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STATE
STATUTES
SERIES

*Current Through
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Intercountry Adoptions Finalized Abroad: Summary of State Laws

Intercountry adoptions may be finalized abroad or domestically. Most State statutes give full effect and recognition to intercountry adoptions finalized abroad. Full effect of a foreign adoption decree means that adoptive parents and adopted children have the same rights and obligations as they would have if a State court had issued the adoption decree. Recognition of a foreign adoption decree means that the decree is just as valid and binding as a decree issued by a State court. Additionally, most State statutes provide for validation of the foreign adoption or readoption of the child under State law and establish application procedures for adopted children to obtain a U.S. birth certificate.

Electronic copies of this publication may be downloaded at www.childwelfare.gov/systemwide/laws_policies/statutes/intercountry.cfm

To find statute information for a particular State, go to www.childwelfare.gov/systemwide/laws_policies/search/index.cfm

To find information on all the States and territories, order a copy of the full-length PDF by calling 800.394.3366 or 703.385.7565, or download it at www.childwelfare.gov/systemwide/laws_policies/statutes/intercountryall.pdf

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Full Effect and Recognition of Intercountry Adoption Decrees

When U.S. citizens finalize the adoption of a foreign-born child abroad, they must apply to the U.S. Citizenship and Immigration Services (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 U.S. The immigration procedure is different for intercountry adoptions that are finalized after the child arrives in the United States.

Intercountry adoptions are governed primarily by State law, once an adopted child arrives into the State of residence of the adoptive parent(s).¹ States regulate intercountry adoptions finalized abroad differently than they regulate intercountry adoptions finalized domestically, typically in one of three ways:

- Approximately 30 States and one territory grant full effect and recognition to foreign adoption decrees issued abroad.²
- Approximately five States grant full effect and recognition to the foreign adoption decree only after validation of the foreign adoption decree by a State court or readoption of the adopted child in a State court.³
- Approximately two States do not grant any effect or recognition to the foreign adoption decree and require validation or readoption under State law.⁴

Approximately five States may not grant full effect and recognition to foreign adoption decrees under certain circumstances.

¹ 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 frequently move around the country or around the world. For additional information about military families seeking to adopt and needing to determine their State of residence, see the Information Gateway factsheet *Military Families and Adoption: A Factsheet for Families* at www.childwelfare.gov/pubs/f_milita.cfm.

² The word *approximately* is used to stress the fact that the States frequently amend their laws. The States that currently (as of July 2005) provide for full faith and credit for foreign adoption decrees include Alaska, Arkansas, California, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Texas, Utah, Vermont, West Virginia, and Wisconsin, as well as the Northern Mariana Islands.

³ These States are Connecticut, Kansas, Louisiana, Maine, and South Carolina. For additional information about State court jurisdiction and venue, see the Information Gateway State Statutes publication *Court Jurisdiction and Venue for Adoption Petitions* at www.childwelfare.gov/systemwide/laws_policies/statutes/jurisdictionall.pdf.

⁴ Colorado and Pennsylvania.

Readoption After an Intercountry Adoption

For instance, California and Connecticut may refuse to grant full effect and recognition if the adoptive parents did not see the child prior to or during the finalization of the adoption abroad; Ohio and Texas may refuse to grant full effect and recognition if any aspect of the adoption law or procedure of the country that finalized the adoption violates State law and public policy; and Oklahoma may refuse to grant full effect and recognition if the adoptive parents are members of the same sex. When a State refuses to grant full effect and recognition to a foreign adoption, the adoptive parents may have to validate the foreign adoption or readopt the child under State law.

Usually, if a State automatically grants full effect and recognition to a foreign adoption decree, it will not require validation or readoption. Validation is the process of submitting an adopted child's foreign adoption decree for State court approval. Readoption is the process of adopting a child who was previously adopted in another jurisdiction. Both processes are similar because they involve State court review and legitimization of the foreign adoption and typically require the 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 require the adoptive parents to petition the court to validate or register the foreign adoption or foreign adoption decree.⁵ Approximately three States require the adoptive parents to readopt the child, instead of requiring validation.⁶

Approximately 16 States offer readoption as an option, not a requirement.⁷ When readoption is optional, adoption professionals recommend that adoptive parents consider it as a precautionary measure because it protects the intercountry adoption finalized abroad from a legal challenge in State court and ensures the adopted child's ability to inherit from the adoptive parents. Also, readoption provides the adopted child with an opportunity to obtain a U.S. birth certificate.

⁵ Colorado, Kansas, Louisiana, Pennsylvania, and South Carolina.

⁶ Connecticut, Maine, and New York.

⁷ California, Georgia, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Tennessee, Texas, Utah, West Virginia, and Wisconsin.

Application for a U.S. Birth Certificate

After readoption or validation of a foreign adoption in a State court, adoptive parents can request that the State Registrar of Vital Statistics issue a State birth certificate for the adoptee. Approximately 14 States allow adoptive parents to request a U.S. birth certificate for their adopted child even if the parents do not readopt or seek validation under State law.⁸ Only four States, the District of Columbia, Puerto Rico, and the territories currently do not provide in statute for issuing a U.S. birth certificate for an intercountry adoptee.⁹ Usually, the request for a birth certificate will be 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.¹⁰

The State Registrar will issue the birth certificate in the new name of the adoptee if requested by the adoptive parents, and the certificate will show the actual date and place of birth. Afterwards, the Registrar will seal the original birth certificate, order or decree of adoption, and the court findings, which will not be unsealed except by court order or as provided by law.¹¹ The birth certificate will be valid in all 50 States, Puerto Rico, and the territories but will not be accepted as evidence of U.S. citizenship for the child in approximately 22 States.¹²

For more information about the intercountry adoption process, please see the Information Gateway factsheet on intercountry adoption at www.childwelfare.gov/pubs/f_inter/index.cfm.

⁸ California, Illinois, Kansas, Kentucky, Louisiana, Maryland, Michigan, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, West Virginia, and Wisconsin.

⁹ Indiana, Iowa, Massachusetts, Wyoming, District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

¹⁰ Findings of fact are court determinations about factual 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 in order to conduct the adoption proceedings, to issue a U.S. birth certificate, and to fill out all future health-, education- and work-related forms for the adopted child.

¹¹ 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 Family Information by Adopted Persons* at www.childwelfare.gov/systemwide/laws_policies/statutes/infoaccessapall.pdf.

¹² Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Montana, New Hampshire, North Dakota, Oregon, Pennsylvania, South Carolina, Vermont, and Virginia.

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be as complete as possible, 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.

Alabama

Effect and Recognition of a Foreign Adoption Decree

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Ala. Code § 22-9a-12(3)(i)(1) & (2)

- 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 an Alabama court, when it receives:
 - » 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 18 years or over that a certificate be prepared
- After registration of the certificate in the new name of the adopted person, the State Registrar will seal and file the report of adoption, which will not be unsealed except upon court order or as provided by statute.
- The certificate will state that it is not evidence of U.S. citizenship for the child.

Alaska

Effect and Recognition of a Foreign Adoption Decree

Alaska Stat. § 25.23.160 (2005)

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

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 date and place of birth and parentage of the adopted person that were included with the report of adoption filed with the Registrar of Vital Statistics
- 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 for the child.

American Samoa**Effect and Recognition of a Foreign Adoption Decree**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Rev. Stat. § 36-338**

- The State Registrar will create and prepare a foreign birth certificate for a foreign-born adopted person who is not a U.S. citizen, when it receives:
 - » A birth certificate from the country of the adopted person's birth that has been translated into English or written documentation of the date and place of the adopted person's birth
 - » A court order of adoption or adoption certificate
 - » If not adopted in this State, a court order issued in this State that recognizes the adoption
 - The certificate will show the country of birth and will state that it is not evidence of U.S. citizenship for the adopted person.
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Arkansas**Effect and Recognition of a Foreign Adoption Decree****Ann. Code § 9-9-218**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

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, issue an Arkansas certificate of birth for a foreign-born child who is not a U.S. citizen and who was adopted in an Arkansas court, when it receives:
 - » A certificate of adoption
 - » Proof of the date and place of adopted child's birth
 - » A request by the court decreeing the adoption, the adoptive parents, or the adopted person if 18 years of age or older
- After registration of the certificate in the new name of the adopted person, the State Registrar will seal and file the report of adoption that will not be unsealed except upon court order or as provided by statute.
- The 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**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption**Family Code § 8919(a) & (b)**

- Readoption is required if required by the U.S. Immigration and Naturalization Service*. Otherwise readoption is optional.
- The court must receive a report from an adoption agency authorized to provide intercountry adoption services before it will grant the readoption order.
- The readoption will include, but is not limited to:
 - » At least one postplacement in-home visit
 - » Filing of the adoption petition
 - » An intercountry adoption court report
 - » Accounting reports
 - » A final adoption order

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

Application for a U.S. Birth Certificate**Family Code § 8919(c); Hlth. and Safety Code § 103-450(a)**

- A California birth certificate may be issued for a child who was adopted abroad by a California resident.
- Beneficially interested parties may petition the clerk of the superior court for an order to judicially establish 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

Not addressed in 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 State citizen and 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 U.S.
- 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 will prepare a certificate of foreign birth for a foreign-born child who is a Colorado resident, when it receives:
 - » A certified copy of the final decree of adoption
 - » The juvenile court's findings of fact as to the date and place of birth and parentage of such person
- The State Registrar will prepare the certificate in the new name of the adopted person and will seal the certified copy of the findings and final adoption decree, which will be kept confidential except as otherwise provided by statute.
- The certificate will show the true or probable country of birth and will state that it is not evidence of U.S. citizenship for the adopted child.

Connecticut

Effect and Recognition of a Foreign Adoption Decree

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption**Gen. Stat. § 45a-730(a)**

- Readoption validates an intercountry adoption that was finalized abroad where 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 readoption must be 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 interest of the child

*[*As of March 1, 2003, the responsibility for providing immigration-related services, such as naturalization, was transferred from the Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau 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, upon request, prepare a certification of birth registration or a certificate of foreign birth for a foreign-born child who is adopted by State residents, when it receives:
 - » Notification from the probate court that an authenticated copy of an adoption order from the court conducting the adoption proceedings or other evidence that is considered satisfactory by the probate court was filed with the probate court
 - » A written request of the adopted person, if over 16 years of age, or of the adopting parents or the probate court conducting the adoption proceedings
- The certification of birth registration will contain only:
 - » The adopted name
 - » Sex
 - » The date and place of birth
 - » The date of preparation of the certification
- The certificate of foreign birth will contain:
 - » The adopted name
 - » Sex
 - » The date of birth
 - » The place of birth
 - » The legal name of adoptive parent or parents
 - » The date of preparation of the certificate

Delaware**Effect and Recognition of a Foreign Adoption Decree****Ann.Code Tit. 13, § 927**

- A decree issued 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 U.S. until after the adoption was finalized abroad.
- A decree issued in a foreign country is not valid if the child was brought into the U.S. before the adoption was finalized abroad.

Readoption After an Intercountry Adoption**Ann. Code Tit. 13, § 927(c)**

- Adoptive parents may seek an order certifying the validity of their foreign adoption decree by providing the family court in their country of residence with:
 - » The foreign adoption decree
 - » An affidavit stating the name by which the child is to be known and indicating that the decree was issued in accord with the laws of the country decreeing the adoption and the adopted child was not brought into the State until the adoption was finalized

Application for a U.S. Birth Certificate**Ann. Code Tit. 16, § 3126(a) & (b)**

- The State Registrar will issue a new certificate of birth for a foreign-born child who was adopted abroad upon issuance of an order certifying the validity of a foreign adoption. The State Registrar will prepare the certificate after the clerk of the court that validated the adoption files a report with the required information together with a copy of the final adoption decree.
- Upon receipt of the information, the State Registrar will put the original certificate of birth in a confidential file and will prepare a new certificate setting forth:
 - » The adopted name and sex of the child
 - » The names of the adopting parents
 - » The actual birth date and birthplace of the child

District of Columbia**Effect and Recognition of a Foreign Adoption Decree**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Florida

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 63.192

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

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 adoptee if of legal age
- The certificate 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, which will not be unsealed except pursuant to court order.

Georgia

Effect and Recognition of a Foreign Adoption Decree

Ann. Code § 19-8-22

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Ann. Code § 19-8-8

Readoption after an intercountry adoption that was finalized abroad is not required when the adoption was in accord with the laws of the country decreeing the adoption and the adopted child has a valid visa issued by the U.S. Immigration and Naturalization Service*, but it is an option.

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

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

- The State Registrar will prepare 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:
 - » The report of adoption from the court decreeing the adoption
 - » Proof of the date and place of birth of the child
- After registration of the certificate in the new name of the adopted person, the State Registrar will seal and file the report of adoption, which will not be unsealed except upon court order or as provided by statute.
- If the child does not meet the requirements for the Federal Child Citizenship Act of 2000, the certificate will state that it is not evidence of U.S. citizenship for the child. If the child does meet the Child Citizenship Act's requirements, the certificate will not include this statement.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Hawaii**Effect and Recognition of a Foreign Adoption Decree****Rev. Stat. § 578-8(c)**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption**Rev. Stat. § 338-20.5**

The State court may decide, in its discretion, not to conduct a hearing considering the foreign adoption that was finalized abroad when it receives:

- A sworn affidavit from the adoptive parents requesting not to have the hearing
- A finding that the issues the State would have reviewed have received full consideration by the country from which the child was adopted and by the U.S. Immigration and Naturalization Service*

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

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

- The Department of Health will, upon request, issue a Hawaii birth certificate for a foreign-born child who was adopted in a Hawaii court, when it receives:
 - » A properly certified copy of the adoption decree or a certified abstract on a form approved by the department
 - » A copy of any investigatory report and recommendation prepared by the director of social services
 - » A report on a form approved by the department establishing:
 - › The date of assumption of custody
 - › The sex, color or race, and 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 for a new certificate
- After preparing the certificate in the new name of the adopted person, the department will seal and file the certified copy of the adoptive decree, the investigatory report and recommendation if any, the report constituting the original birth certificate, and the request for a new birth certificate, that will not be unsealed except upon court order or as provided by statute.
- 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.

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

A foreign adoption decree issued in a foreign country that is authorized to approve adoptions will be given full effect and recognition provided that the U.S. Department of State or U.S. Department of Justice, Immigration and Naturalization Service* has allowed the child to enter the U.S.

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

Readoption After an Intercountry Adoption**Idaho Code § 16-1514(1)**

- The adoptive parents may file a petition with the district court in the judicial district in which they reside to recognize and grant effect to an adoption that was finalized abroad. The petition will set forth:
 - » The name and address of the petitioner or petitioners
 - » The name of the child and the name by which he or she will be known when adopted
 - » The degree of relationship of the child, if any, to the petitioner(s)
 - » The child's country of origin, and date of birth, if known
 - » That the child has been issued a visa or other document authorizing entry into the U.S. as an immigrant or for the purpose of adoption or for humanitarian reasons relating to adoption in the U.S.
 - » The date of the person's entry into the U.S.
 - » That a home study of the petitioner(s) was prepared and the name of the person or agency performing the home study
 - » That, to the information and belief of the petitioners, the biological parents of the child to be adopted are residents of another country
 - » That the adoption of such child is in the child's best interests
- A copy of the home study shall be attached to the petition.

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)**

Decrees issued in a foreign country are given full effect and recognition provided that they meet U.S. Immigration and Naturalization Service* requirements.

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

Readoption After an Intercountry Adoption

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, or by a certified copy, extract, or translation of the original certificate, or by other document that is essentially equivalent
 - » A certified copy, extract, or translation of the adoption decree or by 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**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Iowa**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. § 600.15**

A decree issued in a foreign country in accord with the laws of that country will be recognized in this State.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Kansas**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. § 59-2144(a)**

An adoption decree is not automatically recognized in this State.

Readoption After an Intercountry Adoption**Ann. Stat. § 59-2144(a)**

When the adoptive parents file and enter with a county clerk in this State the adoption decree or a similar document that evidences finalization of the adoption in the foreign country together with evidence of lawful admission into the U.S., the foreign adoption decree that was issued abroad will be given full effect and recognition as if it was granted under the Kansas Adoption and Relinquishment Act.

Application for a U.S. Birth Certificate**Ann. Stat. §§ 65-2423(b) & 59-2144(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 will show the new name of the child as specified in the decree of adoption or a similar document that evidences finalization of the adoption in the foreign country and 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 and will state that it is not evidence of U.S. citizenship.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

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**

An adoption decree is not automatically recognized in this State.

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 domiciliary 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 Immigration and Naturalization Service* documentation of orphan status
 - » Documentary proof of citizenship status
 - » 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 U.S. in accordance with applicable Immigration and Naturalization Service* regulations
 - » The child is either a permanent resident or a naturalized citizen of the U.S.
 - » The petitioners have the ability to care for, maintain, and educate the child

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

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 U.S. 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:
 - » A certified copy of the order or decree of adoption, and
 - » A certified copy of the original foreign birth certificate, and, if the certificate is not in English, a certified verbatim translation of the certificate, or
 - » If the certified copy of the original birth certificate of the adopted person and certified translation are not available, 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 decree is not automatically recognized in this State.

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

- Readoption will give recognition to a foreign adoption that was finalized abroad.
- The probate judge may enter an adoption decree when it receives a judgment of adoption in a foreign country and, during the same proceeding, may order a change of name if requested by the adoptive parents.

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

- 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 the adopted person is 18 years of age 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.

Maryland

Effect and Recognition of a Foreign Adoption Decree **Family Law § 5-326.1**

A foreign adoption decree will be given full effect and recognition as if a State court had issued the decree if the adopting parent is a State resident and the U.S. Immigration and Naturalization Service* granted the child an IR-3 visa.

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

Readoption After an Intercountry Adoption **Health-Gen. Code Ann. § 5-313.1**

- Readoption after an intercountry adoption that was finalized abroad is not required when the adopted child has a valid IR-3 visa, but it is an option.
- Readoption requires the adoptive parents to file a petition for adoption accompanied by decree of adoption, guardianship, or termination of parental rights granted by a judicial, administrative, or executive body of a foreign country in accord with the laws of that country.

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

- The Secretary of Health and Mental Hygiene will, upon request, prepare and register a certificate of foreign birth for a foreign-born child who was adopted in State court when it receives the following:
 - » A certificate of adoption from the court decreeing the adoption
 - » Proof of the date and place of child's birth
 - » A request from the court, the adopting parents, or the adopted person if 18 years of age or older that the certificate be prepared
- The Secretary of Health and Mental Hygiene will, upon request, prepare and register a certificate of foreign birth for a foreign-born child who was adopted abroad by a State resident and who has an IR-3 visa, when it receives the following:
 - » 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 visa status
 - » A request from the court, the adopting parents, or the adopted person if 18 years of age or older that the certificate be prepared
 - » Proof that the adopting parent is a State resident
- The certificate will show the actual country of birth and will state that it is not evidence of U.S. citizenship for the child.

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

Ann. Laws ch. 210, § 10

Readoption after an intercountry adoption that was finalized abroad is optional.

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Michigan

Effect and Recognition of a Foreign Adoption Decree

Comp. Laws § 710.21b

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Comp. Laws § 333.2830

- The probate court will, upon request, file a delayed registration of birth for a foreign-born child who was adopted in State or abroad by a Michigan resident.
- If the date and place of the child's birth 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 will determine the facts and establish a date and place of birth.
- The delayed registration will contain the date and place of birth and other facts specified by the department.
- The court may, upon request of adoptive parent when filing a delayed registration of birth, enter a new name for the child.

Minnesota

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § 259.60

A foreign adoption that was finalized abroad is valid and binding if a State resident adopted the child and the U. S. Immigration and Naturalization Service* granted the child an IR-3 visa.

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

Readoption After an Intercountry Adoption**Ann. Stat. § 259.60**

- Readoption after a valid intercountry adoption that was finalized abroad is optional.
- Readoption requires the adoptive parents to petition the district court in the county in which the adoptive parents reside for a decree confirming and recognizing the foreign 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.
- The court will issue the decree when it receives:
 - » A signed, sworn, and notarized petition by the adoptive parent stating that the adoptive parent completed adoption of the child abroad, 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 the child's original birth record and passport if not written in English

Application for a U.S. Birth Certificate**Ann. Stat. § 144.218(2)**

- The State Registrar will prepare a birth record for a foreign-born adopted person when it receives:
 - » Certified copies of court findings of fact as to date and place of birth and parentage
 - » Copies of the order or decree of adoption, a certificate of adoption, or a certified copy of the decree
- The State Registrar will issue the record in the new name of the adopted person.
- The certified copies of court findings and the order or decree of adoption, a certificate of adoption, or a certified copy of the decree are confidential and will not be disclosed unless pursuant to court order or statutory provisions.
- The record will state the place of birth as specifically as possible and will state that it is not evidence of U.S. citizenship for the adoptee.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

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

- The Bureau of Vital Statistics may prepare an original or a revised birth certificate for a foreign-born child who was or will be adopted in this State, when it receives a certified copy of the final decree of adoption containing required information.
- The birth certificate will include:
 - » The adopted name, race, sex, and date and place of birth of the child
 - » The names, race, ages, places of birth, and occupation of the parents, including the maiden name of the adoptive mother

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

A decree issued in a foreign country in accord with the laws of that country will be recognized as if a State court had issued the decree if the foreign-born adopted person migrated to the U.S. with the permission of the U.S. Department of Justice and the U.S. Department of Immigration and Naturalization Services*.

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

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Rev. Stat. § 193.125(6)**

- The State Registrar will prepare a birth certificate for a foreign-born child who was adopted in this State by a Missouri resident when it receives the adoption decree.
- The Registrar will prepare the certificate in the name of the adopted child.
- The Registrar will file the certificate of the decree of adoption, which cannot be opened except by court order.

Montana**Effect and Recognition of a Foreign Adoption Decree****Ann. Code § 42-5-101**

A decree issued in a foreign country in accord with the laws of that country or in accord with any intercountry adoption treaty ratified by the U.S. will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

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

- The Department of Public Health and Human Services will, upon request, prepare a certificate of foreign birth for a foreign-born adopted child who was not a U.S. citizen at the time of birth and who was adopted in this State, when it receives:
 - » A certificate of adoption from the court that decreed the adoption
 - » Proof of the date and place of the child's birth
 - » A request for the establishment of a certificate of birth from the court, the adopting parents, or the adopted person, if the person is 18 years of age or older
- The certificate will show the actual country of birth and will state that it is not evidence of the U.S. citizenship for the child.
- After registration of the certificate of birth in the new name of the adopted person, the department will seal and file the certificate of adoption, which is not subject to inspection except upon court order or as otherwise provided by State law.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Rev. Stat. § 71-627.02**

- The Director of Finance and Support will prepare a birth certificate for a foreign-born child who was adopted in the State when it receives a Report of Adoption or a certified copy of an adoption decree issued by any court of competent jurisdiction in the State.
- The certificate will show:
 - » The new name, date of birth, and sex of the adopted person
 - » Statistical information concerning the adopted 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**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

New Hampshire

Effect and Recognition of a Foreign Adoption Decree

Rev. Stat. § 170-B:29

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Rev. Stat. § 170-B:27(2)

Readoption validates a foreign adoption that was finalized abroad provided that the probate court finds that there is satisfactory evidence to demonstrate the validity of the adoption, such as 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.

Application for a U.S. Birth Certificate

Rev. Stat. § 5-C:15(1) & (2)

- The State Registrar will issue a New Hampshire certificate of birth for a foreign-born person for whom a final decree of adoption has been issued by a State court, when it receives:
 - » A request and a fee of \$25 from the adoptive parents or adopted person over 18 for such a certificate
 - » A report of the adoption
- 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.

New Jersey

Effect and Recognition of a Foreign Adoption Decree

Ann. Stat. § C.9:3-43.2

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Ann. Stat. § C.9:3-43.1

- Readoption after an intercountry adoption that was finalized abroad is not required when the child has an IR-3 visa, but it is an option.
- Readoption requires the adoptive parent to file in State court a petition for adoption together with the judgment of adoption, guardianship, or termination of parental rights granted by a judicial, administrative, or executive body of a foreign country that is in accord with the laws of that country.

Application for a U.S. Birth Certificate**Ann. Stat. § 26:8-40.1(b)**

- The State Registrar will prepare a new birth certificate for a foreign-born child who was not a U.S. citizen at the time of birth and who was adopted abroad by a State resident, when it receives:
 - » A request for the certificate from the court, the adopting parent, or the adopted person if that person is 18 years of age or older
 - » Proof that the adopting parent is a State resident
 - » An official copy of the judgment from the 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 the IR-3 immigrant visa status, or a successor immigrant visa status
- Upon receipt of the required documentation, the State Registrar will notify the local registrar of vital statistics of the place in which the birth occurred, if applicable, and the local registrar will enter the new certificate in the local record and place his or her copy of the original record under seal.
- The certificate and any copy will bear the notation 'by adoption,' and such notation may be removed at any time after submission of acceptable proof that the child has become a U.S. citizen.
- The State Register will seal the original birth certificate and all papers pertaining to the new certificate, which will not be unsealed except upon court order.

New Mexico**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. § 32A-5-39**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Ann. Stat. § 32A-5-38**

- The State Registrar of Vital Statistics will, upon request, prepare a birth record for a foreign-born person if an application for the certificate is filed within 30 days after the adoption decree becomes final.
- The State Registrar will prepare the record in the new name of the adopted person.
- The record is subject to the Adoption Act's confidentiality requirements for adoption records.

New York**Effect and Recognition of a Foreign Adoption Decree****Dom. Rel. Law § 115-a(8)**

A foreign adoption decree is not automatically recognized in this State.

Readoption After an Intercountry Adoption**Dom. Rel. Law § 115-a(8)**

The adoptive parents of a foreign-born child who was adopted abroad may petition the court in their county of residence for readoption.

Application for a U.S. Birth Certificate**Pub. Health Law § 4138-a**

The Commissioner of Health may prepare a certificate of birth data for a foreign-born person who is under the age of 18 years and who has been validly adopted in this State or abroad by State residents.

North Carolina**Effect and Recognition of a Foreign Adoption Decree****Gen. Stat. § 48-2-205**

A decree issued in a foreign country in accord with the laws of that country will be recognized as if a State court had issued the decree.

Readoption After an Intercountry Adoption**Gen. Stat. § 130A-108(b)**

Readoption after an intercountry adoption that was finalized abroad is optional.

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

- The State Registrar will prepare a certificate of identification for a foreign-born child who was adopted abroad and readopted in this State when it receives a report of adoption from the Division of Social Services.
- The State Registrar will prepare a certificate of identification for a foreign-born child residing in this State at the time of application when it receives:
 - » A certified copy of the original birth certificate from the country of birth
 - » A certified copy of the final order of adoption signed by the clerk of the court or other appropriate official
- The certificate will contain:
 - » The child's full adoptive name, sex, country of birth, and date of birth
 - » The full name of the adoptive father, if applicable, and the full maiden name of the adoptive mother, if applicable
 - » Any other pertinent information as may be determined by the State Registrar

North Dakota**Effect and Recognition of a Foreign Adoption Decree****Cent. Code § 14-15-17**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Cent. Code § 23-02.1-18(2) & (3)**

- The State Registrar will establish a new certificate of birth for a foreign-born child who was adopted abroad and whose adoptive parents are State residents at the time of the adoption, when it receives:
 - » A certified copy of the adoption decree
 - » A certified copy of the certificate of birth of the adopted person
 - » An affidavit of an adoptive parent setting forth the true or probable date and place of birth and parentage of the adopted person
 - The State Registrar will establish a new certificate of birth for a foreign-born child who was adopted in this State and whose adoptive parents are State residents at the time of the adoption when it receives a report of adoption.
 - The certificate will show the actual place and date of birth.
 - The original certificate of birth and the evidence of adoption are not subject to inspection except upon court order or as provided by rules and regulations.
 - The certificate is not evidence of U.S. citizenship for the child.
-

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

A decree issued for a foreign adoption that was finalized abroad will be given full effect and recognition as if a court of the Commonwealth had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Ohio**Effect and Recognition of a Foreign Adoption Decree****Rev. Code § 3107.18(a)**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree, unless it would violate public policy of this State to do so.

Readoption After an Intercountry Adoption**Rev. Code § 3107.18(b)**

- Readoption after an intercountry adoption that was finalized abroad is optional.
 - Readoption requires the adoptive parent(s) to bring a petition in the probate court in the county of residence requesting that the court issue a final decree of adoption.
-

Application for a U.S. Birth Certificate**Rev. Code § 3107.18(c)**

- The court of the county in which the adoptive parents reside will, upon request by the adoptive parent, order the Department of Health to issue a foreign birth record for a foreign-born adopted person who was adopted abroad and whose foreign adoption decree is recognized by a court in this State. The department must receive certain documents from the court, including:
 - » A copy of the foreign adoption decree or certificate of adoption
 - » 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
- The court may specify a change of name and a revised birth date for the child.

Oklahoma**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. Tit. 10, § 7502-1.4**

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree, except the State will not recognize adoptions by more than one individual of the same sex from any other State or foreign jurisdiction.

Readoption After an Intercountry Adoption**Ann. Stat. Tit. 10, § 7502-1.4**

Readoption after an intercountry adoption that was finalized abroad is not required when one or both adoptive parents are State citizens and the adopted child is residing in the State at the time the petition for adoption is filed, but it is an option.

Application for a U.S. Birth Certificate**Ann. Stat. Tit. 10, § 7505-6.6**

The State Registrar will prepare a certificate of foreign birth for a foreign-born adopted child when it receives a certificate of a decree of adoption.

Oregon**Effect and Recognition of a Foreign Adoption Decree****Rev. Stat. § 109.385(a)**

A foreign adoption that was finalized in a foreign country in accord with the laws of that country will be given full effect and recognition in this State if at least one of the adoptive parents is a U.S. citizen.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Rev. Stat. §§ 432.415(6) & (7); 432.230(8)**

- The State Registrar will, upon request, prepare, and register a certificate of foreign birth for a child who was born in a foreign country, except Canada, and who was not a U.S. citizen at the time of birth, when it receives:
 - » A report of a judgment of adoption from the court
 - » Proof of the date and place of the person's birth
 - » A request from the court, the adopting parents, or the adopted person if 18 years of age or over, that the such a certificate be prepared
- The certificate will show the actual country of birth and will state that it is not evidence of U.S. citizenship for the child.
- After registration of the certificate in the new name of the adopted person, the State registrar will seal the report of adoption, which will not be subject to inspection except upon court order.

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

A foreign decree of adoption is not automatically recognized in this State.

Readoption After an Intercountry Adoption**23 Pa. Cons. Stat. Ann. § 2908**

When the foreign adoption decree was made or entered in conformity with the laws of a foreign country and the child was adopted by a State resident, the adoptive parent(s) may file a certified copy of foreign decree with the clerk in the county of residence of the adoptive parent(s).

Application for a U.S. Birth Certificate**35 Pa. Cons. Stat. Ann. § 450.604**

- The State Department of Health will, upon request, complete and register a birth certificate for a foreign-born child who was adopted in this State, when it receives:
 - » A certified copy of the decree of adoption
 - » Proof of the date and place of the child's birth
- The certificate will show the new name of the child as specified in the decree of adoption and other information concerning the adopting parents as may be necessary to complete the birth certificate.
- The certificate will show the true country and date of birth of the child.
- The certificate will state that it is not evidence of U.S. citizenship. However, if the adoptive parents present proof of their U.S. citizenship and State residence and documents from the U.S. Department of State, U.S. Department of Justice, Immigration and Naturalization Service, U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security or successor agencies that verify the child's U.S. citizenship, the certificate will not contain any notation regarding the child's citizenship.

Puerto Rico**Effect and Recognition of a Foreign Adoption Decree**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

Rhode Island**Effect and Recognition of a Foreign Adoption Decree**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

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

- 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 if 18 years of age or over that a certificate be prepared
 - The certificate will 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, which will not be subject to inspection except upon court order or as provided by regulation.
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South Carolina**Effect and Recognition of a Foreign Adoption Decree****Ann. Code § 20-7-1795(a)**

A foreign decree of adoption is not automatically recognized in this State.

Readoption After an Intercountry Adoption**Ann. Code § 20-7-1795**

- A State court must review the foreign adoption decree that was issued abroad and other requisite documentation and, if it finds the documentation to be satisfactory, will issue an order approving the documentation and granting full effect and recognition to the foreign adoption.
- The documentation required to be submitted to the court includes, but is not limited to:
 - » A verified petition seeking domestication of the foreign adoption
 - » A post foreign adoption home study 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 Department of Health and Environmental Control provides forms and guidelines for readoption that are available 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 §§ 20-7-1790(C); 44-63-140(2)**

- The State Registrar will, when directed by court order, prepare a certificate of foreign birth for a foreign-born adopted person who was not a U.S. citizen at the time of birth and who was adopted in a family court in this State, when it receives:
 - » A Certificate of Adoption
 - » Evidence of the date and place of birth submitted to the court
 - » The court order setting forth the date and place of birth
- The certificate will show the actual country of birth and will state that it is not evidence of U.S. citizenship for the child.

South Dakota**Effect and Recognition of a Foreign Adoption Decree**

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Ann. Laws § 34-25-16.1**

- The State Department of Health will issue a new certificate of birth for a foreign-born child who was adopted in this State.
- The department will issue the certificate in the new name of the child and with the name of the adopting person.

Tennessee

Effect and Recognition of a Foreign Adoption Decree

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Ann. Code § 36-1-106(c)

- Readoption after an intercountry adoption that was finalized abroad is optional.
- The circuit and chancery courts are authorized to conduct readoptions.

Application for a U.S. Birth Certificate

Ann. Code § 68-3-310(5)

The State Registrar will issue a report of foreign birth for a foreign-born adopted child whose adoptive parents are residents of Tennessee when it receives required adoption papers from a State court.

Texas

Effect and Recognition of a Foreign Adoption Decree

Family Code § 162.023(a)

A decree that was issued in a foreign country in accord with the laws of that country and rendered to a State resident will be given full effect and recognition as if a State court had issued the decree, unless it would violate human rights or the law or public policy of this State to do so.

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)(2)

The court will order the State Registrar to file a birth certificate for a foreign-born adopted child whose foreign adoption decree was registered this State.

Utah

Effect and Recognition of a Foreign Adoption Decree

Ann. Code § 78-30-8.6(1)

A decree that was issued in a foreign country in accord with the laws of that country and rendered to a State resident will be recognized as if a State court had issued the decree, unless otherwise provided by Federal law.

Readoption After an Intercountry Adoption**Ann. Code § 78-30-8.6(2)**

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**Ann. Code § 78-30-8.6(2); Health Code § 26-2-28**

The Department of Health will prepare a birth certificate for a child who was adopted in this State and who was at the time of adoption considered an alien child for whom the court received documentary evidence of legal residence, when it receives:

- A court order of adoption
- An order establishing the fact, time, and place of birth

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

A decree issued in a foreign country in accord with the laws of that country will be given full effect and recognition as if a State court had issued the decree.

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Ann. Stat. Tit. 15A, § 3-802(a)(3) &(4); Tit. 18, § 5078a**

- The Supervisor of Vital Records Registration will issue a certificate of foreign birth for a foreign-born adopted person who was not a U.S. citizen at the time of birth and who was adopted in this State when it receives a report of adoption, a report of adoption prepared in accordance with the law of another State or country, a certified copy of a decree of adoption together with information necessary to identify the adopted person's original birth certificate and to issue a new certificate, or a report of an amended adoption.
- The certificate of foreign birth will:
 - » Be signed by the supervisor of vital records
 - » Include the date, time, and place of birth of the adopted person
 - » Substitute the name of the adoptive parent for the name of the person listed as the adopted person's parent on the original birth certificate
 - » Include the filing date of the original birth certificate and the filing date of the new birth certificate
 - » Contain any other information prescribed by the supervisor of vital records.
- The original certificate and all copies of the certificate in the files will be sealed and will not be subject to inspection until 99 years after the adopted person's date of birth, unless otherwise provided by statute.
- The Supervisor of Vital Records Registration will, upon request, establish a Vermont birth certificate for a foreign-born child who was adopted in Vermont, when it receives:
 - » A written request that a new certificate be established from the adopted person if 18 years or older, or from the adoptive parent or parents if the adopted person is under 18 years of age
 - » A record of the adoption
- The Vermont birth certificate will 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 statute

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate**Ann. Code § 32.1-261(E)**

- The State Registrar will, upon request, establish a Virginia certificate of birth for a foreign-born child who was adopted in this State, when it receives:
 - » An adoption report
 - » A request that such a certificate be established and registered
- After registration of the certificate in the new name of the adopted person, the State Registrar will seal and file the report of adoption that will not be subject to inspection except upon court order or as provided by statute.
- 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.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

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 foreign-born child 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
- The certificate will not make reference to the child's adoption.

*[*As of March 1, 2003, the responsibility for providing immigration-related services, such as naturalization, was transferred from the Immigration and Naturalization Service to the U.S. Citizenship and Immigration Services, a bureau 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**

A decree issued for a foreign adoption that was finalized abroad will be given full effect as if a State court had issued the decree if the adopted child immigrated to the U.S. with the permission of the U.S.

Readoption After an Intercountry Adoption**Ann. Code § 48-22-902**

- Any time after the child has immigrated to the U.S., the adoptive parents may petition 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 U.S. 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.

Application for a U.S. Birth Certificate**Ann. Code §§ 16-5-18a; 16-5-16(a)**

- The State Registrar of Vital Statistics will make and file a new birth certificate for a foreign-born child, when it receives:
 - » A certificate of adoption issued by a State court
 - » Evidence as to the child's birth date and birthplace provided by the original birth certificate, or a certified copy, extract, or translation thereof, or by any other essentially equivalent document including, but not limited to, the records of the U.S. Immigration and Naturalization Service* or of the U.S. Department of State
- The certificate will include:
 - » The actual place and date of birth
 - » The child's name and parentage as ordered in the adoption decree
 - » Any other necessary facts as required by the State Registrar

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

Wisconsin**Effect and Recognition of a Foreign Adoption Decree****Ann. Stat. § 48.97**

A decree that was issued in a foreign country that was in accord with the laws of that country and rendered to State residents will be given full effect and recognition as if a State court had issued the decree.

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

Readoption is not required, but it is optional.

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

- The State Registrar will prepare a certification of birth data for a foreign-born child who was adopted by a State resident when it receives:
 - » An order providing for the adoption of the child
 - » Proof of the facts of birth
- The certification will show the date and place of birth, the child's adoptive name, the adoptive parents' names, and the sources of information of each of these facts.
- If neither of the child's birth parents are U.S. citizens, the new certification may include proof of the naturalization of the child.

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

Not addressed in the statutes reviewed

Readoption After an Intercountry Adoption

Not addressed in the statutes reviewed

Application for a U.S. Birth Certificate

Not addressed in the statutes reviewed