agency, and the country where you and your child live. It is not unusual to wait 2 years or longer for a child to be matched with an adoptive family. Realistic expectations about the waiting period and making use of that time to educate yourself about adoption and prepare your home and family for the lifelong journey can help ease the frustration of the wait.

In a U.S. adoption from foster care, children may require preplacement visits over a period of time to ease their transition into your family. These plans are based on agency policy and the needs of the child or children.

Out-of-State or overseas families may need to travel to the home State or country of the child to meet and visit with him or her.

For More Information

- The AdoptUSKids website includes a section on How to Foster and Adopt: Military Guidelines, which has information specifically for military families and includes a contact number for more information at <http://www.adoptuskids.org/resourcecenter/rtrpackets/military.aspx>.
- National Military Family Association website also includes a section on adoption for military families at <http://www.militaryfamily.org/info-resources/adoption.html>.

Information Gateway offers many resources on the adoption process, including the following:

- *The Adoption Home Study Process*, an Information Gateway factsheet, provides information about what is included in a home study and the topics discussed in this process at <https://www.childwelfare.gov/pubs/f-homstu/>.
- The National Foster Care and Adoption Directory contains a State-by-State listing of adoption agencies and program managers and is available at <https://www.childwelfare.gov/nfcad/>.

Permanent Change of Station or Deployment During the Adoption Process

PCS Orders

If your family receives orders for a permanent change of station (PCS) during the adoption process, you may be able to have some of your home study documents transferred to an agency near your new home or installation. However, many agencies require a new home study using their own forms and protocols.

If your family has already been matched with a child in the State where you are currently stationed but you have received orders to move out-of-State, administrators of the Interstate Compact on the Placement of Children will need to grant approval for the child to move to another State to complete the adoption. Once you have legally adopted your child, your family will be free to move to different States.

The Department of Defense's (DoD) Exceptional Family Member Program helps families that have a family member with particular medical and/or educational needs before, during, and after transfer or PCS orders to help ensure that all family members' needs are considered in the assignment coordination process. The program also provides assistance in navigating medical and educational systems by providing information and referrals. Families must first enroll in this program in order for the family member's special needs to be considered.

It should be noted that the military defines "special needs" to mean "physical or mental disabilities or severe illness." This differs from what some States may refer to as "children with special needs" with regard to adoption, which may include children who may be healthy but are older, in sibling groups, or from a specific minority or ethnic group.

More details about the Exceptional Family Member Program are provided on the Military OneSource website at http://www.militaryonesource.mil/efmp?content_id=271240.

Deployment

In case of deployment, it is very important to keep your command informed about your adoption process to ensure that essential documents are completed and delivered in a timely way. The spouse remaining at home (or another family member) also should have a mailing address for the military member during deployment, as well as a method for reaching him or her in an emergency.

Some parts of the adoption process can be facilitated by granting power of attorney to your spouse (or another family member, in the case of a single parent adoption). However, your home study will require at least one personal interview that cannot be delegated to anyone else via power of attorney. If you know you will be deploying, you may be able to work with your social worker to schedule the interview before leaving. You also can prepare for the adoption process before deployment by completing fingerprints for background checks in advance.

Families that are close to finalization may request a deployment deferment or extension of assignment. This deferment is available for single parents or one member of a military couple and is more likely to be granted once a child has been placed in the home.

Military Benefits and Services

The military offers a number of benefits and services to support families before, during, and after an adoption. Military and Family Support Centers (known by different names in different branches of the military) are located on most military installations and can provide families with more information about their benefits and referrals to other sources. Assistance locating installation programs and services nearby can be obtained by calling Military OneSource at 800.342.9647 or accessing the installation program directory at <http://www.militaryonesource.mil/>.

Help With Adoption Costs

The costs of adoption can range from zero—if you adopt from the foster care system and use a public agency—to more than \$40,000, if you adopt independently (that is, without an agency). An Information Gateway factsheet, *Costs of Adopting*, has more details and is available at <https://www.childwelfare.gov/pubs/s-cost/>.

Both military and nonmilitary resources are available to help defray the costs of adoption, such as:

- **Adoption reimbursement.** According to DoD Instruction 1341.09, up to \$2,000 per child or up to \$5,000 per year is available for qualifying expenses to military families whose adoptions were arranged by a qualified adoption agency or other source authorized to place children for adoption under State or local law. Benefits are paid after the adoption is completed. Read more at <http://www.dtic.mil/whs/directives/corres/pdf/134109p.pdf>.
- **Tax credit.** Military families are eligible for the same adoption tax credit as civilian families. For more information, go to the Information Gateway webpage that lists grants, loans, and tax credits for adoption at <https://www.childwelfare.gov/topics/adoption/adoptive/expenses/grants-loans/>.
- **Adoption assistance (or adoption subsidies).** For some eligible children, adoption assistance is another possible resource. The subsidies will vary depending on the child's needs. See Information Gateway's factsheet *Adoption Assistance for Children Adopted From Foster Care* at <https://www.childwelfare.gov/pubs/f-subsid/>.

Working spouses who are not members of the military may also be eligible for adoption reimbursement through their employer.

Leave

Service members are eligible for up to 21 days of nonchargeable leave in conjunction with the adoption of a child. If both parents are in the military, only one can take adoption leave. See DoD instruction Number 1327.06 (page 17) at <http://www.dtic.mil/whs/directives/corres/pdf/132706p.pdf>.

Military service members are not eligible for leave under the Family and Medical Leave Act. However, working spouses of military members may be eligible and should check with their employers regarding eligibility.

Medical Coverage

An adopted child or a child whose adoption is pending but not yet finalized should be enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) immediately upon placement in your home through www.tricare.mil/DEERS. Patient affairs personnel at specific medical treatment facilities may have more information. Details about access and eligibility are available on the TRICARE website at <http://www.tricare.mil>.

Postadoption Services

All families can benefit from support, and many adoptive families find it helpful to seek services in the days, weeks, or even years after the adoption is finalized. Postadoption services help families with a wide range of challenges, from learning how to explain adoption to a preschooler, to caring for a child who experienced early childhood abuse, to supporting an adopted teen's search for identity. Some postadoption services specific to the military include the following:

- **Affordable child development programs** provide child care at many military installations. DoD requires high-quality services that are consistent from one installation to another, although not all services are available at all installations. More information is available on the Military OneSource website at http://www.militaryonesource.mil/cyt/leaders?Content_id=271919.
- **Family advocacy programs** exist in each branch of the military. These programs include installation services to support and strengthen couples and families and provide individual and family counseling services for military families. New Parent Support Programs at some installations offer professional home visitation services for families with young children. The Military OneSource website provides more information at http://www.militaryonesource.mil/phases-military-leadership?content_id=266712.
- **Confidential services**, including nonmedical counseling, online coaching, and specialty consultations, are available in various formats for eligible individuals. For more information, call Military OneSource at 1.800.342.9647 or visit <http://www.militaryonesource.mil/confidential-help>.

Other resources include the following:

- **Parenting resources.** Information Gateway's Parenting After Adoption section offers a number of resources to support parents throughout their child's life. Visit it at <https://www.childwelfare.gov/topics/adoption/adopt-parenting/>.
- **Support groups.** Adoptive parent support groups can be a great source of encouragement and a place to find information about other adoption services in your area. Some military installations have active adoptive parent support groups. Search for support groups by State at <https://www.childwelfare.gov/nfcad>. Alternatively, contact a Military OneSource triage consultant, who can help service members and their families locate an adoption support group near them, at 800.342.9647 or <http://www.militaryonesource.mil/>.
- **Trauma support.** Many children and youth who are adopted—particularly those adopted internationally or from the U.S. foster care system—have experienced some form of trauma. For more information and resources about working with children who have experienced trauma, see the Resources on Trauma for Caregivers and Families section of the Information Gateway website at <https://www.childwelfare.gov/topics/responding/trauma/caregivers/>.
- **Adoption caseworkers or adoption agencies.** If you are stationed in the United States, your adoption caseworker or adoption agency can help you find the services available in your State. Information Gateway has a webpage of links to adoption information provided by State child welfare agencies in all 50 States and the District of Columbia at https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=12.

Resources for More Information

Child Welfare Information Gateway, Adoption by Family

Type: Military Families at

<https://www.childwelfare.gov/topics/adoption/adoptive/adoption-by-family-type/military-families/>

AdoptUSKids, Adoption Resources for Military Families at

<http://www.adoptuskids.org/resourcecenter/rrtpackets/military.aspx>

Military OneSource at <http://www.militaryonesource.com>

National Military Family Association (NMFA), Adoption at

<http://www.militaryfamily.org/info-resources/adoption.html>

U.S. Department of State, Intercountry Adoption at

<http://www.adoption.state.gov>

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