

STATE STATUTES

Current Through
June 2014



State Recognition of Intercountry Adoptions Finalized Abroad

Intercountry adoption refers to the adoption of children who are citizens of one country by parents who are citizens of a different country. Intercountry adoptions may be finalized abroad or domestically. An intercountry adoption completed abroad is essentially a private matter between the adopting individual or couple and a foreign court operating under that country's laws and regulations.

For adoptive parents who are U.S. citizens, completing an adoption abroad does not entitle the adopted child to enter the United States. In order for a child who has been adopted abroad to enter the United States, the adoptive parents must fulfill the requirements set by the U.S. Citizenship and Immigration Services (USCIS) of the U.S. Department of Homeland Security, the foreign country in which the child resides, and sometimes the adoptive parents' State of residence.¹

¹ For additional information on these requirements, see Adoption Process, U.S. Department of State, at http://adoption.state.gov/adoption_process.php.

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**Children's
Bureau**

Effective April 2008, rules of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption apply when an adoption is completed in a country that has ratified the Convention.² Adoptive parents in these cases are required to work with an adoption service provider accredited by the U.S. Department of State to guide them through the process of obtaining an IH-3 visa. Children under age 18 automatically acquire citizenship upon entering the United States on an IH-3 visa.

Children whose adoptions are completed in a country that has not ratified the Convention must qualify as orphans as defined by the Immigration and Nationality Act (INA) before they can be considered for U.S. permanent residence or citizenship. When U.S. citizens fully finalize the adoption of a foreign-born child abroad in a non-Hague Convention country, they must apply to the USCIS to obtain an IR-3 visa for the child, which classifies the child as an immigrant and provides the child with U.S. citizenship upon arrival into the United States. The immigration procedure is different for Hague and non-Hague intercountry adoptions that are finalized after the child arrives in the United States.³

Full Effect and Recognition of Intercountry Adoption Decrees

Once the child is in the United States, recognition and validation of the adoption is subject to the laws of the parents' State of residence.⁴ Approximately 29 States, the District of Columbia, Guam, and the Northern Mariana Islands give full effect and recognition to an

² The Hague Convention was ratified by the United States by the Intercountry Adoption Act of 2000 (P.L. 106-279) on October 6, 2000, and went into force in the United States on April 1, 2008. For an overview of this process, see Child Welfare Information Gateway's *Intercountry Adoption From Hague Convention and Non-Hague Convention Countries* at <https://www.childwelfare.gov/pubs/factsheets/hague.cfm>.

³ The website of the U.S. Department of State, Bureau of Consular Affairs, Intercountry Adoption provides information on visas and citizenship processes for children who have been adopted through intercountry adoption: <http://adoption.state.gov/>. The information provided includes procedures for children adopted abroad and for children adopted after they have entered the United States.

⁴ The State of residence is the State that the adoptive parents live in and call home. Determining a military family's State of residence may be complex because the family may relocate often. For additional information about military families seeking to adopt and determining their State of residence, see the Information Gateway factsheet *Military Families Considering Adoption* at https://www.childwelfare.gov/pubs/f_milita.cfm.

adoption decree that has been issued in full compliance with the laws of the United States and the country that granted the adoption,⁵ although some of these States place conditions on full effect and recognition of foreign decrees.⁶ Recognition of a foreign adoption decree means that the decree is considered by the State to be as valid and binding as a decree issued by a State court.

Readoption or Validation After an Intercountry Adoption

Many States provide for validation of the foreign adoption or readoption of the child under State law. Validation is the process of submitting an adopted child's foreign adoption decree for State court approval.⁷ Readoption is the process of adopting a child who had been adopted in another jurisdiction. The processes are similar; both involve State court review and legitimization of the foreign adoption. The processes typically require adoptive parents to provide the court with certain documents, including a certified translated copy of the foreign adoption decree, proof of the date and place of the adopted child's birth, and proof that the child has an IR-3 visa.

Approximately five States and Puerto Rico require adoptive parents either to petition the court for validation or file or register the foreign adoption or foreign adoption

⁵ The word "approximately" is used because States frequently amend their laws. This information is current through June 2014. The States that currently provide full recognition to foreign adoption decrees include Alaska, Arkansas, California, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New Mexico, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Vermont, Virginia, and West Virginia.

⁶ For example, California provides full faith and credit only for adoptions finalized in Hague Convention countries. Wisconsin provides full faith and credit only for adoptions finalized in Canada or adoptions granted by a federally recognized Indian Tribe. In Hawaii and Maine, full recognition of a foreign decree is discretionary with the court with adoption jurisdiction, while Kansas and Idaho require the foreign decree to be filed with their State courts. Massachusetts grants full recognition to foreign decrees as to inheritance matters. Illinois and Iowa require postplacement investigations to ensure that the adoptive family is meeting the child's needs.

⁷ The State court must be a court that has jurisdiction over adoption cases. For more information, see Information Gateway's *Court Jurisdiction and Venue for Adoption Petitions* at https://www.childwelfare.gov/systemwide/laws_policies/statutes/jurisdiction.cfm.

decree.⁸ Approximately three States require adoptive parents to readopt the child under certain circumstances.⁹

Approximately 24 States and the District of Columbia offer readoption or validation as an option and not a requirement.¹⁰ Readoption or validation protects the adoption finalized abroad from a legal challenge in State court and ensures the adopted child's ability to inherit from an adoptive parent. Also, readoption or validation provides the adopted child with an opportunity to obtain a U.S. birth certificate from the parent's State of residence.

Application for a U.S. Birth Certificate

Approximately 33 States, the District of Columbia, Guam, the Northern Mariana Islands, and Puerto Rico require adoptive parents to submit documentation from readoption or validation of a foreign adoption in a State court when they wish to request that the State Registrar of Vital Statistics issue a State birth certificate for the adopted child.¹¹ Approximately 13 States and the District of Columbia will accept the foreign adoption decree when adoptive parents request a U.S. birth certificate for their adopted child.¹² Usually, the request for a birth certificate is accompanied by a certified copy of the final adoption decree, the State court's findings of fact as to date and place of birth, and a written request for a new birth certificate for the adopted person.¹³

⁸ Kansas, Kentucky, Louisiana, Pennsylvania, and South Carolina.

⁹ California requires readoption if it is required by the U.S. Department of Homeland Security. Kentucky and Pennsylvania require readoption if the adoption was not finalized abroad properly.

¹⁰ Arizona, California, Colorado, Connecticut, Delaware, Georgia, Maine, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, West Virginia, and Wisconsin.

¹¹ Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Louisiana, Maine, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Dakota, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, and Wisconsin.

¹² Illinois, Maryland, Michigan, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Rhode Island, and Virginia.

¹³ "Findings of fact" are court determinations about questions vital to a legal proceeding, such as facts about an adopted child, that are necessary for a readoption in State court. Adoptive parents may adopt a foreign-born child whose date and place of birth are unknown or seem incorrect. A State court must determine the true date and place of birth because this information is necessary to conduct the adoption proceedings, to issue a U.S. birth certificate, and to fill out all future forms relating to health, education, and work for the adopted child.

The State Registrar issues the birth certificate in the new name of the adopted child, if requested by the adoptive parents, and the certificate shows the date and place of birth. In approximately 20 States and Guam, a notation is made on the certificate that it is not evidence of U.S. citizenship for the child.¹⁴ Afterwards, the Registrar seals the original birth certificate, order or decree of adoption, and the court findings, which are not unsealed except by court order or as provided by law.¹⁵

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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¹⁴ Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Idaho, Kentucky, Louisiana, Maine, Maryland, Minnesota, Montana, North Dakota, Pennsylvania, South Carolina, Vermont, and West Virginia.

¹⁵ For additional information about an adopted child's access to his or her sealed adoption records, see the Information Gateway State Statutes publication *Access to Adoption Records* at https://www.childwelfare.gov/systemwide/laws_policies/statutes/infoaccessap.cfm.

Alabama

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ala. Code § 22-9a-12(i)

The State Registrar shall, upon request, prepare and register a certificate in this State for a person born in a foreign country who is not a citizen of the United States and who was adopted through a court in this State. The certificate shall be established upon receipt of:

- A report of adoption from the court decreeing the adoption
- Proof of the date and place of birth of the child
- A request from the court, the adopting parents, or the adopted person, if he or she is age 18 or older, that a certificate be prepared

The certificate shall be labeled 'certificate of foreign birth' and shall show the actual country of birth. A statement shall also be included on the certificate indicating that it is not evidence of U.S. citizenship for the child for whom it is issued.

After registration of the birth certificate in the new name of the adopted person, the State Registrar shall seal and file the report of adoption. It shall not be subject to inspection except by court order or as provided by statute. Any person age 19 or older who has had a certificate of foreign birth prepared in Alabama may, on written request, receive a copy of any information about the adoption.

Alaska

Effect and Recognition of a Foreign Adoption Decree

Alaska Stat. § 25.23.160

A decree of court establishing the relationship of parent and child by adoption issued under due process of law by a court of any other jurisdiction within or outside of the United States shall be recognized in this State and the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Alaska Stat. §§ 25.23.170; 18.50.211

The State Registrar will, upon request by an adopted person or adoptive parents, issue a certificate of birth for a foreign-born person who was adopted by State residents when it receives:

- An adoption report
- Information necessary to identify the original certificate of birth
- If there is no original certificate of birth, the court findings as to the true or probable date and place of birth and parentage of the adopted person

The certificate will be in a form prescribed by the State Registrar and will state that it is not evidence of U.S. citizenship for the child.

Upon proof of naturalization, an amended certificate of birth will be issued that deletes the statement that the certificate is not evidence of U.S. citizenship.

American Samoa

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

This issue is not addressed in the statutes reviewed.

Arizona

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption Rev. Stat. § 36-338(C)

Before the State Registrar creates and registers a certificate of foreign birth for a parent of an adopted child who has been issued an IR-3 visa and who has completed a readoption process in a court in this State, the parent must provide either of the following:

- An original State of Arizona certificate of adoption
- A certified court order of adoption issued by a court in this State and either a birth certificate from the country of the adopted child's birth or any other written documentation that establishes the date and place of the adopted child's birth that has been translated into English

Application for a U.S. Birth Certificate Rev. Stat. § 36-338(A),(B),(D)-(F)

The State Registrar shall create a certificate of foreign birth for an adopted person who shows that he or she:

- Was born in a foreign country
- Is not a U.S. citizen
- Has gone through a completed adoption process in a foreign country before coming to the United States
- Has an IR-3 stamped passport

Before the State Registrar creates a certificate of foreign birth, a State court, an adoptive parent, or an adult adopted person must submit the following:

- An adoption decree or other official document finalizing the adoption from the country of the adopted person's birth that has been translated into English
- A copy of the passport page showing the IR-3 stamp

If the adopted person does not have an IR-3 stamped passport, before the State Registrar creates a certificate, an adoptive parent or an adult adopted person must submit either:

- An original State of Arizona certificate of adoption
- A certified court order of adoption issued by a court in this State and either a birth certificate from the country of the adopted person's birth or any other written documentation that establishes the date and place of the adopted person's birth that has been translated into English
- If the person was not adopted in this State, a court order issued in this State that recognizes the adoption pursuant to § 36-336

The State Registrar shall not create a State of Arizona certificate of foreign birth for an adopted person who was born in a foreign country and who was a U.S. citizen at the time of birth. The State Registrar shall inform the adoptive parents or the adult adopted person that a birth certificate may be obtained through the U.S. Department of State.

A State of Arizona certificate of foreign birth for an adopted person must show the country of birth and state that the certificate is not evidence of U.S. citizenship for the person for whom it is issued.

Arkansas

Effect and Recognition of a Foreign Adoption Decree Ann. Code § 9-9-218

A decree of court establishing the relationship of parent and child by adoption issued pursuant to due process of law by a court of any other jurisdiction within or without the United States shall be recognized in this State. The rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Code § 20-18-406(f)

The State Registrar of Vital Statistics will, upon request, prepare and register an Arkansas certificate of birth for a foreign-born person who is not a U.S. citizen and for whom a final decree of adoption was entered by an Arkansas court when it receives:

- A certificate of adoption
- Proof of the date and place of the adopted child's birth
- A request by the court decreeing the adoption, the adoptive parents, or the adopted person who is age 18 or older

After preparation of the certificate in the new name of the adopted person, the State Registrar of Vital Statistics will seal and file the report of adoption that will not be unsealed except upon court order or as provided by State law.

The birth certificate will show the actual foreign country of birth and will state that it is not evidence of U.S. citizenship for the child.

California

Effect and Recognition of a Foreign Adoption Decree

Family Code § 8925

A Hague adoption certificate or, in outgoing cases, a Hague custody declaration, obtained pursuant to part 97 of title 22 of the Code of Federal Regulations, shall be recognized as a final valid adoption for purposes of all State and local laws.

Readoption After an Intercountry Adoption

Family Code § 8919(a)-(c)

Each State resident who adopts a child through an intercountry adoption that is finalized in a foreign country shall readopt the child in this State if it is required by the U.S. Department of Homeland Security. The readoption shall include, but is not limited to, at least one postplacement in-home visit, the filing of the adoption petition, the intercountry adoption court report, accounting reports, the home study report, and the final adoption order. If the adoptive parents have already completed a home study as part of their adoption process, a copy of that study shall be submitted in lieu of a second home study. No readoption order shall be granted unless the court receives a copy of the home study report previously completed for the international finalized adoption by an adoption agency authorized to provide intercountry adoption services pursuant to § 8900. The court shall consider the postplacement visit or visits and the previously completed home study when deciding whether to grant or deny the petition for readoption.

Each State resident who adopts a child through an intercountry adoption that is finalized in a foreign country may readopt the child in this State. Except as provided below, the readoption shall meet the standards described above.

A State resident who adopts a child through an intercountry adoption that is finalized in a foreign country with adoption standards that meet or exceed those of this State, as certified by the State Department of Social Services, may readopt the child in this State. The readoption shall include one postplacement in-home visit and the final adoption order.

Application for a U.S. Birth Certificate

Family Code § 8919(c); Health and Safety Code §§ 102635; 103450(a)

In addition to the requirement or option of the readoption process set forth in § 8919 of the Family Code, each State resident who adopts a child through an intercountry adoption that is finalized in a foreign country may obtain a birth certificate in the State of California in accordance with the provisions of § 102635 or § 103450(a) of the Health and Safety Code.

A new birth certificate shall be established by the State Registrar upon receipt of either of the following:

- A report of adoption from any court of record that has jurisdiction of the child in this State, another State, the District of Columbia, in any territory of the United States, or in any foreign country, for any child born in California and whose certificate of birth is on file in the office of the State Registrar
- A readoption order issued pursuant to § 8919 of the Family Code

Beneficially interested parties may petition the clerk of the superior court for an order to establish judicially the time and place of a birth that is unregistered or for which a certified copy is unobtainable.

Colorado

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Rev. Stat. § 19-5-205(1) & (2)

The adoptive parents may petition the court to validate an intercountry adoption that was finalized abroad. The petition must include:

- Confirmation that the petitioner has participated in adoption counseling, if the court deems it appropriate
- The physical and mental condition of the child
- The child's family background, including the names of birth parents and other identifying data regarding the parents, if obtainable
- Reasons for the termination of the parent-child legal relationship
- The suitability of the adoption of this child by this petitioner and the child's own attitude toward the adoption in any case in which the child's age makes this feasible
- The length of time the child has been in the care and custody of the petitioner

The court will issue a decree validating the adoption if it finds that:

- At the time the petition is filed, it contains a verified statement or other evidence that at least one of the adopting parents is a U.S. citizen and State resident.
- The original or a certified copy of a valid foreign adoption decree, together with a notarized translation, is presented to the court.
- The child is either a permanent resident or a naturalized citizen of the United States.

Any decree that validates a foreign adoption that was finalized abroad will have the same legal effect as any decree of adoption issued by the court.

Application for a U.S. Birth Certificate

Rev. Stat. § 25-2-113(1)(b)

The State Registrar shall prepare a new certificate of birth for any adopted person born in a foreign country and a resident of this State upon receipt of a certified copy of the final decree of adoption and findings of fact as to the person's date and place of birth and parentage.

The State Registrar shall prepare the new certificate in the new name of the adopted person and seal the certified copy of the findings of the court and the certified copy of the final decree of adoption.

The birth certificate shall be labeled as a certificate of foreign birth and show the country or probable country of birth and that the certificate is not evidence of U.S. citizenship. If the child was born in a foreign country but was a citizen of the United States at the time of birth, the State Registrar shall notify the adoptive parents of the procedures for obtaining a revised birth certificate for their child through the U.S. Department of State.

Connecticut

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Gen. Stat. § 45a-730(a)

A petition for validation of an intercountry adoption decree may be filed with a probate court for an adoption that was finalized outside the United States when the U.S. Immigration and Naturalization Service* refused to grant the child U.S. citizenship because the adoptive parents did not personally see and observe the child prior to or during the adoption proceedings.

The petition for validation may be made by the adoptive parent or child-placing agency and filed with the probate court in the petitioner's county of residence and must be accompanied by an authenticated copy of the adoption decree unless the court waives this requirement.

The court may validate the adoption if it finds that:

- The adoption of the foreign-born child was finalized abroad.
- The U.S. Immigration and Naturalization Service* refused to naturalize the child because the adoptive parents did not personally see and observe the child prior to or during the adoption proceedings.
- It is in the best interests of the child.

A validation under this section shall not be construed to validate an adoption otherwise invalid in accordance with the law of the place of adoption.

*[*As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. The statutes do not yet reflect this change.]*

Application for a U.S. Birth Certificate

Gen. Stat. § 7-54

The Department of Public Health will prepare a certification of birth registration or a certificate of foreign birth for any person born outside the country who is adopted by a State resident provided:

- An authenticated copy of the adoption order from the court conducting the adoption proceedings, or other evidence that is considered satisfactory by the probate court, is filed with the court.
- The probate court notifies the department that the copy or satisfactory evidence has been filed.

The certification of birth registration will contain only:

- The adopted name
- Sex
- Date and place of birth
- Date of preparation of the certification

The certificate of foreign birth will contain:

- The adopted name
- Sex
- Date and place of birth
- Legal name of adoptive parent or parents
- Date of preparation of the certificate

No certification of birth registration or certificate of foreign birth shall be prepared except on specific written request by the person to whom the certification relates, if over age 16, the adopting parent(s), or the court for the district in which the adoption proceedings were held.

The adoptive parent(s) or adopted person, if age 18 or older, may apply to the court to determine the person's biological age and date of birth. After a hearing on the application, the court may issue a decree to establish the biological age and date of birth of the adopted person. If the biological age and date of birth established in the decree differs from that in the certification of birth registration or a certificate of foreign birth, the court shall provide a certified copy of the decree to the department.

Delaware

Effect and Recognition of a Foreign Adoption Decree

Ann. Code Tit. 13, § 927(a)-(b)

An adoption that is finalized by a court with appropriate jurisdiction in a foreign country is valid if it was issued in accord with the laws of that country and if the child was not brought into the United States until after the adoption was finalized abroad.

A proceeding or decree issued in a foreign country is not valid if the child was brought into the United States before the adoption was finalized abroad unless the adoption proceedings were in substantial compliance with the adoption laws of Delaware. This subsection does not apply to adoption proceedings or orders initiated in a foreign country as to persons who are not Delaware residents when the adoption proceedings commenced.

Readoption After an Intercountry Adoption

Ann. Code Tit. 13, § 927(c)

Adoptive parents seeking an order certifying the validity of their foreign adoption decree shall file the decree with the family court in the county in which they reside. An affidavit shall be filed with the decree indicating that the decree was issued in accordance with the laws of the issuing jurisdiction and that the adopted child was not brought into Delaware until the adoption was finalized. The name by which the child is to be known shall be included in the affidavit.

The court shall review the affidavit, decree, and other documents, and if the adoption meets the requirements of this section, the court shall issue an order certifying the validity of the adoption that will include the child's American name.

Application for a U.S. Birth Certificate

Ann. Code Tit. 16, § 3126

Upon the issuance of a final decree of adoption or of an order certifying the validity of a foreign adoption, the clerk of the court in which the decree of adoption was made, or filed in the case of a foreign adoption under title 13, § 927, shall immediately file in the office of the State Registrar a report setting forth the information required by title 13, § 921, together with a certified copy of the final decree of adoption.

Upon receipt of the information, the State Registrar shall file a new certificate setting forth the adopted name and sex of the child, together with the names of the adopting parents and the actual birth date and birthplace of the child. Certificates may be issued in accordance with § 3110 of this title.

In the event of a child born outside of the United States who is adopted in Delaware and for whom no certificate of birth can be secured from the nation of birth, the State Registrar may file and issue a special certificate of birth in accordance with this chapter, provided the adopting parents can furnish evidence considered satisfactory by the State Registrar of the facts and circumstances surrounding the birth of the child.

District of Columbia

Effect and Recognition of a Foreign Adoption Decree

Ann. Code § 16-317(a)

A final judgment of adoption granted by a judicial, administrative, or executive body of a country outside the United States shall have the same force and effect as that given to a judgment of adoption entered by the Superior Court of the District of Columbia without additional proceedings or documentation if:

- The adopting parent is a resident of the District of Columbia.
- The validity of the foreign adoption has been verified by the granting of an IR-3 immigrant visa or a successor immigrant visa by U.S. Citizenship and Immigration Services.

A foreign adoption that meets these requirements shall be considered final under the laws of the District of Columbia and no further petition for an adoption decree shall be required.

Readoption After an Intercountry Adoption**Ann. Code § 16-317(b)**

Notwithstanding § 16-317(a), an adoptive parent may file a petition for a District adoption decree with the Superior Court. If the foreign adoption meets the requirements § 16-317(a), the court shall issue:

- Findings of fact on the foreign adoption including:
 - » The name of the adoptive parent
 - » The name or names of the child
 - » The reported birth date of the child
 - » The country of the child's birth
 - » The country and the date of the foreign adoption
 - » The date and issuance of an IR-3 immigrant visa or a successor immigrant visa by U.S. Citizenship and Immigration Services
- An adoption decree to the petitioner

Application for a U.S. Birth Certificate**Ann. Code § 7-210(a-1)**

The registrar shall establish a new certificate of birth for an adopted person born outside of the United States upon receipt of a request from the adopting parents or the adopted person who is age 18 or older and receipt of one of the following documents:

- An adoption form prepared according to § 7-209 or a copy of the foreign decree
- A certified translation of the foreign adoption decree or, if birth information is not already included in the foreign adoption decree, evidence of the child's birth date and birthplace, which may include:
 - » An original birth certificate
 - » A postadoption birth certificate issued by the foreign jurisdiction, including a certified copy, extract, or translation
 - » Another equivalent document, such as a record from the U.S. Citizenship and Immigration Services or the U.S. Department of State
- Evidence of the child's IR-3 immigrant visa status or successor immigrant visa status

Florida**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. § 63.192**

A judgment of court establishing the relationship of parent and child by adoption issued pursuant to due process of law by a court of any other jurisdiction within or without the United States shall be recognized in this State, and the rights and obligations of the parties on matters within the jurisdiction of this State shall be determined as though the judgment were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate **Ann. Stat. § 382.017**

The Department of Health will prepare a certificate of foreign birth for a foreign-born adopted person who is not a U.S. citizen and whose judgment of adoption was entered by a Florida court. The certificate will be established upon receipt of:

- The report or certified copy of the adoption decree
- Proof of the date and place of the adopted person's birth
- A request that the certificate be prepared from the court, the adopting parents, or the adopted person if he or she is of legal age

The certificate shall be labeled 'Certificate of Foreign Birth' and will show the true country and date of birth of the adopted person and will state that it is not evidence of U.S. citizenship for the child.

After registering the certificate of foreign birth in the new name of the adopted person, the department will seal the adoption report or decree. The seal will not be broken except pursuant to a court order.

If the adopted person was born in a foreign country but was a U.S. citizen at the time of birth, the department shall notify the adoptive parents, or the adopted person if of legal age, of the procedure for obtaining a revised birth certificate through the U.S. Department of State.

Georgia

Effect and Recognition of a Foreign Adoption Decree **Ann. Code § 19-8-22**

A decree establishing the relationship of parent and child by adoption, issued pursuant to due process of law by a court of any other jurisdiction within or outside the United States shall be recognized in this State; and the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though any such decree was issued by a court of this State.

Readoption After an Intercountry Adoption **Ann. Code § 19-8-8**

A child may be adopted pursuant to the provisions of this chapter based upon both of the following:

- A decree that has been entered pursuant to due process of law by a court of competent jurisdiction outside the United States establishing the relationship of parent and child by adoption between each petitioner and a child born in the foreign country
- The child having been granted a valid visa by the U.S. Immigration and Naturalization Service*

*[*As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. The statutes do not yet reflect this change.]*

Application for a U.S. Birth Certificate **Ann. Code § 31-10-13(f)**

If a person was born in a foreign country, is not a citizen of the United States, and does not meet the requirements of the Federal Child Citizenship Act of 2000 (P.L. 106-395), but was adopted through a court in this State, the State Registrar shall prepare and register a birth certificate in this State. The certificate shall be established upon receipt of a report of adoption from the court decreeing the adoption and proof of the date and place of birth of the child. The certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country of birth. A statement shall also be included on the certificate indicating that it is not evidence of U.S. citizenship for the person for whom it is issued.

If a person was born in a foreign country and was not a citizen of the United States at the time of birth but does meet the requirements of the Federal Child Citizenship Act of 2000, and he or she was adopted through a court in this State, the State Registrar shall prepare and register a birth certificate in this State. The certificate shall be established upon receipt of a report of adoption from the court decreeing the adoption and proof of the date and place of birth of the child. The certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country of birth. After registration of the birth certificate in the new name of the adopted person, the State Registrar shall seal and file the report of adoption. The sealed file shall not be subject to inspection except upon order of a court of competent jurisdiction or as provided by statute.

Guam

Effect and Recognition of a Foreign Adoption Decree

Ann. Code Tit. 19, § 4220

When an adoption has been judicially decreed by a court in the United States, such decree shall have the same force and effect as to matters within the jurisdiction of the territory of Guam as though it had been granted by the court.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Code Tit. 10, § 3215.1

The Registrar of Vital Statistics shall, upon request, establish a new certificate of birth for a person born in a foreign country on receipt of:

- A report of adoption decreed by a court of competent jurisdiction
- Proof of the date and place of the person's birth
- A request from the court, the adopting parent or parents, or the adopted person if he or she is age 18 or older, that such a certificate be prepared

The certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country of birth. The certificate shall show the true or probable foreign country of birth and shall state that the certificate is not evidence of U.S. citizenship for the child for whom it is issued or for the adoptive parent or parents.

After registration of the Certificate of Foreign Birth in the new name of the adopted person, the registrar shall seal the report of adoption. The sealed report shall not be subject to inspection except upon order of a court of competent jurisdiction.

Hawaii

Effect and Recognition of a Foreign Adoption Decree

Rev. Stat. § 578-8(c)

In cases in which a child is adopted from a foreign country and is brought into the State, the court, in its discretion, may dispense with a hearing on an adoption petition upon receipt of a sworn affidavit, ex parte, from the adoptive parents requesting that the hearing be dispensed with, and upon a finding that the issues it would have reviewed have received full consideration by the country from which the child was adopted and the U.S. Citizenship and Immigration Services.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate Rev. Stat. § 338-20.5

The Department of Health shall establish a Hawaii certificate of birth for a person born in a foreign country and for whom a final decree of adoption has been entered in a court of competent jurisdiction in Hawaii, when it receives the following:

- A properly certified copy of the adoption decree or certified abstract thereof on a form approved by the department
- A copy of any investigatory report and recommendation that may have been prepared by the Director of Social Services
- A report on a form approved by the Department of Health setting forth the following:
 - » Date of the assumption of custody
 - » The sex, color, or race of the child
 - » The approximate age of the child
 - » The name and address of the adoptive parent(s)
 - » The name given to the child by the adoptive parent(s)
 - » The true or probable country of birth
 - » A request that a new certificate of birth be established
- The true or probable country of birth shall be known as the place of birth, and the date of birth shall be determined by approximation. This report shall constitute an original certificate of birth.

After preparation of the new birth certificate in the new name of the adopted person, the Department of Health shall seal and file the certified copy of the adoptive decree, investigatory report, and recommendation of the Director of Human Services, if any; the report constituting the original certificate of birth; and the request for a new certificate of birth. The sealed documents may be opened by the department only by an order of a court of record or when requested in accordance with § 578-14.5 or 578-15.

The new certificate of birth shall show the true or probable foreign country of birth and that the certificate is not evidence of U.S. citizenship for the child for whom it is issued or for the adoptive parents.

Idaho

Effect and Recognition of a Foreign Adoption Decree Idaho Code § 16-1514(4)

The decisions and orders of foreign courts and government agencies authorized to approve adoptions shall be accorded judicial comity or the same full faith and credit accorded a judgment of a sister State without additional proceedings or documentation, provided the U.S. Department of State or the U.S. Department of Homeland Security has allowed the child to enter the United States.

Readoption After an Intercountry Adoption Idaho Code § 16-1514A

When an Idaho resident adopts a child in a foreign country in accordance with the laws of the foreign country, and such adoption is recognized as full and final by the U.S. Government, such resident may file with a petition a copy of the decree, order, or certificate of adoption that evidences finalization of the adoption in the foreign country, together with a certified translation thereof if it is not in English, and proof of full and final adoption from the U.S. Government with the clerk of the court of any county in this State having jurisdiction over the person or persons filing such documents.

The court shall assign a docket number and file and enter the documents referenced above with an order recognizing the foreign adoption without the necessity of a hearing. Such order, along with the final decree, order, or certificate from the foreign country, shall have the same force and effect as if a final order of adoption were granted in accordance with the provisions of this chapter.

When such order is filed and entered, the adoptive parents may request a report of adoption as provided in § 39-259.

Application for a U.S. Birth Certificate Idaho Code § 39-259(a)

The State Registrar will, upon request, issue a new birth certificate for a foreign-born child who was adopted in a State court when it receives:

- A report that identifies the adoption order, contains evidence as to the true or probable date and place of birth and parentage of the adopted person, provides information necessary to establish a new birth certificate for an adopted person, and is certified by the clerk of the court
- A request by the court decreeing the adoption, the adoptive parents, or the adopted person

The certificate will show:

- The true or probable date and foreign country of birth as established by the court and shown on the court report of adoption
- The child's new name as stated in the report of adoption
- Any other necessary facts as required by the State Registrar

The certificate is not evidence of U.S. citizenship for the child.

All records, files, and information of any court in this State relating to the adoption proceedings other than the new birth certificate will be sealed except as provided by court order or statute.

Illinois

Effect and Recognition of a Foreign Adoption Decree 750 Ill. Comp. Stat. §§ 50/4.1(c)(8); 50/6(b)

In the case of an intercountry adoption finalized in another country, where a complete and valid order of adoption is issued from that country to an Illinois resident, as determined by the U.S. Department of State, this State shall not impose any additional preadoption requirements.

In the case of a child born outside the United States or a territory thereof, in addition to the preadoption investigation, a postplacement investigation shall be conducted in accordance with the requirements of the Child Care Act of 1969 [225 ILCS 10/1, et seq.], the Interstate Compact on the Placement of Children [45 ILCS 15/0.01, et seq.], and the Intercountry Adoption Act of 2000 [750 ILCS 50/1, et seq.].

The requirements of a postplacement investigation shall be deemed to have been satisfied if a valid final order or judgment of adoption has been entered by a court of competent jurisdiction in a country other than the United States or a territory thereof with respect to such child and the petitioners.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate 410 Ill. Comp. Stat. § 535/16.1

The State Registrar of Vital Records will issue a record of foreign birth for a foreign-born person who has an IR-3 visa and who was adopted under the laws of a foreign country by a State resident when it receives:

- Evidence as to the child's birth date and birthplace provided by the original birth certificate; by a certified copy, extract, or translation of the original certificate; or by another document that is essentially equivalent
- A certified copy, extract, or translation of the adoption decree or other document that is essentially equivalent
- A copy of the IR-3 visa
- The name and address of the adoption agency that handled the adoption

The record of foreign birth will include:

- The actual place and date of birth
- The child's name and parentage as ordered in the judgment of adoption
- Any other necessary facts

Indiana

Effect and Recognition of a Foreign Adoption Decree

Ann. Code § 31-19-28-1

Whenever a person is adopted outside Indiana, under the laws of the State, territory, or country where the adoption took place:

- The adoption decree, when filed with the clerk of the court of any county in Indiana and when entered upon the order book of the court in open session, has the same force and effect as if the adoption decree were made in accordance with this article.
- The adopted person has the same rights and is capable of taking by inheritance, upon the death of the adoptive parent, property located in Indiana as though the person had been adopted according to the laws of Indiana.

The adopted person may request a new name in a petition filed under this section.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

This issue is not addressed in the statutes reviewed.

Iowa

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 600.15

A decree establishing a parent-child relationship by adoption that is issued pursuant to due process of law by a court of any other jurisdiction within or outside the United States shall be recognized in this State.

For an adoption based on a decree issued by a jurisdiction outside the United States, an investigator shall conduct a postplacement investigation that consists of a minimum of three face-to-face visits with the minor person and the adoptive parents during the first year after the placement, with the first such visit to be conducted within 60 days of the placement of the minor person in the adoptive home. Additional visits shall be conducted if required by the jurisdiction that issued the decree.

The postplacement investigation and report shall include documentation that any unique needs of the minor person are being appropriately met through the placement.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Stat. § 144.25A

The Department of Public Health shall adopt rules pursuant to chapter 17A to establish a procedure for the issuance of a certificate of birth for children adopted pursuant to § 600.15.

Kansas

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 59-2144(a)-(b)

When a Kansas resident adopts a child in a foreign country in accordance with the laws of the foreign country pertaining to relinquishment, termination of parental rights, and consent to the adoption, the decree of adoption (or a similar document or documents that evidences finalization of the adoption in the foreign country and evidence of lawful admission into the United States) has the same force and effect when filed with and entered in the records of the clerk of the district court of any county in this State as if the decree of adoption (or a similar document or documents) was granted in accordance with the provisions of the Kansas Adoption and Relinquishment Act.

When the adoption decree or document is filed and entered, the adoptive parent or parents may request a birth certificate pursuant to § 65-2423.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Stat. § 65-2423(b)

The State Registrar will, upon request, complete and register a birth certificate for a foreign-born child who was adopted in Kansas or who was adopted abroad and his or her foreign adoption decree was filed and entered in Kansas when it receives:

- A certified copy of the decree of adoption, or similar document(s) that evidences the finalization of the adoption abroad
- The report of adoption form and proof of the date and place of the child's birth

The certificate shall show:

- The new name of the child as specified in the decree of adoption or a similar document or documents
- Such further information concerning the adopting parents as may be necessary to complete the birth certificate

The certificate will show the true country of birth and the date of birth of the child. The certificate shall state the following: 'This certificate is issued pursuant to § 65-2423(b) and amendments thereto.'

Kentucky

Effect and Recognition of a Foreign Adoption Decree

Rev. Stat. § 199.585(1)-(2)

The Commonwealth of Kentucky shall recognize a decree, judgment, or final order of adoption issued by a court or other governmental authority with appropriate jurisdiction in a foreign country when the child to be adopted has been approved for U.S. citizenship or as otherwise provided by Federal law.

Upon presentation of an original decree, judgment, or final order of adoption issued by a court or other governmental authority with appropriate jurisdiction in a foreign country, the secretary or his or her designee shall issue, within 30 days, a certified notice that the foreign adoption is registered in the Commonwealth of Kentucky. The secretary or his or her designee may require a translated copy if the original decree, judgment, or final order is not in English. The cabinet shall maintain all records and notices of foreign adoptions in a manner similar to other adoption records.

Readoption After an Intercountry Adoption

Rev. Stat. § 199.585(3)

A petition for adoption under § 199.470 shall be required for a child born outside the United States without a decree, judgment, or final order of adoption issued by a court or other governmental authority with appropriate jurisdiction in a foreign country, or for any child born outside of the United States who does not qualify for U.S. citizenship upon entry into the United States.

Application for a U.S. Birth Certificate

Rev. Stat. § 213.056(2)

The State Registrar will prepare a record of foreign birth for a foreign-born child who was adopted by a State resident and whose record of birth cannot be obtained from the country of birth. The certificate will state that it is not evidence of U.S. citizenship for the child.

Louisiana

Effect and Recognition of a Foreign Adoption Decree

La. Ch. C. Art. § 1282.1

A petition must be filed with the court for recognition of a foreign adoption.

Readoption After an Intercountry Adoption **La. Ch. C. Art. §§ 1282.1; 1282.2**

The adoptive parents will petition the State court for recognition of a foreign adoption decree that was issued in a foreign country. The petition will state:

- The full name, address, age, occupation, and marital status of each petitioner, at least one of whom is a legal resident of the State of Louisiana
- The name by which the child is known
- The place and date of the birth of the child if known, and if not known, the approximate age of the child
- The date and circumstances under which the child was adopted

The petition will be accompanied by:

- A certification for adoption
- A certified copy of the documentation of orphan status
- Documentary proof of citizenship status
- A copy of the child's immigrant visa or resident alien card
- The original or a certified copy of a valid foreign adoption decree and birth certificate, together with a notarized translation
- An affidavit of fees and expenses

The court will issue a judgment recognizing the foreign adoption and rendering a final decree of adoption upon finding that the conditions listed above have been met, and:

- The original or a certified copy of the foreign adoption decree, together with a notarized transcript, has been filed and is presumed to have been granted in accord with the law of the foreign country.
- The child has qualified as a foreign orphan and is in the United States in accordance with applicable Federal regulations.
- The child is either a permanent resident or a naturalized citizen of the United States.
- The petitioners have the ability to care for, maintain, and educate the child.

Application for a U.S. Birth Certificate **La. Rev. Stat. § 40:79(c)**

The State Registrar will prepare a new birth certificate for a foreign-born person who is adopted outside the United States by adoptive parents who are State residents at the time of the adoption, or for a foreign-born person who is adopted in the State but who is not a U.S. citizen or who is a naturalized U.S. citizen, when it receives (1) a certified copy of the order or decree of adoption and (2) a certified copy of the original foreign birth certificate and, if the certificate is not in English, a certified verbatim translation of the certificate. If the certified copy of the original birth certificate of the adopted person and certified translation are not available, the State court may make findings on the date, place of birth, and parentage of the adopted person.

The State Registrar will prepare a certificate in the new name of the adopted person and will seal and file the court findings and the order or decree of adoption. The certificate will show the true or probable country, island, or continent of birth.

The certificate will state that it is not evidence of U.S. citizenship for the child. However, the certificate may be evidence of U.S. citizenship if the State Registrar receives a certified copy of a certificate of naturalization.

Maine

Effect and Recognition of a Foreign Adoption Decree **Rev. Stat. Tit. 18-A, § 9-312**

A probate judge may enter a decree of adoption based solely upon a judgment of adoption in a foreign country pursuant to this provision.

Readoption After an Intercountry Adoption **Rev. Stat. Tit. 18-A, § 9-312**

If an adoption in a foreign country has been finalized and the adopting parents are seeking an adoption under the laws of this State to give recognition to the foreign adoption, a judge of probate may enter a decree of adoption based solely upon a judgment of adoption in a foreign country and may order a change of name if requested by the adopting parents.

Application for a U.S. Birth Certificate **Rev. Stat. Tit. 22, § 2765(1-A)**

The State Registrar will, upon request, establish a birth certificate for a foreign-born person for whom an adoption decree has been entered in State court when it receives:

- A certificate of adoption
- A request by the court decreeing the adoption, the adoptive parents, or the adopted person, if he or she is age 18 or older

The certificate will show the true or probable foreign country of birth and will state that it is not evidence of U.S. citizenship for the child or for the adoptive parents.

Maryland

Effect and Recognition of a Foreign Adoption Decree **Family Law § 5-3B-04(c)**

An order for adoption entered in compliance with a foreign jurisdiction's laws shall have the same legal effect as an order for adoption entered in this State.

Readoption After an Intercountry Adoption **Family Law § 5-3B-04(d)**

An individual is not required to petition a court in this State for adoption of a child if:

- The individual adopted the child in compliance with the laws of a foreign jurisdiction.
- The U.S. Citizenship and Immigration Services verifies the validity of that adoption by granting, under the Federal Immigration and Nationality Act, an IR-3 visa for the child.

Application for a U.S. Birth Certificate **Health-Gen. Code Ann. § 4-211(i)**

The Secretary of Health and Mental Hygiene shall, upon request, prepare and register a certificate in this State for a person born in a foreign country and who was adopted by a State resident:

- Through a court of competent jurisdiction in this State
- Under the laws of a jurisdiction or country other than the United States and who has been granted an IR-3 or IH-3 visa by the U.S. Immigration and Naturalization Service* under the Immigration and Nationality Act

The certificate shall be established upon receipt of:

- A certificate of adoption from the court decreeing the adoption
- Proof of the date and place of the adopted person's birth
- A request from the court, the adopting parents, or the adopted person who is age 18 or older

If the child was adopted under the laws of a jurisdiction or country other than the United States and has been granted an IR-3 or IH-3 visa, the certificate shall be established upon receipt of:

- An official copy of the decree from the jurisdiction or country in which the child was adopted
- A certified translation of the foreign adoption decree
- Proof of the date and place of the child's birth
- Proof of IR-3 or IH-3 visa status
- A request from the court, the adopting parents, or the adopted person who is age 18 or older
- Proof that the adopting parent is a resident of this State

The certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country of birth. A statement also shall be included on the certificate indicating that it is not evidence of U.S. citizenship for the child for whom it is issued.

[As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. This section of the Maryland Code does not reflect this change.]*

Massachusetts

Effect and Recognition of a Foreign Adoption Decree

Ann. Laws Ch. 210, § 9

An adoption decree issued abroad in accord with the laws of that country will have the same effect on the adopted child's rights of succession to property by grant, trust settlement, entail, devise, bequest, or by intestacy as would an adoption granted by this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Laws Ch. 46, § 1B

Any resident of the State who is the parent of a child born outside the State may personally present to the town clerk of the town where such parent was domiciled at the time of the birth, or in the case of an adopted child, at the time of the adoption, an original certificate or other written evidence of the birth, and a certified copy of the adoption decree if adopted, or a duly authenticated photocopy thereof. The town clerk may file such documents as evidence establishing the birth or adoption, or may make a copy thereof, which he shall attest as a true copy, and which he may then file as such evidence.

Michigan

Effect and Recognition of a Foreign Adoption Decree

Comp. Laws § 710.21b

A court order or decree establishing the relationship of parent and child by adoption and issued by a court in another country is presumed to be issued in accordance with the laws of that country and shall be recognized in this State. The rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the order or decree were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Comp. Laws § 333.2830

If a child whose birth occurred outside the United States, a U.S. territory, or Canada is adopted by a resident of this State under the laws of this State or under the laws of a foreign country, the probate court, on motion of the adopting parent, may file a delayed registration of birth on a form provided by the Department of Public Health. The delayed registration shall contain the date and place of birth and other facts specified by the department.

If the date and place of birth of the child cannot be documented from foreign records or a medical assessment of the development of the child indicates that the date of birth as stated in the immigration records is not correct, the court shall determine the facts and establish a date and place of birth and may file a delayed registration of birth.

A probate court may, at the request of the adopting parent when filing a delayed registration of birth, enter a new name for the child on the delayed registration of birth. The new name shall be the legal name of the adopted child.

Minnesota

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 259.60, Subd. 1

The adoption of a child by a resident of this State under the laws of a foreign country is valid and binding under the laws of this State if the validity of the foreign adoption has been verified by the granting of an IR-3 visa for the child by the U.S. Citizenship and Immigration Services.

Readoption After an Intercountry Adoption

Ann. Stat. § 259.60, Subd. 2 & 3

A person, whose adoption of a child under the laws of a foreign country is valid in this State, may petition the district court in the county where the adoptive parent resides for a decree confirming and recognizing the adoption, changing the child's legal name, if requested in the petition, and authorizing the Commissioner of Health to issue a new birth record for the child.

A court shall issue the decree upon receipt of the following documents:

- A petition by the adoptive parent stating that he or she completed adoption of the child under the laws of a foreign country and that the adoption is valid in this State and requesting that the court issue a decree confirming and recognizing the adoption, changing the child's legal name, if desired, and authorizing the Commissioner of Health to issue a new birth record for the child
- A copy of the child's original birth record, if available
- A copy of the final adoption certificate or equivalent as issued by the foreign jurisdiction
- A copy of the child's passport including the U.S. visa indicating IR-3 immigration status
- Certified English translations of any of the documents listed above that are not written in English

If a child is adopted by a resident of this State under the laws of a foreign country or if a resident of this State brings a child into the State under an IR-3 or IR-4 visa issued for the child by the U.S. Citizenship and Immigration Services, the postadoption reporting requirements of the country in which the child was adopted, applicable at the time of the child's adoption, must be given full faith and credit by the courts of this State and apply to the adoptive placement of that child.

Application for a U.S. Birth Certificate

Ann. Stat. § 144.218(2)

In proceedings for the adoption of a person who was born in a foreign country, the court, upon evidence presented by the Commissioner of Human Services from information secured at the port of entry or upon evidence from other reliable sources, may make findings of fact as to the date and place of birth and parentage. Upon receipt of certified copies of the court findings and the order or decree of adoption, a certificate of adoption, or a certified copy of a decree issued under § 259.60, the State Registrar shall register a birth record in the new name of the adopted person.

The certified copies of the court findings and the order or decree of adoption, certificate of adoption, or decree issued under § 259.60 are confidential and shall not be disclosed except pursuant to court order or § 144.2252. The birth record shall state the place of birth as specifically as possible and that the vital record is not evidence of U.S. citizenship.

Mississippi

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate
Ann. Code § 93-17-21(2)

Either an original or a revised birth certificate may be issued by the Bureau of Vital Statistics to any child who was born outside the United States or its possessions and adopted by an order of a court in this State. Upon presentation of a certified copy of the final decree of adoption containing the required information, the Director of the Bureau of Vital Statistics shall be authorized and directed to receive the certified copy of the decree of adoption and prepare and record a birth certificate that shall disclose the following information:

- The adopted name of the child
- The child's race, sex, and date of birth
- The child's place of birth (the actual town, district, and county, except when the child is born in a penal or mental institution, in which case the name of the county shall be sufficient)
- The names, race, ages, places of birth, and occupation of the adoptive parents, including the maiden name of the adoptive mother

The certificate shall have the appearance and indicia for a 'revised' certificate issued to a child born in this State. The Director of the Bureau of Vital Statistics shall be authorized and directed to issue certified copies thereof, the same as if the birth certificate were that of a child who had never been adopted.

Missouri**Effect and Recognition of a Foreign Adoption Decree**
Rev. Stat. § 453.170(2)

When an adoption occurs in a foreign country and the adopted child migrates to the United States with the permission of the U.S. Department of Justice and the U.S. Immigration and Naturalization Service,* this State shall recognize the adoption.

*[*As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. The statutes do not yet reflect this change.]*

Readoption After an Intercountry Adoption
Rev. Stat. § 453.170(3)

The adoptive parent or parents may petition the court pursuant to this section to request a change of name. The petition shall include a certified copy of the decree of adoption issued by the foreign country and documentation from the U.S. Department of Justice and the U.S. Immigration and Naturalization Service that shows the child lawfully entered the United States. The court shall recognize and give effect to the decree of the foreign country and grant a decree of recognition of the adoption and shall change the name of the adopted child to the name given by the adoptive parent, if such a request has been made.

Application for a U.S. Birth Certificate
Rev. Stat. §§ 453.170(2); 193.125(9)

The Department of Health and Senior Services shall issue a birth certificate for the adopted child upon request and upon receipt of proof of adoption as required in § 193.125(7).

The department, upon receipt of proof that a person has been adopted by a Missouri resident pursuant to laws of countries other than the United States, shall prepare a birth certificate in the name of the adopted child as decreed by the court of such country.

If such proof contains the surname of either adoptive parent, the department shall prepare a birth certificate as requested by the adoptive parents. Any subsequent change of the name of the adopted child shall be made by a court of competent jurisdiction. The proof of adoption required by the department shall include:

- A copy of the original birth certificate and adoption decree
- An English translation of the birth certificate and adoption decree
- A copy of the approval of the immigration of the adopted person by the U.S. Immigration and Naturalization Service that shows the child lawfully entered the United States

The authenticity of the translation of the birth certificate and adoption decree shall be sworn to by the translator in a notarized document. The State Registrar shall file the documents relating to the adoption, and the documents may be opened by the State Registrar only by an order of a court.

A birth certificate shall be issued upon request of one of the adoptive parents or the adopted person if he or she is of legal age. The birth certificate prepared pursuant to the provisions of this subsection shall have the same legal weight as evidence as a delayed or altered birth certificate, as provided in §§ 193.005 to 193.325.

Montana**Effect and Recognition of a Foreign Adoption Decree**
Ann. Code § 42-2-101

If a decree or order of adoption is entered by a court or administrative entity in another country acting pursuant to that country's laws and any convention or treaty on intercountry adoption that the United States has ratified, then it shall have the same effect as a decree or order of adoption issued by a court of this State. The rights and obligations of the parties must be determined as though the decree or order were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate
Ann. Code §§ 50-15-311(6); 50-15-223(8)

If the birth of an adopted child occurred in a foreign country and the adopted child was not a citizen of the United States at the time of birth, the Department of Public Health and Human Services shall prepare a 'Certificate of Foreign Birth,' as required by § 50-15-223. If the adopted child was born in Canada, the department shall send a copy of the certificate of adoption, report of annulment of adoption, or amendment of a decree of adoption to the appropriate registration authority in Canada.

The department shall, upon request of the adopting parents, prepare and register a certificate of birth in this State for a person who was born in a foreign country and adopted through a district court in this State.

The certificate of birth must be established by the department upon receipt of a certificate of adoption, conforming to the requirements of § 50-15-311, from the court that reflects entry of an order of adoption, proof of the date and place of the child's birth, and a request for the establishment of a certificate of birth from the court, the adopting parents, or the adopted person, if he or she is age 18 or older.

The certificate of birth must be labeled 'Certificate of Foreign Birth' and must contain the actual country of birth. A statement must be included on the certificate indicating that it is not evidence of U.S. citizenship for the child for whom it is issued.

After registration of the certificate of birth in the new name of the adopted child, the department shall seal and file the certificate of adoption. The certificate is not subject to inspection, except upon order of the district court, as provided by rule, or as otherwise provided by State law.

Nebraska

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Rev. Stat. § 71-627.02

Upon receipt of a report of adoption or a certified copy of a decree of adoption issued by any court of competent jurisdiction in the State of Nebraska as to any foreign-born person, the Department of Health and Human Services shall prepare a birth certificate in the new name of the adopted child. The birth certificate shall show specifically:

- The new name of the adopted child
- The date of birth and sex of the adopted child
- Statistical information concerning the adoptive parents in place of the natural parents
- The true or probable place of birth including the city or town and country

Nevada

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Rev. Stat. § 440.310(3)

Whenever the State Registrar receives a certified report of adoption or amendment of adoption filed in accordance with the provisions of § 127.157 concerning a person born in a foreign country other than Canada, the State Registrar shall, if he or she receives evidence that the person being adopted is a citizen of the United States and the adoptive parents are residents of Nevada, prepare and file a supplementary certificate of birth and seal and file the report.

New Hampshire

Effect and Recognition of a Foreign Adoption Decree

Rev. Stat. § 170-B:29

A decree of court establishing the relationship of parent and child by adoption issued pursuant to due process of law by a court of any other jurisdiction within or without the United States shall be recognized in this State, and the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree was issued by a court of this State.

Readoption After an Intercountry Adoption

Rev. Stat. § 170-B:27(II)

The court may validate and issue an adoption decree for an adoption finalized in another jurisdiction, provided that evidence satisfactory to the court is produced to demonstrate the validity of such adoption. For the purposes of this paragraph, satisfactory evidence includes documentation from the U.S. Department of Justice or the U.S. Department of State that a legal adoption has been completed in another country. Probate court rules shall specify such acceptable documentation.

Application for a U.S. Birth Certificate **Rev. Stat. § 5-C:34**

The registrar shall establish a New Hampshire certificate of foreign birth for a person born in a foreign country and for whom a final decree of adoption has been issued by a court of competent jurisdiction in New Hampshire. This certificate of foreign birth shall be established and registered and a certified copy of such certificate issued when the registrar receives a request from the adoptive parents or adopted person if he or she is age 18 or older.

A completed application shall include:

- The county of the probate court
- The name of the child prior to adoption
- The names of the adoptive parents
- The date the adoption was approved by the probate court
- The full name of the child after adoption
- The child's sex and date of birth
- The city or town, the state or local equivalent, and the country of the child's place of birth
- Information from both adoptive parents, or one parent in the case where only one parent is adopting, including each parent's full name, the full maiden name of the adoptive mother(if applicable), each parent's date and place of birth, each parent's residence address, each parent's signature, and the date signed
- The signature of a justice of the peace or the signature and seal of a notary public

The applicant shall attach the following documents to the completed application:

- A report of adoption, as required by § 170-B:22
- A certified copy of the original adoption decree
- The child's alien registration card
- The documents used to establish the date and place of birth, such as an English translation of the original birth certificate, a copy of an adoption report from the adoption agency, or any report issued by the government of the country of birth describing facts known regarding the origin of the child

New Jersey

Effect and Recognition of a Foreign Adoption Decree **Ann. Stat. § 9:3-43.2**

A final judgment of adoption granted by a judicial, administrative, or executive body of a jurisdiction or country other than the United States shall have the same force and effect in this State as that given to a judgment of adoption entered by another State, without additional proceedings or documentation, if:

- The adopting parent is a resident of this State.
- The validity of the foreign adoption has been verified by the granting of an IR-3 immigrant visa, or a successor immigrant visa, for the child by the U.S. Citizenship and Immigration Services.

Readoption After an Intercountry Adoption **Ann. Stat. § 9:3-43.1**

Notwithstanding the provisions § 9:3-37, et seq., or any other law to the contrary, an adopting parent shall not be required to petition a court in this State for adoption of a child if:

- The child was adopted under the laws of a jurisdiction or country other than the United States.
- The validity of the foreign adoption has been verified by the granting of an IR-3 immigrant visa, or a successor immigrant visa, for the child by the U.S. Citizenship and Immigration Services.

If an adopting parent chooses to file a petition for adoption in this State, a court may grant a judgment of adoption without requiring the consent of a parent otherwise required pursuant to § 9:3-41 if the petitioner files with the petition a judgment of adoption, guardianship, or termination of parental rights granted by a judicial, administrative, or executive body of a jurisdiction or country other than the United States that is in compliance with the laws of that country.

Application for a U.S. Birth Certificate

Ann. Stat. § 26:8-40.1

The State Registrar may file a new birth certificate for any child born in a foreign country who was not a citizen of the United States at the time of the child's birth, whose adopting parent is a resident of this State, and who is adopted:

- Through a court of competent jurisdiction in this State
- Under the laws of a jurisdiction or country other than the United States and has been granted an IR-3 immigrant visa, or a successor immigrant visa, by the U.S. Citizenship and Immigration Services

The new certificate shall be filed upon receipt of:

- A request for the certificate from the court, the adopting parent, or the adopted person if he or she is age 18 or older
- Proof that the adopting parent is a resident of this State
- An official copy of the judgment from the jurisdiction or country in which the child was adopted
- A certified translation of the foreign adoption
- Proof of the date and place of the child's birth
- Proof of IR-3 immigrant visa status or a successor immigrant visa status

When applicable, the State Registrar may file a new certificate for any child who is not a citizen of the United States and who is adopted by a resident of this State. The certificate shall bear the notation 'by adoption.' The notation may be removed at any subsequent date upon submission of acceptable proof that the child has become a citizen of the United States.

New Mexico

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 32A-5-39

Every decree or order of adoption entered by a court or other entity in another country acting pursuant to that country's law or pursuant to any convention, treaty, or intercountry adoption that the United States has ratified shall be recognized in this State, so that the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree or order of adoption were issued by the courts of this State.

A convention adoption in a foreign country that is certified by the U.S. Secretary of State shall be recognized as a final adoption in this State. The term 'convention adoption' refers to an adoption by a U.S. resident of a child who is a resident of a foreign country that is a party to the Hague Convention Intercountry Adoption.

Readoption After an Intercountry Adoption

Ann. Stat. § 32A-5-26(O) & (P)

A petition for adoption shall be filed and verified by petitioner alleging all items in § 32A-5-26(A)-(N). However, if the adopted child is foreign-born, copies of the child's passport and U.S. visa, along with all documents demonstrating that the child is legally free for adoption, including a certificate from the U.S. Secretary of State that certifies whether the adoption is a convention adoption, must accompany the petition. A petition alleging a convention adoption shall also allege that:

- The country in which the child has been residing is a party to the Hague Convention on Intercountry Adoption.
- The agency or person who is providing the adoption service has been approved as an accrediting entity.
- The certificate issued by the U.S. Secretary of State that certifies the adoption as a convention adoption has been filed with the court.

Application for a U.S. Birth Certificate

Ann. Stat. § 32A-5-38

Within 30 days after an adoption decree becomes final, the petitioner shall prepare an application for a birth certificate in the new name of the adopted child, showing the petitioner as the adopted child's parent, and shall submit the application to the clerk of the court and the State Registrar of Vital Statistics.

In the case of the adoption of a person born outside the United States, if requested by the petitioner, the court shall make findings, based on evidence from the petitioner and other reliable State or Federal sources, on the date and place of birth of the adopted child. These findings shall be certified by the court and included with the application for a birth certificate.

The State Registrar of Vital Statistics shall prepare a birth record in the new name of the adopted child in accordance with the vital statistics laws but subject to the requirements of the Adoption Act as to the confidentiality of adoption records.

New York

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Dom. Rel. Law § 115-a(8)

Notwithstanding any provision of law to the contrary, when a child is placed with a couple or individual in New York State for the purpose of adoption, and the adoption has previously been finalized in the country of birth outside the United States, the couple or person may petition the court in their county of residence in New York State for the readoption of the child in accordance with the provisions of this chapter, providing for adoptions originally commenced in this State.

In any proceeding for readoption, proof of finalization of an adoption outside the United States shall be prima facie evidence of the consent of those parties required to give consent to an adoption.

Application for a U.S. Birth Certificate

Pub. Health Law § 4138-b

A certificate of birth shall be prepared whenever proper proof is submitted to the commissioner that a person who is under age 18 and born outside of the United States has been validly adopted by residents of this State pursuant to a judgment, order, or decree of adoption issued by a court of competent jurisdiction in this State, another State, or a foreign country.

A completed request shall include:

- Proof that the adoptive parent was a resident of this State at the time of adoption
- A copy of the adoption documents of the jurisdiction or country where the adoption took place
- A certified translation of the foreign adoption documents
- Evidence of the date and place of the child's birth
- Evidence of IR-3, IR-4, or IH-3 immigrant visa status or a successor immigrant visa status

The new birth certificate shall include the child's name, sex, date of birth, time of birth, place of birth, mother's maiden name, and father's name.

North Carolina

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Gen. Stat. § 48-2-205

When a child has been previously adopted in a foreign country by petitioners seeking to readopt the child under the laws of North Carolina, the adoption order entered in the foreign country may be accepted in lieu of the consent of the biological parent or parents or the guardian of the child to the readoption. A man and a woman who adopted a minor child in a foreign country while married to one another must readopt jointly, regardless of whether they have since divorced. If either parent does not join in the petition, he or she must be joined as a necessary party.

Application for a U.S. Birth Certificate **Gen. Stat. §§ 130A-108(b); 48-9-107(a)**

In the case of an adopted person born in a foreign country and residing in this State at the time of application, the State Registrar shall prepare a certificate of identification for the person upon the presentation of a certified copy of the original birth certificate from the country of birth and a certified copy of the final order of adoption.

In the case of an adopted person born in a foreign country and readopted in this State, the State Registrar shall prepare a certificate of identification for that person upon receipt of a report of that adoption from the Division of Social Services. The certificate shall contain the same information required by § 48-9-107(a) for persons adopted in this State, except the country of birth shall be specified in lieu of the State of birth.

The new certificate shall contain:

- The adopted person's full adoptive name, sex, country, and date of birth
- The full name of the adoptive father, if applicable
- The full maiden name of the adoptive mother, if applicable
- Any other pertinent information consistent with this section as may be determined by the State Registrar

North Dakota

Effect and Recognition of a Foreign Adoption Decree **Cent. Code § 14-15-17(1)**

A decree of court establishing the relationship of parent and child by adoption issued pursuant to due process of law by a court of any other jurisdiction within or outside of the United States must be recognized in this State, and the rights and obligations of the parties as to matters within the jurisdiction of this State must be determined as though the decree were issued by a court of this State.

Readoption After an Intercountry Adoption **Cent. Code § 14-15-17(2)**

To obtain a validation of a foreign decree of adoption, the adoptive parent shall provide to the court:

- A petition for validation of foreign adoption
- An admission stamp in the adopted child's passport that indicates that he or she was admitted to the United States with an IH-3 or IR-3 visa
- The child's foreign birth certificate and English translation
- The child's foreign adoption decree and English translation
- A signed affidavit from the agency that states that the foreign adoption is valid and states the name by which the adopted child is to be known

The petition for validation of foreign adoption must be signed and verified by the petitioner, filed with the clerk of the court, and state:

- The date and place of birth of the adopted child, if known
- The name to be used for the adopted child whose foreign adoption decree is being petitioned for validation
- The date the petitioner acquired custody or the date of placement of the child and the name of the foreign country's placing agency
- The full name, age, place, and duration of residence of the petitioner
- The marital status of the petitioner, including the date and place of marriage, if married

Upon a finding that these requirements have been met, the court shall issue a decree of validation of foreign adoption. The clerk of court shall forward a copy of the decree of validation of foreign adoption to the Registrar of Vital Statistics for the issuance of a birth record in accordance with § 14-15-18.

Application for a U.S. Birth Certificate
Cent. Code §§ 14-15-18; 23-02.1-18(2)

Within 30 days after a decree of validation of foreign adoption becomes final, the clerk of the court shall prepare an application for a birth record in the new name of the adopted child, forward the application to the appropriate vital statistics office, and forward a copy of the decree to the Department of Human Services of this State for statistical purposes. In the case of the adoption of a person born outside of the United States, the court may make findings, based on evidence from the petitioner and other reliable State or Federal sources, on the date and place of birth and parentage of the adopted child. These findings must be certified by the court and included with the report of adoption filed with the State Registrar of Vital Statistics.

For a person born in a foreign country whose adoptive parents are residents of the State of North Dakota at the time of the adoption, the State Registrar of Vital Statistics shall prepare a new birth record:

- In the case of a foreign-born person adopted in North Dakota, upon presentation of a report of adoption as required by § 23-02.1-17
- In the case of a foreign-born person adopted outside the State of North Dakota or outside the United States, or in the State of North Dakota prior to July 1, 1979, upon presentation of a certified copy of the adoption decree, and:
 - » A certified copy of the birth record of the adopted child
 - » An affidavit of an adoptive parent setting forth the true or probable date and place of birth and parentage of the adopted child

Any certification of a birth record issued under this subsection must be in the same form as other certifications of birth records issued in this State, except that it must state that it does not purport to be evidence of U.S. citizenship.

Northern Mariana Islands**Effect and Recognition of a Foreign Adoption Decree**
Comm. Code Tit. 8, § 1415

A decree of court establishing the relationship of parent and child by adoption pursuant to due process of law by a court of any other jurisdiction within or without the United States shall be recognized in the Commonwealth, and the rights and obligations of the parties as to matters in the Commonwealth shall be determined as though a court of the Commonwealth had issued the decree.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate
Comm. Code Tit. 8, § 1417(a), (c)

After the adoption decree has become effective, a certified copy of the decree of adoption or a certified abstract thereof on a form approved by the clerk of the Superior Court shall be sent to the Commonwealth Recorder's office. The Commonwealth Recorder's office shall make a new record of the birth in the name of the individual, as fixed or changed by the decree, with the names of the adoptive parents.

If the birth of the individual occurred outside the Commonwealth and a record of birth exists, the certified copy of the decree or the abstract thereof shall be transmitted by the clerk of the Superior Court to the birth registration authorities of the place of the individual's birth with a request that those authorities take appropriate action with respect to the record of the individual's birth.

Ohio

Effect and Recognition of a Foreign Adoption Decree

Rev. Code § 3107.18(A)

A court decree establishing the relationship of parent and child by adoption, issued pursuant to due process of law by a court of any jurisdiction outside this State, whether within or outside the United States, shall be recognized in this State, and the rights and obligations of the parties as to all matters within the jurisdiction of this State shall be determined as though the decree were issued by a court of this State.

A decree or certificate of adoption that is issued under the laws of a foreign country and that is verified and approved by the U.S. Immigration and Naturalization Service* shall be recognized in this State.

*[*As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. The statutes do not yet reflect this change.]*

Readoption After an Intercountry Adoption

Rev. Code § 3107.18(A)-(B)

Nothing in this section prohibits a court from issuing a final decree of adoption or interlocutory order of adoption for a person the petitioner has adopted pursuant to a decree or certificate of adoption recognized in this State that was issued outside the United States.

If a child born in a foreign country is placed with adoptive parents or an adoptive parent in this State for the purpose of adoption, and if the adoption previously has been finalized in the country of the child's birth, the adoptive parent or parents may bring a petition in the probate court in their county of residence requesting that the court issue a final decree of adoption or an interlocutory order of adoption pursuant to § 3107.14. In a proceeding on the petition, proof of finalization of the adoption outside the United States is prima facie evidence of the consent of the parties who are required to give consent even if the foreign decree or certificate of adoption was issued with respect to only one of two adoptive parents who seek to adopt the child in this State.

Application for a U.S. Birth Certificate

Rev. Code § 3107.18(C)

At the request of a person who has adopted a person pursuant to a decree or certificate of adoption recognized in this State that was issued outside the United States, the court of the county in which the person making the request resides shall order the Department of Health to issue a foreign birth record for the adopted person under § 3705.12(A)(4).

The court may specify a change of name for the child and, if a physician has recommended a revision of the birth date, a revised birth date. The court shall send to the department with its order a copy of the foreign adoption decree or certificate of adoption and, if the foreign decree or certificate of adoption is not in English, a translation certified as to its accuracy by the translator and provided by the person who requested the order.

Oklahoma

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. Tit. 10, § 7502-1.4(A)

The courts of this State shall recognize a decree, judgment, or final order creating the relationship of parent and child by adoption, issued by a court or other governmental authority with appropriate jurisdiction in a foreign country or in another State or territory of the United States. The rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree, judgment, or final order were issued by a court of this State.

Readoption After an Intercountry Adoption

Ann. Stat. Tit. 10, § 7502-1.4(D)-(E)

An adoptive parent of a minor adopted outside of the United States may petition to readopt the minor under Oklahoma law if one or both of the petitioners are citizens of Oklahoma and the minor is residing in Oklahoma at the time the petition for adoption is filed. A proceeding to adopt a minor born outside of the United States shall proceed pursuant to the Oklahoma Adoption Code with the following provisions:

- The court may grant a decree of adoption without requiring notice to the biological parent and without requiring the consent of the biological parent if the petitioner files with the petition for adoption:
 - » A copy of the termination of parental rights granted by a judicial, administrative, or executive body of the country of origin
 - » A document or documents from such a governmental body stating that:
 - The biological parent has consented to the adoption.
 - The parental rights of the biological parent of the minor have been terminated.
 - The minor to be adopted has been relinquished by the biological parent.
 - The minor has been abandoned.
- Any document in a foreign language shall be translated into English by the U.S. Department of State or by a translator who shall certify the accuracy of the translation, and a copy of the translation and certification shall be filed with the court along with a copy of the original documents.
- The court may waive the issuance of an interlocutory decree of adoption and the waiting period of 6 months provided in title 10, §§ 7505-6.1 and 7505-6.3, and grant a final decree of adoption if:
 - » The minor has been in the home of petitioner for at least 6 months prior to the filing of the petition for adoption.
 - » A postplacement report has been submitted to the court.

Application for a U.S. Birth Certificate

Ann. Stat. Tit. 10, § 7502-1.4(B)

An adoptive parent of a minor adopted outside of the United States with a decree, judgment, or final order issued by a court or other governmental authority with appropriate jurisdiction in a foreign country may present the decree, judgment, or final order or present proof that the minor has U.S. citizenship to the court in combination with a petition for a name change. Upon presentation of a decree, judgment, or final order or if the minor presents proof of U.S. citizenship, the court shall order the State Registrar to prepare a supplementary certificate of birth for the child, as provided for in title 10, § 7505-6.6, unless good cause is shown why the certificate should not be issued.

Oregon

Effect and Recognition of a Foreign Adoption Decree

Rev. Stat. § 109.385(1)

An adoption in any foreign nation under the laws of such nation of a person who is at the time of the adoption a national of such nation by adoptive parents, at least one of whom is a citizen of the United States, shall be recognized as a valid and legal adoption for all purposes in the State of Oregon if the adoption is valid and legal in the foreign nation wherein the adoption occurred.

Readoption After an Intercountry Adoption

Rev. Stat. § 109.385(2)

The certificate of a judge of a court of general jurisdiction under the seal of the judge or the seal of the court in any foreign nation with respect to the adoption of a national of such foreign nation by adoptive parents, at least one of whom is a citizen of the United States, that all pertinent laws of such foreign nation have been complied with and the adoption is in all respects legal and valid shall be prima facie evidence in any court in the State of Oregon in any proceeding that such adoption was in fact legal and valid. Such certificate shall be prima facie evidence even if under the laws of the foreign nation the adoption is an administrative procedure and is not within the jurisdiction of the court or the judge making the certificate.

Application for a U.S. Birth Certificate
Rev. Stat. § 432.245(8)

The State registrar shall prepare and register a record of foreign live birth for a person born in a foreign country who is not a citizen of the United States and for whom a judgment of adoption was issued by a court of competent jurisdiction in this State if the court, the parents adopting the child, or the adopted person, if the adopted person is age 18 or older, requests the record. The record must be labeled 'Record of Foreign Live Birth' and shall show the actual country of live birth.

After registering the record of foreign live birth in the new name of the adopted person, the record must be placed under seal and is not subject to inspection, except upon the order of a court of competent jurisdiction in this State or as provided by rule of the State registrar.

Pennsylvania**Effect and Recognition of a Foreign Adoption Decree**
Cons. Stat. Ann. Tit. 23, § 2908

When a minor is adopted by a resident of this Commonwealth and a final decree of adoption is made or entered in conformity with the laws of a foreign country, the adopting parent shall file a properly authenticated copy of the foreign decree of adoption, a copy of the child's visa, and either the child's birth certificate or some form of birth identification with the clerk of the court in the county of residence of the parent. If the foreign decree of adoption is not in English, the adopting parent shall also file a certified English translation. If no birth certificate or birth identification can be obtained, the adopting parent shall include an affidavit stating the reason why.

Readoption After an Intercountry Adoption
Cons. Stat. Ann. Tit. 23, § 2908

The court shall develop a foreign adoption registration form and instructions for its use. The form shall include statements indicating that the foreign adoption may not be a full and final adoption if:

- Both parents, or the sole parent if only one parent is adopting, were not present for the adoption hearing in the foreign country.
- The foreign court did not enter a final adoption decree.
- The child's visa is not the type that would afford the child full U.S. citizenship.

The form shall notify the adopting parent or parents that an adoption decree may be obtained from the Commonwealth if the documents are reviewed by the court and the court determines the foreign adoption was full and final.

At the time of filing, a copy of the foreign decree of adoption and a certified English translation (if necessary), the child's visa, and either the child's birth certificate or some form of birth identification shall be attached to the foreign registration form and submitted to the clerk of the court.

In cases where the court determines the foreign adoption was full and final, the court shall direct the clerk to enter upon the docket an entry showing the foreign court identification of the proceedings in that court and the date of the decree. The clerk shall issue to the parent a certificate of adoption and send documentation to the Department of Health. No hearing shall be required prior to the issuance of the certificate of adoption, and the parent shall not be required to obtain counsel.

The court shall develop a standard petition, a standard court order, and instructions for their use for occasions when a child must be readopted to finalize the adoption. The clerk shall provide the adopting parent with the standardized information.

Application for a U.S. Birth Certificate

Ann. Stat. Tit. 35, § 450.604

For any child born in a foreign country but adopted in Pennsylvania, whose adopting parents are U.S. citizens and residents of Pennsylvania, the department shall, upon request, complete and register a birth certificate upon receipt of a certified copy of the decree of adoption, together with proof of the date and place of the child's birth.

Except as provided below, the birth certificate shall show the new name of the child as specified in the decree of adoption, and such further information concerning the adopting parents as may be necessary to complete the birth certificate. The certificate shall show the true country and date of birth of the child, and that the certificate is not evidence of U.S. citizenship.

For any foreign-born child who satisfies the requirements of either § 1431 or 1433 of title 8, United States Code, and whose parent presents documents from the U.S. Department of State, U.S. Department of Justice, U.S. Immigration and Naturalization Service, U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, or their successor agencies, including either a certificate of citizenship, a U.S. passport, or other document as specified by the department, verifying the child's U.S. citizenship, the birth certificate shall show the true country and date of birth but will not contain any notation regarding citizenship of the registrant. For such registration, the department shall require proof of parental U.S. citizenship and of Pennsylvania residence.

Puerto Rico

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Ann. Laws Tit. 32, § 2699t

The interstate or intercountry adoption of a child by a resident of Puerto Rico shall be recognized and validated by adoption decree in Puerto Rico. Once the child is in Puerto Rico, the adopting party shall file a petition for recognition and validation of adoption with the court that corresponds to the place of residence of the adopting party, in which the following shall be recorded:

- The name, age, occupation, civil status, place of residence, address, and telephone number of the adopting party
- The original name and place of birth of the child
- The place of adoption and a description of the circumstances that led to the adoption
- The new name of the child and his or her age

The petition shall include the following documents, which shall constitute sufficient proof of the legitimacy of the transaction in the State, territory or foreign country:

- The decree of adoption issued by the State, territory, or foreign country, and if necessary, a certified translation thereof
- An original or a certified copy of the child's birth registration issued by the State, territory, or foreign country, and if necessary, a certified translation thereof
- In the case of foreign adoption, a certification of the authorization by the Federal government to admit the child into American ground, evidence of which may be the certificate of citizenship, a permanent residence visa, or the U.S. passport of the child
- A report on the expert social study conducted for interstate or foreign adoption by a licensed social worker

The court, after confirming the authenticity of the documents and evaluating them, shall rule for the petition for adoption, in which case, the court shall issue an adoption decree. Registration of the adopted child in the special register of the Vital Statistics Registry shall be executed as prescribed by law on the matter of persons born outside of Puerto Rico and by the Puerto Rico Vital Statistics Registry Act.

Application for a U.S. Birth Certificate **Ann. Laws Tit. 24, § 1139; Tit. 32, § 2699m**

If the adopted child was born outside of Puerto Rico, but was adopted in Puerto Rico, it shall be the duty of the Chief of the Division of Demographic Registry and Vital Statistics of the Department of Health to transmit to the proper officer of the adopted child's birthplace, a certified copy of the decision issued by the court in the adoption case.

The Vital Statistics Registry shall keep a special registry for the registration of adoptions of persons born outside of Puerto Rico and adopted in Puerto Rico.

When the adopted person was born outside of Puerto Rico, the clerk of the court must notify the Registry of Vital Statistics of Puerto Rico through two certified copies of the judicial adoption decree. The judicial decree must contain instructions for a copy to be forwarded immediately to the Registry of Vital Statistics of the place of registry of the adopted person.

Rhode Island

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate **Gen. Laws §§ 23-3-15(e); 23-3-15.1**

The State Registrar will, upon request, prepare and register a certificate of foreign birth for a foreign-born child who is not a U.S. citizen and who was adopted in State court when it receives:

- A report of adoption from the court decreeing the adoption
- Proof of the date and place of the child's birth
- A request from the court, the adopting parents, or the adopted person who is age 18 or older, that a certificate be prepared

The certificate shall be labeled 'certificate of foreign birth' and shall show the actual country of birth.

After registration of the certificate in the new name of the adopted person, the State Registrar will seal and file the report of adoption. The report will not be subject to inspection except upon court order or as provided by regulation.

A child who has automatically acquired U.S. citizenship following a foreign adoption and possesses a certificate of citizenship in accordance with the Child Citizenship Act (P.L. 106-395) is exempt from provisions that require judicial procedures and reports to obtain a new birth certificate. The State Registrar must, upon written request, prepare a certificate of foreign birth for a child who was born in a foreign country, adopted by a U.S. citizen, and has acquired citizenship when it receives the following documents:

- Certificate of citizenship
- Foreign birth certificate
- Original documents certified by the U.S. embassy abroad
- Permanent U.S. identification card
- Social Security card

South Carolina

Effect and Recognition of a Foreign Adoption Decree **Ann. Code §§ 63-9-920; 63-9-760(A)**

When the relationship of parent and child has been created by a decree of adoption of a court of any other State or nation, the rights and obligations of the parties as to matters within the jurisdiction of this State must be determined by § 63-9-760.

After the final decree of adoption is entered, the relationship of parent and child and all the rights, duties, and other legal consequences of the natural relationship of parent and child exist between the adopted child, the adoptive parent, and the kindred of the adoptive parent.

Readoption After an Intercountry Adoption

Ann. Code § 63-9-910

Notwithstanding the provisions of § 63-9-790(A)-(B), in the case of a child born in a foreign country who was not a U.S. citizen at birth and whose adoption was finalized in a foreign country, the court shall review the documentation. If it finds the documentation to be satisfactory, the court shall issue an order stating that the required documentation has been submitted and is satisfactory and that the foreign adoption must be recognized and domesticated in South Carolina. The court shall transmit the order and the certificate of adoption to the State Registrar of Vital Statistics without the necessity of a hearing unless the court finds the documentation submitted is unsatisfactory and such finding is stated in the order resulting from the hearing.

Documentation required to be submitted to the court includes, but is not limited to:

- A verified petition seeking domestication of the foreign adoption
- A home study completed after the foreign adoption by a certified person that evaluates the adjustment and progress of the child and family since adoption
- Naturalization papers, if available
- Other documentation as the court may request

The court administration in consultation with the Department of Health and Environmental Control shall develop petition forms, including the documentation required to be filed with the petition, and guidelines for obtaining the domestication of a foreign adoption. These forms and guidelines must be available to the public upon request at all county clerks of court offices and at Department of Health and Environmental Control offices.

Application for a U.S. Birth Certificate

Ann. Code § 44-63-140

When adoption is decreed by a family court in this State of a person born in a foreign country who was not a U.S. citizen at birth and evidence of the date and place of birth submitted to the court and the court order setting forth the date and place of birth are attached to the Certificate of Adoption, the State Registrar shall prepare a 'Certificate of Foreign Birth.' The certificate must be labeled 'Certificate of Foreign Birth' and must show the actual country of birth. A statement also must be included on the certificate that it is not evidence of U.S. citizenship for the person for whom it is issued.

South Dakota

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 25-6-25

Any order of adoption entered in compliance with the laws of another jurisdiction or nation shall have the same effect as an order for adoption entered in this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

Ann. Laws § 34-25-16.1

If the birth occurred in a foreign nation, and the adoption decree is entered in a court of this State, the Department of Health shall issue a new certificate of birth in the new name of the child and with the name of the adopting person. The birth certificate shall be prepared in accord with the facts as found and entered by the court. If the birth occurred in a foreign nation and the adoption was finalized in a foreign nation, any circuit court of this State may issue an order, ex parte and without hearing, directing that a new certificate of birth be issued upon filing the following documentation:

- The adoption order from the foreign nation
- A certified translation of the adoption order, if necessary
- Proof of the date and place of the child's birth
- Proof of IR-3 immigration status
- Proof that each adopting person is a resident of this State

The Department of Health shall issue a new certificate of birth in the new name of the child and the name of each adopting person upon receipt from the clerk of courts such information necessary to establish a new certificate of birth on a form prepared by the department.

Tennessee

Effect and Recognition of a Foreign Adoption Decree

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

Ann. Code § 36-1-106(c)

With respect to a child sought to be readopted under the laws of this State who has been previously adopted pursuant to the laws of a foreign country, the court may enter new orders of adoption as required by any requirements of the U.S. Government for children who were adopted in foreign countries.

If an adoption was conducted in accordance with the laws of the foreign jurisdiction, no further termination of parental rights of the child's parents, home study, court report are required, and no time period for which an adoption petition must be on file before a final adoption order is entered shall be required. Further, no consultation of the putative father registry is required, and the affidavits otherwise required by § 36-1-120(b)(1)-(2) need not be filed, if the attorney, social worker, or child-placing agency that provided professional services in the foreign adoption does not maintain an office in the United States.

When a Tennessee resident adopts a child in a foreign country in accordance with the laws of the foreign country, and such adoption is recognized as full and final by the U.S. Government, such resident may file, with a petition, a copy of the adoption decree that evidences finalization of the adoption in the foreign country, together with a certified translation of the decree if it is not in English, and proof of full and final adoption from the U.S. Government with the clerk of court of any county in this State having jurisdiction over persons filing such documents.

The court shall assign a docket number and file and enter the required documents with an order recognizing such foreign adoption without the necessity of a hearing. Such order, along with the final decree, order, or certificate from the foreign country, shall have the same force and effect as if a final order of readoption were granted in accordance with the provisions of this part.

Application for a U.S. Birth Certificate

Ann. Code §§ 36-1-120(f); 68-3-310(5)

All final orders of adoption must be reported by the clerk to the Division of Vital Records of the Department of Health by sending a certified copy of the order or certificate of adoption and by reporting the information required by the division for a new certificate of birth or a Report of Foreign Birth for the child. The court clerk shall supply the division the following information for the preparation of a Report of Foreign Birth if the child who has been adopted was born in a foreign country:

- The full adoptive name of the child
- The adopted child's date of birth and sex
- The city, province, and country of the adopted child's birth
- The full name of the adoptive father
- The full maiden name of the adoptive mother
- The legal residence of the adoptive parents

The State Registrar shall prepare a report of foreign birth for a child not born in any State, territory, or possession of the United States whose adoptive parents are residents of Tennessee when the required adoption papers have been received from a court of competent jurisdiction in Tennessee.

Texas

Effect and Recognition of a Foreign Adoption Decree

Family Code § 162.023(a)

An adoption order rendered to a resident of this State that is made by a foreign country shall be accorded full faith and credit by the courts of this State and enforced as if the order were rendered by a court in this State unless the adoption law or process of the foreign country violates the fundamental principles of human rights or the laws or public policy of this State.

Readoption After an Intercountry Adoption

Family Code § 162.023(b)

Adoptive parents may petition the court for registration of a foreign adoption decree that was issued abroad and may combine the petition for registration with a petition for a name change.

Application for a U.S. Birth Certificate
Family Code § 162.023(b)

If the court finds that the foreign adoption order meets the requirements of this statute, the court shall order the State Registrar to:

- Register the order under chapter 192, Health and Safety Code
 - File a certificate of birth for the child under § 192.006, Health and Safety Code
-

Utah**Effect and Recognition of a Foreign Adoption Decree**
Ann. Code § 78B-6-142

Except as otherwise provided by Federal law, an adoption order rendered to a resident of this State that is made by a foreign country shall be recognized by the courts of this State and enforced as if the order were rendered by a court in this State.

Readoption After an Intercountry Adoption
Ann. Code § 78B-6-142

A person who adopts a child in a foreign country may register the order in this State. A petition for registration of a foreign adoption order may be combined with a petition for a name change. If the court finds that the foreign adoption order meets requirements, the court shall order the State Registrar to:

- File the order pursuant to § 78B-6-137
- File a certificate of birth for the child pursuant to § 26-2-28

If a clerk of the court is unable to establish the fact, time, and place of birth from the documentation provided, a person holding a direct, tangible, and legitimate interest, as described in § 26-2-22(2)(a) or (b), may petition for a court order establishing the fact, time, and place of a birth, pursuant to § 26-2-15(1).

Application for a U.S. Birth Certificate
Ann. Code § 26-2-28

Upon presentation of a court order of adoption and an order establishing the fact, time, and place of birth under § 26-2-15, the Department of Health shall prepare a birth certificate for any person who:

- Was adopted under the laws of this State
 - Was at the time of adoption considered an alien child for whom the court received documentary evidence of legal residence under § 78B-6-108
-

Vermont**Effect and Recognition of a Foreign Adoption Decree**
Ann. Stat. Tit. 15A § 1-108

A decree or order of adoption entered by a court or administrative entity in another country acting pursuant to that country's law or to any convention or treaty on intercountry adoption that the United States has ratified has the same effect as a decree or order of adoption issued by a court of this State. The rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the decree or order were issued by a court of this State.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate**Ann. Stat. Tit. 15A, § 3-802; Tit. 18, § 5078a**

Upon receipt of a report of an adoption prepared in accordance with the law of another State or country or a certified copy of a decree of adoption together with information necessary to identify the adopted child's original birth certificate and to issue a new certificate, the Supervisor of Vital Records shall issue a certificate of foreign birth for a child adopted in this State and who was born outside the United States and was not a citizen of the United States at the time of birth.

The Supervisor of Vital Records shall establish a Vermont birth certificate for a person born in a foreign country when the supervisor receives:

- A written request that a new certificate be established from the adopted person, if he or she is age 18, or from the adoptive parent or parents, if the adopted person is younger than age 18
- A record of the adoption

The new Vermont birth certificate shall be on a form prescribed by the Commissioner of Health. The new birth certificate shall include:

- The true or probable foreign country of birth and true or probable date of birth
- The adoptive parents as though they were natural parents
- A notation that it was issued by authority of this chapter
- A statement that the certificate is not evidence of U.S. citizenship

Virgin Islands**Effect and Recognition of a Foreign Adoption Decree**

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate

This issue is not addressed in the statutes reviewed.

Virginia**Effect and Recognition of a Foreign Adoption Decree****Ann. Code § 63.2-1200.1(A)**

Any adoption of a child who was born in a foreign country and who was not a citizen of the United States at the time of birth shall be recognized by the Commonwealth and the rights and obligations of the parties shall be determined as though the order of adoption was entered by a court of the Commonwealth if the adoption was finalized pursuant to the laws of the country from which the child was adopted, and the child was admitted to the United States with an IR-3 or IH-3 visa issued by the U.S. Citizenship and Immigration Services. In such cases, the adoptive parents shall not be required to readopt the child in Virginia.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate
Ann. Code § 63.2-1200.1(B)

In cases in which an adoption of a child was finalized pursuant to the laws of a foreign country and the child was admitted to the United States with an IR-3 or IH-3 visa, the adoptive parents, if residents of the Commonwealth at the time the adoption was finalized, may submit a report of adoption to the State Registrar of Vital Records on a form furnished by the State Registrar, which shall:

- Include evidence as to the date, place of birth, and parentage of the adopted person
- Provide information necessary to establish a new certificate of birth for the adopted person
- Include a certified or notarized copy of the final order of adoption entered by the foreign court, together with a certified translation or a notarized copy of a certified translation of the final order of adoption in cases in which the original order is not in English
- Include an affidavit from the adoptive parents indicating that they are receiving supervision from a licensed or approved child-placing agency in the United States or have received supervision from a licensed or approved child-placing agency in the United States and have satisfied all postadoption requirements as required by the foreign country from which the child was adopted

Upon receipt of this report, the State Registrar shall establish a new certificate of birth for the adopted person, and such certificate of birth shall be registered in accordance with the provisions of § 32.1-261.

Washington**Effect and Recognition of a Foreign Adoption Decree**

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate
Rev. Code § 70.58.210(2)

The Department of Registration of Births will, upon request, issue a birth certificate for a child born outside the United States who was adopted in this State when it receives:

- A certified copy of the decree of adoption
- Evidence as to the child's birth date and birthplace provided by the original birth certificate, or by a certified copy, extract, or translation or by a certified copy of some other document that is essentially equivalent, such as the records of the U.S. Immigration or Naturalization Service* or of the U.S. Department of State

The certificate will include:

- The new name of the child as shown in the adoption decree
- The names of the adoptive parents of the child
- The age, sex, and date of birth of the child

Unless the court orders otherwise, the certificate of birth shall have the same overall appearance as the certificate that would have been issued if the adopted child had been born in the State of Washington.

*[*As of March 1, 2003, the responsibility for providing immigration-related services was transferred from the U.S. Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau of the U.S. Department of Homeland Security. The statutes do not yet reflect this change.]*

West Virginia**Effect and Recognition of a Foreign Adoption Decree**
Ann. Code § 48-22-901

When an adoption occurs in a foreign country and the adopted child has immigrated to the United States with the permission of the United States, this State shall recognize the adoption. The rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined as though the adoption decree was issued by a court of this State.

Readoption After an Intercountry Adoption

Ann. Code §§ 48-22-902; 48-22-903

Any time after the child has immigrated to the United States, the adoptive parents may petition the court to recognize the foreign adoption decree that was issued abroad. The petition will set forth:

- The name and address of the petitioner(s)
- The name of the child adopted abroad
- The name by which the child will now be known
- The child's country of origin and date of birth, if known
- That the child has a visa or other document authorizing entry into the United States and the date of entry
- That a home study of the petitioner(s) was prepared
- The date on which the adoption was decreed in the foreign country

A copy of the visa or other documentation, the home study, and the foreign adoption decree or other document(s) that evidence finalization of the adoption in the foreign country, along with an English translation, will be attached to the petition.

The petition may include requests for specific relief or findings to meet the best interests of the child that may be granted at the court's discretion, such as a revised birth date if a physician has recommended a revision of the child's birth date.

The court shall review the petition and accompanying documentation and, if the court finds the petition and documentation to be satisfactory, it shall enter an order of adoption stating that the documentation required has been submitted and is satisfactory and that the adoption must be recognized in West Virginia and shall have the same force and effect as if the decree of adoption was granted in accordance with the provisions of the West Virginia adoption act. The order must set forth the name by which the child shall be known and other pertinent findings of the court. The court shall enter the order without the necessity of a hearing unless deemed necessary or a hearing is requested. The provisions of § 48-22-702(a),(d),(e) shall apply to all orders issued hereunder and a new birth certificate shall be issued.

Application for a U.S. Birth Certificate

Ann. Code §§ 16-5-16(a); 16-5-18(h)

When a court has entered an adoption order, it shall require the preparation of a certificate of adoption. The certificate of adoption shall be certified by the clerk of the court and shall provide:

- In the case of a person who was born in a foreign country, evidence from sources determined to be reliable by the court as to the date and place of birth
- Information necessary to establish a new certificate of birth of the adopted person
- Information sufficient to identify the order of adoption

Upon receipt of the required documentation, the State Registrar shall prepare and register a certificate in this State for a person born in a foreign country who is not a citizen of the United States and who was adopted through a court of competent jurisdiction in this State. The State Registrar shall establish the certificate upon receipt of:

- A certificate of adoption from the court ordering the adoption
- Proof of the date and place of the child's birth
- A request from the court, the adopting parents, or the adopted person who is at least age 18 that the certificate be prepared

The certificate shall be labeled 'Certificate of Foreign Birth' and shall show the actual country of birth. The certificate shall include a statement that it is not evidence of U.S. citizenship for the person for whom it is issued.

Wisconsin

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 48.97

When the relationship of parent and child has been created by an order of adoption of a court of any other State or nation, the rights and obligations of the parties as to matters within the jurisdiction of this State shall be determined by § 48.92. If the adoptive parents were residents of this State at the time of the foreign adoption, the preceding sentence applies only if the Department of Children and Families has approved the placement.

Readoption After an Intercountry Adoption**Ann. Stat. § 48.97**

A child whose adoption would otherwise be valid under this section may be readopted in accordance with this chapter.

Application for a U.S. Birth Certificate**Ann. Stat. § 69.15(1), (2)(b)**

The State Registrar may change information on a birth certificate registered in this State that was correct at the time the birth certificate was filed under a court or administrative order issued in this State, in another State, in Canada, or under the valid order of a court of any federally recognized Indian Tribe, band, or nation if the order provides for an adoption, and the State Registrar receives a certified copy of the order.

If the State Registrar receives an order that provides for an adoption of any person born outside of the United States by any person who is a resident of this State at the time of adoption, and if the adoptive parents present proof of the facts of birth to the State Registrar, the State Registrar shall prepare a certification of birth data for the subject of the adoption. The certification shall indicate:

- The date and place of birth
- The child's adoptive name
- The adoptive parents' names
- The sources of information of each of these facts

If neither of the birth parents of the subject of the adoption are U.S. citizens, the new certification may include proof of the naturalization of the subject of the adoption.

Wyoming**Effect and Recognition of a Foreign Adoption Decree**

This issue is not addressed in the statutes reviewed.

Readoption After an Intercountry Adoption

This issue is not addressed in the statutes reviewed.

Application for a U.S. Birth Certificate**Ann. Stat. § 35-1-417(e)**

The State Registrar of Vital Records shall establish a new certificate of birth, on a form he or she prescribes, for a person born in a foreign country upon receipt of a certified copy of the decree of adoption entered pursuant to § 1-22-111(a)(iii) and a request for a new certificate by the court decreeing the adoption, the adoptive parents, or the adopted person.



U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

