

FY2008 **ANNUAL REPORT**



INTERCOUNTRY **ADOPTION**

www.adoption.state.gov



Annual Report on Intercountry Adoptions

MAY 2009

**SUBMITTED PURSUANT TO
SECTION 104 OF PUBLIC LAW 106-279,
THE INTERCOUNTRY ADOPTION ACT OF 2000**



United States Department of State

*Assistant Secretary of State
for Consular Affairs*

Washington, D.C. 20520

Dear Reader:

I am pleased to present the first *Annual Report on Inter-country Adoptions*. In addition to providing the information required by Section 104 of the Inter-country Adoption Act of 2000, the report offers an in-depth discussion of the development of the accreditation process as well as the progress made in U.S. implementation of the *Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption (the Convention)*.

As the Convention states in its Preamble, every child “should grow up in a family environment, in an atmosphere of happiness, love, and understanding.” The Convention acknowledges that inter-country adoption is a valid means through which children for whom families in their countries of origin cannot be found may join permanent, loving homes. More importantly, the Convention offers a system through which countries may cooperate in the best interests of children while offering parents and children increased protections.

Our work to implement the Convention reflects the Department of State’s commitment to ensuring that the adoption process complies with U.S. obligations under the Convention and the requirements of the Inter-country Adoption Act. The children and families involved in inter-country adoption deserve all available protections, and the Department of State is committed to an inter-country adoption system with integrity, with transparency, and with the best interests of the child at the very center.

Sincerely,

A handwritten signature in cursive script that reads "Janice L. Jacobs".

Janice L. Jacobs





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THE FIRST ANNUAL REPORT ON INTERCOUNTRY ADOPTIONS includes many adoption firsts: the *Hague Convention for the Protection of Children and Co-operation in Respect of Intercountry Adoption (the Convention)* entered into force for the United States on April 1, 2008; the United States welcomed the first children to our shores whose adoption cases were processed under the Convention; and the United States issued the first Hague Adoption Certificates to children adopted in the United States by families in other Convention countries. With these firsts in mind, this report details an important year for children and families involved in intercountry adoption.

After the United States signed the Convention in 1994 and the Senate gave its advice and consent in 2000, the Department of State – in close partnership with the Department of Homeland Security’s Citizenship and Immigration Service – undertook a complex process to make the necessary preparations to implement U.S. obligations under the Convention and the Intercountry Adoption Act’s mandates. The Departments, however, did not undertake this process alone. Members of the adoption community, including adoptive parents, adoptees, adoption agencies, adoption attorneys and social workers came together to share their experiences and inform the new regulatory process. Much of the success of the new system of accreditation and approval of adoption service providers is also due to the work of the Council on Accreditation and the Colorado Department of Human Services, the Department of State-designated “Accrediting Entities”, which put into practice the new regulatory framework on accreditation. Ultimately the system could not have worked without the over 200 agencies and other adoption service providers, who now operate in compliance with the new regulations.

THE REPORT’S PURPOSE

The Secretary of State is required by Section 104 of the Intercountry Adoption Act of 2000 (IAA) (Public Law 106-279), to submit an annual report to the U.S. Congress on intercountry adoption. This report provides the required information¹ as well as additional information about the Department of State’s (Department) activities to implement the Convention.

The IAA mandates submission of the report by the Department “one year after the date of the entry into force of the Convention for the United States and each year thereafter.” This is the first report submitted by the Department since the Convention entered into force for the United States on April 1, 2008.

The report covers April 1, 2008 through September 30, 2008, i.e., the latter half of Fiscal Year (FY) 2008.

However, since the IAA mandated that the Convention could not enter into force for the United States until the Convention system was immediately implementable, the report describes activities that took place before April 1, 2008 to provide background and context. Also detailed are several initiatives that continued after the end of the reporting period. The statistics in the report represent only the final six months of FY 2008 in accordance with standard fiscal year reporting conventions. Subsequent reports will cover full fiscal years.

BACKGROUND ON THE CONVENTION

The Convention is an international agreement to safeguard intercountry adoptions. Concluded on May 29, 1993 in The Hague, the Netherlands, under the auspices of the Hague Conference on Private International Law, the Convention establishes international requirements for intercountry adoptions between member countries. The United States signed the Convention in 1994 and deposited its instrument of ratification in December 2007. The Convention entered into force for the United States on April 1, 2008.

The Convention applies to all adoptions between the United States and the other countries that have become parties to it and with which the Convention is in force for the United States (Convention countries). The process

¹ IAA Title I, section 104(b): Report Elements. Each report under subsection (a) shall set forth with respect to the year concerned, the following:

- (1) The number of intercountry adoptions involving immigration to the United States, regardless of whether the adoption occurred under the Convention, including the country from which each child emigrated, the State to which each child immigrated, and the country in which the adoption was finalized.
- (2) The number of intercountry adoptions involving emigration from the United States, regardless of whether the adoption occurred under the Convention, including the country to which each child immigrated and the State from which each child emigrated.
- (3) The number of Convention placements for adoption in the United States that were disrupted, including the country from which the child emigrated, the age of the child, the date of the placement for adoption, the reasons for the disruption, the resolution of the disruption, the agencies that handled the placement for adoption, and the plans for the child, and in addition, any information regarding disruption or dissolution of adoptions of children from other countries received pursuant to section 422(b)(14) of the Social Security Act, as amended by section 205 of this Act.
- (4) The average time required for completion of a Convention adoption, set forth by country from which the child emigrated.
- (5) The current list of agencies accredited and persons approved under this Act to provide adoption services.
- (6) The names of the agencies and persons temporarily or permanently debarred under this Act, and the reasons for the debarment.
- (7) The range of adoption fees charged in connection with Convention adoptions involving immigration to the United States and the median of such fees set forth by the country of origin.
- (8) The range of fees charged for accreditation of agencies and the approval of persons in the United States engaged in providing adoption services under the Convention.



for adopting a child from a Convention country differs in many ways from the process for adopting a child from a country not party to the Convention. Increased scrutiny and safeguards throughout the adoption process ensure that children who are eligible for adoption, their birth families, and those seeking to adopt them receive greater protections than those involved in non-Convention adoptions.

The Convention requires each Contracting State to designate a central authority to discharge certain duties under the Convention. The IAA names the Department as the U.S. Central Authority (USCA) for the Convention. The Office of Children's Issues in the Department's Bureau of Consular Affairs is the office responsible for the day-to-day implementation of the Convention.

As the USCA for the Convention, the Department has undertaken numerous initiatives to ensure that U.S. adoption procedures are in compliance with the Convention as directed by the IAA. These efforts include the publication of regulations implementing the IAA, as well as monitoring the accreditation of adoption service providers in the United States to perform adoptions services in Convention cases. In addition, the USCA regularly coordinates with Central Authorities in Convention countries in order "to protect children and to achieve the other objects of the Convention."²

EFFORTS TO EXPAND AND STRENGTHEN THE CONVENTION

Section 104(a) of the IAA requires the Department to "describe the activities of the central authority of the United States during the preceding year." Some of the USCA's most important activities include outreach in the United States and abroad. In general, the purpose of the outreach conducted by the USCA is to promote, expand, and strengthen the Convention and its application. Some of these outreach initiatives include Contribution to the Hague Permanent Bureau Supplementary Budget, Domestic Outreach, and Foreign Outreach.

CONTRIBUTION TO THE HAGUE PERMANENT BUREAU SUPPLEMENTARY BUDGET

The Department contributed \$200,000 to the supplementary budget of the Permanent Bureau of the Hague Conference on Private International Law. These funds contributed to the Permanent Bureau's Convention training program. During the period covered by this report, the Permanent Bureau provided capacity building assistance in Guatemala, Cambodia, and Vietnam—three countries seeking to draft and implement child welfare laws and regulations that conform to Convention requirements.

² *Convention, Article 7(1): Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their States to protect children and to achieve the other objects of the Convention.*

DOMESTIC OUTREACH

In FY 2008, the Department hosted and participated in a series of conferences, panels, and meetings both prior to and following the Convention's entry into force for the United States. These interactions took place with many domestic organizations involved in intercountry adoption.

Additional outreach was conducted through webinars and conference calls with prospective adoptive parents, adoption service providers, and adoption organizations. The USCA also published articles in many magazines and newsletters announcing the Convention's entry into force on April 1, 2008.

In November 2008, on *National Adoption Day*, the Department launched a new website devoted to intercountry adoption, Adoption.State.Gov. Since the launch, the site has received over 350,000 visitors. It provides adopting parents, agencies, and foreign governments with a starting place and central source of information on adoptions to and from the United States. The website offers country specific information, background on the Convention, and other important information, such as:

- Who is eligible to adopt;
- The protections provided by the Convention;
- Statistics on where American citizens choose to adopt children;
- How an adoption service provider obtains or renews its accreditation; and
- How to select an accredited adoption service provider.

A critical element of the new website was a revision of the information provided on the requirements for adoptions from Convention countries as well as expanded information about the Convention itself, accreditation of adoption service providers, outgoing adoptions (i.e., adoptions of children who are emigrating from the United States), and *Frequently Asked Questions* about Convention procedures. The new website also includes new sections devoted specifically to providing technical information to adoption professionals, foreign Central Authorities, and state authorities.



FOREIGN OUTREACH

The USCA participated extensively in the creation and revision of drafts of the Hague Permanent Bureau's *Guide to Good Practice* for the Convention, which was published in 2008. Additionally, the USCA published an article in the Hague Permanent Bureau's newsletter in March 2008 announcing the United States' upcoming entry into force and resulting changes to U.S. adoption procedures.

The USCA participated in meetings with Central Authority counterparts, including those from Australia, Belgium, Cambodia, Canada, China, Colombia, the Czech Republic, Germany, Guatemala, Hungary, India, Latvia, Mexico, the Netherlands, New Zealand, Slovakia, Switzerland, and the United Kingdom. These meetings, as well as additional conference calls and written correspondence, covered a wide range of issues, including home study preparation, the interpretation of habitual residence, special needs adoptions, and prospective adoptive parents acting in their own behalf.

The USCA also met with officials in many non-Convention countries during FY 2008 to discuss the importance of the Convention and to urge ratification or accession to the treaty. These countries included Japan, Kazakhstan, Kyrgyzstan, Nepal, Russia, South Korea, Ukraine, and Vietnam. Assistant Secretary for Consular Affairs Janice L. Jacobs consistently raised the Convention in discussions with foreign officials throughout the year.

ADOPTIONS TRACKING SERVICE

As required by Sections 102(e) of the IAA, the Department created the Adoptions Tracking Service (ATS), a case registry that permits tracking of all intercountry adoption cases involving the United States. It is both a desktop and an internet-based platform that allows non-government users to access the system and provide information required by the IAA and its implementing regulations.

ATS has four primary functions:

1. Track all incoming and outgoing adoption cases involving the United States, regardless of whether the case occurs under the Convention;
2. Manage and track the accreditation or approval status of adoption service providers;
3. Manage adoption service provider and accrediting entity contact information; and
4. Record and track complaints lodged against adoption service providers.



ATS securely and carefully integrates specified data from USCIS and the Department's Visa Office with data submitted by the Department-designated accrediting entities and adoption service providers. The Department requires accredited or approved adoption service providers, as well as the accrediting entities, to use ATS to provide information to the Department. The Department also requires certain information from adoption service providers who offer services in connection with outgoing intercountry adoptions that are not covered by the Convention.

Another component of ATS is the Hague Complaint Registry. The Department receives complaints through an online form located on the Department's public website, Adoption.State.Gov, which allows any party to an adoption, or any other concerned party, to report complaints against accredited or approved adoption service providers that raise an issue of compliance with the Convention, the IAA, or the IAA's implementing regulations.



Among its purposes, the Hague Complaint Registry:

- Records complaints about accredited and approved adoption service providers;
- Makes complaint information available to the relevant accrediting entity, and to the Department;
- Records information about the relevant accrediting entity's actions taken to resolve each complaint;
- Allows the accrediting entities to track compliance with any deadlines applicable to the resolution of complaints; and
- Generates reports to show possible patterns of complaints.

In order to provide secure access for adoption service providers and the two designated accrediting entities, the Department grants access to ATS only to specific

representatives of each through an online application form for security software to be installed on the individual's computer. Once access is granted, the Department e-mails a security certificate for access to ATS to that individual representative of the accrediting entity or adoption service provider. Access is granted to the ATS through a login and user name that are secured through special software that the user is issued by the Department. Additionally, the USCA conducts training for all relevant representatives of accredited and approved adoption service providers on the use of ATS, and closely monitors its operation. Representatives who have access to ATS have access only to the information that they themselves have provided; they do not have access to any information that is provided by another user.



ACCREDITING ENTITY DESIGNATION

The Department is required under the IAA to designate accrediting entities to carry out many of the functions that foreign central authorities perform, such as accrediting, supervising, and monitoring adoption service providers. The accreditation regulations, published at Part 96 of Title 22 of the *Code of Federal Regulations*, set standards for accreditation and approval, as well as requirements for monitoring and oversight that are designed to ensure that U.S. accredited agencies and approved persons remain in substantial compliance with the applicable regulations.

The Department designated two accrediting entities: the Council on Accreditation (COA) and the Colorado Department of Human Services (CDHS). Both completed Memoranda of Agreement with the Department in July 2006, in which they agreed to perform a number of tasks, including:

- Determining whether agencies or persons are eligible for accreditation, temporary accreditation, or approval;
- Monitoring the performance of accredited agencies, temporarily accredited agencies, and approved persons;
- Investigating and responding to complaints about accredited agencies, temporarily accredited agencies, and approved persons;
- Taking disciplinary action, when appropriate, against accredited agencies, temporarily accredited agencies, and approved persons;
- Determining whether accredited agencies and approved persons are eligible for renewal of their accreditation or approval;
- Collecting data from accredited agencies, temporarily accredited agencies, and approved persons, maintaining records, and reporting information; and
- Assisting in the transfer of Convention adoption cases and adoption records if an agency or person loses its accreditation, temporary accreditation, or approval.

MONITORING AND OVERSIGHT OF ACCREDITING ENTITIES

Section 204 of the IAA charges the Department with monitoring the performance of each accrediting entity that has been designated to authorize adoption agencies to provide adoption services in Convention cases. This oversight includes reviewing each accrediting entity's performance in carrying out the duties enumerated under IAA Section 202. It also includes monitoring each entity's compliance with all requirements established by the Convention, the IAA, other applicable law and implementing regulations.

After the Department designated the accrediting entities, COA and CDHS developed a Substantial Compliance System to evaluate whether the adoption service provider applicant was in substantial compliance with the accreditation standards. The Department-approved Substantial Compliance System used a rating scale to evaluate an adoption service provider's level of compliance and to decide its accreditation status.

The Accrediting Entities review each application to determine if the agency substantially complies with applicable regulations. Those accredited or approved by February 2008 were announced as Hague accredited when the Convention entered into force on April 1, 2008. As new adoption service providers apply for accreditation and successfully complete the process, the Department adds them to the list of the accredited and approved providers published on Adoption.State.Gov.

In accordance with the accreditation regulations, the Department follows a yearly cycle of monitoring and oversight divided into three main areas – ongoing activities, onsite inspections, and senior level performance reviews. Ongoing activities include document reviews, consultations, and conversations occurring on a daily basis. The accrediting entities regularly submit questions on the interpretation of the accreditation standards, as well as policies and procedures for approval by the Department. In addition, the Department's Accrediting Entity Liaison and other staff members take part in weekly webinars to discuss the status of pending applications. Frequent in-person visits to COA and CDHS complement this ongoing monitoring.

The USCA performs an onsite inspection of the accrediting entities' files each year, and conducts a senior level review of each organization. This annual inspection reviews the previous year's work in its totality. Department personnel performed the first series of oversight visits to COA and CDHS in November 2008 and January 2009, respectively.

ACCREDITED AGENCIES AND APPROVED PERSONS

Organizations and individuals that provide any one of six adoption services identified by the IAA generally must be accredited, temporarily accredited, approved, exempted or supervised.

Section 104(b)(5) of the IAA requires "the current list of agencies accredited and persons approved under this Act to provide adoption services." As of the writing of this report, the following adoption services providers are accredited, temporarily accredited, or approved to perform the adoption services outlined in the IAA. Unless otherwise indicated, the adoption service provider handles only adoptions to the United States:

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

*A Act of Love / Alternative Options and Services

A Helping Hand Adoption Agency

A Red Thread Adoption Services

AAA Full Circle Adoptions & Family Building Center

AAC Adoption and Family Network, Inc.

ABC Adoption Services

About a Child

Across the World Adoptions

Adopolis

Adopt Abroad

*Adopt International (CA)

Adopt-A-Child

Adoption Advocates International

Adoption Alliance

Adoption and Home Study Specialists

Adoption Ark

Adoption Associates

Adoption Avenues

Adoption Center of Washington

Adoption Choice, Inc.

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

Adoption Covenant

Adoption Home Studies

Adoption Hope International

Adoption Horizons

*Adoption House

Adoption Links Worldwide

Adoption Miracle International

Adoption of Babies and Children, Inc.

Adoption Options (CA)

Adoption Options (CO)

Adoption Options of Jewish Family Service

Adoption Related Services, Inc.

Adoption Resource Associates

**Adoption Resource Center / Adoption ARC

Adoption S.T.A.R.

Adoption Source

*Adoption-Link, Inc.

Adoptions Together

Adoptive Families for Children

**Advocates for Children & Families

Alaska International Adoption Agency

All God's Children International (AGCI) / Families are Forever International

Alliance for Children

Amazing Grace

America World Adoption

*American Adoptions

American International Adoption Agency

Americans Adopting Orphans Placement Agency

Americans for International Aid and Adoption

Angel Dance International

Associated Services for International Adoption (ASIA)

Baby Steps International Adoption

Baker Hall / Baker Victory Services

Bal Jagat Children's World

Bay Area Adoption Services

Bellefaire Jewish Children's Bureau

Bethany Christian Services

Buckner Adoption & Maternity Services

Building Arizona Families

Carolina Adoption Services, Inc.

* Adoption Service Providers that handle both adoptions to and from the United States.

** Adoption Service Providers that handle only adoptions from the United States.

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

CASI Foundation for Children, Inc.
Catholic Charities Baltimore, Associated Catholic Charities, Inc., Child & Family Services Division
Catholic Charities North Dakota
Catholic Charities of Fairfield County, Inc.
Catholic Charities of the Diocese of Baton Rouge
Catholic Charities of the Diocese of Greenburg, PA
Catholic Charities of the Diocese of Peoria
Catholic Charities of the Diocese of Rochester / Catholic Family Center
Catholic Charities, Archdiocese of Chicago
Catholic Charities, Inc - Archdiocese of Hartford
Catholic Guardian Society & Home Bureau
Catholic Social Services of Fall River
Catholic Social Services of Southern Illinois
Catholic Social Services of the Diocese of Charlotte, North Carolina, Inc.
Cherished Children International Adoption Agency
Child Adoption Associates
Child and Family Service
Children at Heart Adoption Services
Children of the World
Children's Home + Aid
Children's Home Society & Family Services
Children's Home Society of West Virginia
Children's Hope International
China Adoption with Love
Chinese Children Adoption International
Christian Adoption Services
Christian World Adoption
Chrysalis House
Cradle of Hope Adoption Center
Crossroads Adoption Services
DeColores Adoptions International
Dillon International
Dillon Southwest
Dove Adoptions International
European Adoption Consultants
European Children Adoption Services
Faith International Adoptions
Families Thru International Adoption, Inc.

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

Families United Network, Inc.
Family & Children's Agency, Inc.
Family Adoption Consultants
*Family Choices, NFPC
Family Connections Christian Adoptions
Family Creations
Family Focus Adoption Services
*Family Resource Center
For This Child
Frank Adoption Center (NC)
Generations Adoptions
Gift of Love International Adoptions
Glenkirk
Global Adoption Services
God's Families International Adoption Services
*Golden Cradle Adoption Services
Good Hope Adoption Services
Grace International Adoption Agency
Graham's Gift Children's Foundation
Great Wall China Adoption
Guatemalan Adoptions, NFP
Hand in Hand International Adoptions
Hands Across the Water
Happy Families International Center
Harrah's Adoption International Mission / Adoption International Mission
Hawaii International Child Placement and Family Services, Inc.
Heart to Heart Adoption Service
Heartsent Adoptions
Heritage Adoption Services
Hillside Family of Agencies
Holston United Methodist Home for Children
Holt International Children's Services, Inc.
Holy Cross Child Placement Agency, Inc.
Homeland Adoption Services
Hope Adoption / Hope International
Hope Adoption and Family Services International, Inc.
Hope Cottage, Inc.
Hope's Promise

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

Hopscotch Adoptions, Inc.
 Huminska's Anioly
 *Illien Adoptions International
 Integrity
 *International Adoption Guides, Inc.
 International Adoption Net
 International Adoption Services
 International Adoption Services Centre
 International Assistance Group
 International Child Foundation
 International Christian Adoptions
 International Families, Inc.
 Irene Steffas, PC
 **James Fletcher Thompson, LLC
 Jewish Child Care Association
 Jewish Family and Children's Services
 Jewish Family Service of Greater Harrisburg, Inc.
 Jewish Family Service of Metrowest
 Jewish Family Service of Rochester
 Jewish Family Service of San Diego / Adoption Alliance of San Diego
 Jewish Family Service of the North Shore, Inc.
 Jewish Family Service of Western Massachusetts
 Jewish Family Service of Worcester
 Journeys of the Heart Adoption Services
 Karing Angels International Adoptions
 Kentucky Adoption Services
 Kids to Adopt
 KidsFirst Adoption Services, Inc.
 La Vida International
 LDS Family Services
 Lifeline Children's Services
 Lifelink Corporation / Hoyleton Youth & Family Services
 Little Miracles International
 Littlest Angels
 Living Hope Adoption Agency
 Love Basket
 Lutheran Community Services of Southern New England
 Lutheran Family & Children's Services of Missouri
 Lutheran Social Service of Minnesota
 Lutheran Social Services of New York

ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

Lutheran Social Services of the South, Inc.
 Lutheran Social Services of Wisconsin and Upper Michigan, Inc.
 Madison Adoption Associates
 Mandala Adoption Services
 MAPS
 *Michael S. Goldstein, Esq.
 New Beginnings Family & Children's Services
 New Beginnings International Children and Family Services
 New Horizons Adoption Agency
 New Life Adoption Agency
 Nightlight Christian Adoptions
 One World Adoption Services
 Orphans Overseas
 Our Children's Homestead
 Partners for Adoption
 Pauquette Adoption Service
 Pearl S. Buck International
 *Premier Adoption Agency, Inc.
 Resources for Life
 Saint Mary International Adoption
 **Shepherd Care Ministries / Adoption by Shepherd Care
 Small World
 Small World Adoption Foundation of Missouri, Inc.
 Special Delivery International
 Spence-Chapin Services to Families & Children
 Sunny Ridge Family Center, Inc.
 The Baby Fold
 The Barker Foundation
 The Cradle
 The Datz Foundation
 The Family Network, Inc.
 The Florence Crittenton League of Lowell / Florence Crittenton League
 The Gladney Center for Adoption
 The Home for Little Wanderers
 The Lutheran Service Society of New York
 The Maine Children's Home for Little Wanderers
 *The Open Door Adoption Agency
 The Open Way Adoptions
 Tree of Life Adoption Center
 Villa Hope International Adoptions

* Adoption Service Providers that handle both adoptions to and from the United States.

** Adoption Service Providers that handle only adoptions from the United States.



ACCREDITED, TEMPORARILY ACCREDITED, OR APPROVED ADOPTION SERVICE PROVIDERS

Vista del Mar Child and Family Services

*Voice for International Development and Adoption (V.I.D.A.)

WACAP (World Association for Children and Parents)

Wasatch International Adoptions

West Sands Adoptions

Wide Horizons for Children

World Links Association

Worlds Together

DEBARRED AGENCIES AND PERSONS

Section 104(b)(6) of the IAA requires “the names of agencies and persons temporarily or permanently debarred under this Act, and the reasons for the debarment.” As of the date of this report, the USCA has not debarred an accredited, temporarily accredited, or approved adoption service provider.

ACCREDITATION AND APPROVAL FEES

Section 104(b)(8) of the IAA requires information on “the range of fees charged for accreditation of agencies and the approval of persons in the United States engaged in providing adoption services under the Convention.” The following chart breaks down the range of fees. The range of fees below are from both accrediting entities and they vary according to the sliding scale fee according to the agency or person’s volume of business.

| FEE TYPE | MINIMUM FEE | MAXIMUM FEE |
|-------------------------|-------------|-------------|
| Accreditation | \$2,000 | \$12,000 |
| Additional Evaluator | \$225 | \$225 |
| Application | \$675 | \$4,000 |
| Oversight | \$800 | \$800 |
| Site Visit (1-3 days) | \$1,200 | \$3,600 |
| Temporary Accreditation | \$1,600 | \$2,480 |

* Adoption Service Providers who handle both adoptions to and from the United States.

** Adoption Service Providers who handle only adoptions from the United States.

IMMIGRATING (INCOMING) ADOPTIONS

Section 104(b)(1) of the Intercountry Adoption Act (IAA) requires the Department to report “the number of intercountry adoptions involving immigration to the United States, regardless of whether the adoption occurred under the Convention, including the country from which each child emigrated, the State to which each child immigrated, and the country in which the adoption was finalized.”

Between April 1, 2008 and September 30, 2008, 8,251 children received visas to immigrate to the United States based on their prior adoptions overseas or for the purposes of adoption in the United States. The Department refers to these adoptions as immigrating (incoming) adoptions. (Note that a child’s receipt of an immigrant visa during the reporting period does not indicate that his or her adoption was completed during that period.)

The following chart indicates the number of such immigrant visas that were issued during the reporting period (**April 1, 2008 – September 30, 2008**), the country from which each child emigrated, and whether the adoption was finalized in the child’s country of origin (full and final adoption) or was to be finalized in the United States (custody for purposes of adoption).



INCOMING ADOPTION STATISTICS - BY COUNTRY
(4/1/08 - 9/30/08)

| COUNTRY OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
|----------------------|----------------------------|-----------------------------------|-----------------|
| Afghanistan | 0 | 1 | 1 |
| Albania | 7 | 0 | 7 |
| Algeria | 1 | 0 | 1 |
| Armenia | 12 | 3 | 15 |
| Azerbaijan | 2 | 0 | 2 |
| Bangladesh | 0 | 5 | 5 |
| Belize | 0 | 3 | 3 |
| Bhutan | 1 | 0 | 1 |
| Brazil | 20 | 2 | 22 |
| Bulgaria | 0 | 1 | 1 |
| Burkina Faso | 1 | 1 | 2 |
| Burundi | 2 | 0 | 2 |
| Cameroon | 3 | 2 | 5 |
| Canada | 0 | 1 | 1 |
| China – Mainland | 1,855 | 181 | 2,036 |
| Colombia | 141 | 0 | 141 |
| Dem. Rep. of Congo | 3 | 2 | 5 |
| Cote D’Ivoire | 0 | 2 | 2 |
| Dominica | 1 | 0 | 1 |
| Dominican Republic | 6 | 4 | 10 |
| Ecuador | 7 | 0 | 7 |
| Egypt | 0 | 1 | 1 |
| El Salvador | 7 | 1 | 8 |
| Eritrea | 4 | 0 | 4 |
| Estonia | 7 | 2 | 9 |
| Ethiopia | 88 | 943 | 1,031 |
| Fiji | 1 | 0 | 1 |
| Gabon | 0 | 2 | 2 |
| Georgia | 4 | 0 | 4 |
| Germany | 0 | 1 | 1 |
| Ghana | 40 | 13 | 53 |
| Grenada | 2 | 0 | 2 |
| Guatemala | 947 | 472 | 1,419 |
| Guinea | 2 | 0 | 2 |
| Guinea-Bissau | 2 | 0 | 2 |
| Guyana | 9 | 0 | 9 |
| Haiti | 107 | 51 | 158 |
| Honduras | 3 | 1 | 4 |

| INCOMING ADOPTION STATISTICS - BY COUNTRY (4/1/08 - 9/30/08) | | | |
|---|----------------------------|-----------------------------------|-----------------|
| COUNTRY OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
| Hong Kong SAR | 0 | 4 | 4 |
| Hungary | 2 | 0 | 2 |
| India | 10 | 135 | 145 |
| Indonesia | 4 | 0 | 4 |
| Iran | 0 | 4 | 4 |
| Jamaica | 11 | 12 | 23 |
| Japan | 6 | 18 | 24 |
| Kazakhstan | 180 | 0 | 180 |
| Kenya | 14 | 0 | 14 |
| Kyrgyzstan | 22 | 9 | 31 |
| Laos | 0 | 3 | 3 |
| Latvia | 14 | 0 | 14 |
| Lebanon | 3 | 2 | 5 |
| Liberia | 16 | 35 | 51 |
| Lithuania | 8 | 0 | 8 |
| Malawi | 1 | 1 | 2 |
| Malaysia | 1 | 0 | 1 |
| Marshall Islands | 4 | 0 | 4 |
| Mexico | 50 | 9 | 59 |
| Moldova | 14 | 0 | 14 |
| Mongolia | 9 | 0 | 9 |
| Morocco | 0 | 9 | 9 |
| Mozambique | 1 | 0 | 1 |
| Nepal | 7 | 4 | 11 |
| Nicaragua | 9 | 0 | 9 |
| Nigeria | 126 | 4 | 130 |
| Pakistan | 1 | 23 | 24 |
| Panama | 1 | 1 | 2 |
| Peru | 18 | 0 | 18 |
| Philippines | 45 | 103 | 148 |
| Poland | 39 | 0 | 39 |
| Romania | 1 | 0 | 1 |
| Russia | 894 | 1 | 895 |
| Rwanda | 10 | 0 | 10 |
| Serbia | 4 | 1 | 5 |
| Sierra Leone | 4 | 1 | 5 |
| South Africa | 5 | 0 | 5 |
| South Korea | 3 | 519 | 522 |
| Sri Lanka | 2 | 0 | 2 |
| St. Vincent & the Grenadines | 2 | 0 | 2 |

| INCOMING ADOPTION STATISTICS - BY COUNTRY (4/1/08 - 9/30/08) | | | |
|---|----------------------------|-----------------------------------|-----------------|
| COUNTRY OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
| Suriname | 0 | 2 | 2 |
| Swaziland | 1 | 0 | 1 |
| Taiwan | 112 | 29 | 141 |
| Tanzania | 2 | 0 | 2 |
| Thailand | 3 | 26 | 29 |
| Trinidad and Tobago | 0 | 2 | 2 |
| Tunisia | 1 | 0 | 1 |
| Uganda | 0 | 30 | 30 |
| Ukraine | 181 | 8 | 189 |
| United Kingdom | 0 | 3 | 3 |
| Uzbekistan | 7 | 0 | 7 |
| Venezuela | 1 | 0 | 1 |
| Vietnam | 384 | 36 | 420 |
| Zambia | 4 | 0 | 4 |
| TOTAL | 5,522 | 2,729 | 8,251 |

The following chart indicates the number of incoming adoptions that occurred during the reporting period, the U.S. state to which each child immigrated, and whether the adoption was finalized in the child's country of origin (full and final adoption) or was to be finalized in the United States (custody for purposes of adoption).

| INCOMING ADOPTION STATISTICS - BY STATE (4/1/08 - 9/30/08) | | | |
|---|----------------------------|-----------------------------------|-----------------|
| U.S. STATE OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
| Expat Community | 10 | 1 | 11 |
| Alaska | 13 | 9 | 22 |
| Alabama | 59 | 17 | 76 |
| Arkansas | 30 | 12 | 42 |
| Arizona | 93 | 70 | 163 |
| California | 483 | 193 | 676 |
| Colorado | 130 | 90 | 220 |
| Connecticut | 90 | 41 | 131 |
| District of Columbia | 22 | 9 | 31 |
| Delaware | 14 | 8 | 22 |
| Florida | 293 | 88 | 381 |
| Georgia | 169 | 53 | 222 |

| INCOMING ADOPTION STATISTICS - BY STATE (4/1/08 - 9/30/08) | | | |
|---|----------------------------|-----------------------------------|-----------------|
| U.S. STATE OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
| Guam | 2 | 1 | 3 |
| Hawaii | 27 | 11 | 38 |
| Idaho | 27 | 16 | 43 |
| Illinois | 278 | 103 | 381 |
| Indiana | 150 | 77 | 227 |
| Iowa | 52 | 40 | 92 |
| Kansas | 42 | 20 | 62 |
| Kentucky | 97 | 58 | 155 |
| Louisiana | 45 | 12 | 57 |
| Maine | 18 | 28 | 46 |
| Maryland | 165 | 70 | 235 |
| Massachusetts | 156 | 61 | 217 |
| Michigan | 201 | 110 | 311 |
| Minnesota | 138 | 139 | 277 |
| Mississippi | 22 | 10 | 32 |
| Missouri | 116 | 75 | 191 |
| Montana | 14 | 25 | 39 |
| Nebraska | 27 | 22 | 49 |
| Nevada | 9 | 3 | 12 |
| New Hampshire | 29 | 22 | 51 |
| New Jersey | 178 | 103 | 281 |
| New Mexico | 16 | 15 | 31 |
| New York | 357 | 148 | 505 |
| North Carolina | 190 | 83 | 273 |
| North Dakota | 12 | 4 | 16 |
| Ohio | 204 | 124 | 328 |
| Oklahoma | 46 | 13 | 59 |
| Oregon | 113 | 71 | 184 |
| Pennsylvania | 236 | 104 | 340 |
| Puerto Rico | 13 | 0 | 13 |
| Rhode Island | 21 | 7 | 28 |
| South Carolina | 58 | 15 | 73 |
| South Dakota | 17 | 12 | 29 |
| Tennessee | 121 | 56 | 177 |
| Texas | 290 | 116 | 406 |
| Utah | 75 | 32 | 107 |
| Vermont | 12 | 8 | 20 |
| Virginia | 213 | 80 | 293 |
| Washington | 167 | 145 | 312 |
| West Virginia | 25 | 7 | 32 |

| INCOMING ADOPTION STATISTICS - BY STATE (4/1/08 - 9/30/08) | | | |
|---|----------------------------|-----------------------------------|-----------------|
| U.S. STATE OR TERRITORY | ADOPTIONS FINALIZED ABROAD | ADOPTIONS TO BE FINALIZED IN U.S. | TOTAL ADOPTIONS |
| Wisconsin | 132 | 90 | 222 |
| Wyoming | 5 | 2 | 7 |
| TOTAL | 5,522 | 2,729 | 8,251 |

EMIGRATING (OUTGOING) ADOPTIONS

Section 104(b)(2) of the IAA requires the Department to report “the number of intercountry adoptions involving emigration from the United States, regardless of whether the adoption occurred under the Convention, including the country to which each child immigrated and the State from which each child emigrated.” The Department refers to these adoptions as emigrating (outgoing) adoptions.

Between April 1, 2008 and September 30, 2008, 25 children emigrated from the United States for the purposes of adoption. Of these children, 17 emigrated from Florida, and two each emigrated from California, Indiana, New York, and Pennsylvania to the foreign country indicated below.

| OUTGOING ADOPTION STATISTICS (4/1/08 - 9/30/08) | |
|--|-----------|
| CANADA | 1 |
| Florida | 1 |
| GERMANY | 2 |
| California | 1 |
| Indiana | 1 |
| GREAT BRITIAN | 1 |
| Florida | 1 |
| THE NETHERLANDS | 21 |
| California | 1 |
| Florida | 15 |
| Indiana | 1 |
| New York | 2 |
| Pennsylvania | 2 |

2009 CONVENTION PARTNERS

CONVENTION PARTNERS ■



In accordance with IAA Section 104(a), this report is to describe “the activities of the central authority of the United States...during the preceding year.” Most of these activities focused on implementing the regulations previously promulgated in 22 CFR 42.42 and 22 CFR Parts 97 and 98. These regulations cover visa processing procedures for incoming adoptions; the responsibilities of the Department, U.S. state judges, and adoption service providers in outgoing cases; and the preservation of Convention records. (The Department of Homeland Security also published regulations applicable to Convention visa processing at 8 CFR Parts 103, 204, and 213a.)

VISA PROCESSING

Two of the Department’s regulations speak directly to the processing of incoming Convention adoption cases (22 CFR 42.24 and Part 98). The Department developed further procedural guidance for consular officers after the regulations’ promulgation for inclusion in the Department’s *Foreign Affairs Manual*. Additionally, the Department modified its existing visa tracking and processing database to add the new visa categories for Convention adoptions. The modifications were completed in time for use when the Convention entered into force for the United States.

Coordinated training between the Department and the U.S. Citizenship and Immigration Service on Convention petition and visa processing took place in April 2008 at the National Visa Center. This workshop specifically targeted U.S. government personnel from 17 embassies and consulates in key Convention countries.

LENGTH OF CONVENTION PROCESS

Section 104(b)(4) of the IAA asks for “the average time required for completion of a Convention adoption, set forth by country from which the child emigrated.”

Between April 1, 2008 and September 30, 2008, 9 immigrating Convention adoptions or grants of custody were completed. The following chart gives the number of Convention adoptions or grants of custody per country from which the child emigrated, as well as the average time it took to complete the adoption or grant of custody from each country. The time is calculated from the day that USCIS received the I-800A application to the day the child received an immigrant visa to travel to the United States.

| COUNTRY | NUMBER OF ADOPTIONS | AVERAGE FOR COMPLETION (DAYS) |
|---------|---------------------|-------------------------------|
| China | 7 | 89 |
| India | 1 | 109 |
| Latvia | 1 | 60 |

FEES FOR CONVENTION ADOPTIONS

The IAA requires accredited and approved adoption service providers to disclose in advance all fees charged to process a Convention adoption. Accredited and approved adoption service providers are to itemize and disclose in an adoption services contract the total expected fees for the adoption. Prospective adoptive parents therefore should understand the fees associated with the adoption before any adoption services are provided.

Section 104(b)(7) of the IAA requires the Department to report “the range of adoption fees charged in connection with Convention adoptions involving immigration to the United States and the median of such fees set forth by the country of origin.” The following chart indicates the range of fees as required by the statute. The fees have been reported directly to the Department by the accredited or approved adoption service providers through the Adoptions Tracking Service. As the service providers did not report the countries of origin, the chart below does not include that information.

| FEE TYPE | MAXIMUM FEE | AVERAGE FEE | MEDIAN FEE |
|--|-------------|-------------|------------|
| Adoption Expenses in the United States | \$42,000 | \$3,730 | \$2,500 |
| Care of Child | \$6,950 | \$1,640 | \$900 |
| Contributions to Child Welfare Service Programs in the Child’s Country of Origin | \$10,000 | \$2,135 | \$1,500 |
| Foreign Country Program Expenses | \$35,790 | \$7,485 | \$6,000 |
| Home Study Fee | \$5,200 | \$1,410 | \$1,500 |
| Post-Placement & Post-Adoption Reports | \$5,575 | \$1,025 | \$750 |
| Third-Party Fees | \$22,000 | \$1,785 | \$830 |
| Translation & Document Expenses | \$5,910 | \$1,005 | \$750 |
| Travel & Accommodation Expenses | \$23,000 | \$4,880 | \$4,200 |





DISRUPTED CONVENTION ADOPTIONS

Section 104(b)(3) of the IAA requires the Department to include in this report “the number of Convention placements for adoption in the United States that were disrupted, including the country from which the child emigrated, the age of the child, the date of placement for adoption, the reasons for the disruption, the resolution of the disruption, the agencies that handled the placement for adoption, and the plans for the child, and in addition,

any information regarding disruption or dissolution of adoptions of children from other countries received pursuant to section 422(b)(14) of the Social Security Act, as amended by section 205 of this Act.”

Between April 1, 2008, and September 30, 2008, the USCA had not learned of any cases that fit this reporting requirement.

Accrediting Entity: An entity that has been designated by the U.S. Secretary of State to accredit agencies (including temporarily accredit) and/or to approve persons for purposes of providing adoption services in the United States in cases subject to the Convention.

Adoption: The judicial or administrative act that establishes a permanent legal parent-child relationship between a minor and an adult who is not already the minor's legal parent and terminates the legal parent-child relationship between the adoptive child and any former parent(s).

Adoption Service: Any one of the following six services:

1. Identifying a child for adoption and arranging an adoption;
2. Securing the necessary consent to termination of parental rights and to adoption;
3. Performing a background study on a child or a home study on a prospective adoptive parent(s), and reporting on such a study;
4. Making non-judicial determinations of the best interests of a child and the appropriateness of an adoptive placement for the child;
5. Monitoring a case after a child has been placed with prospective adoptive parent(s) until final adoption; and
6. When necessary because of a disruption before final adoption, assuming custody and providing (including facilitating the provision of) child care or any other social service pending an alternative placement

Agency: A private, nonprofit organization licensed to provide adoption services in at least one State.

Central Authority: The entity designated as such under Article 6(1) of the Convention by any Convention country or, in the case of the United States, the United States Department of State.

Complaint Registry: The system created by the Secretary pursuant to §96.70 to receive, distribute, and monitor complaints relevant to the accreditation or approval status of agencies and persons.

Convention Adoption: The adoption of a child resident in a Convention country by a United States citizen, or an adoption of a child resident in the United States by an individual or individuals residing in a Convention country, when, in connection with the adoption, the child has moved or will move between the United States and the Convention country.

Convention Country: A country that is a party to the Convention and with which the Convention is in force for the United States.

Country of Origin: The country in which a child is resident and from which a child is emigrating in connection with his or her adoption.

Disruption: The interruption of a placement for adoption during the post-placement period.

Person: An individual or a private, for-profit entity (including a corporation, company, association, firm, partnership, society, or joint stock company) providing adoption services. It does not include public domestic authorities or public foreign authorities.

Post-Adoption: After an adoption; in cases in which an adoption occurs in a Convention country and is followed by a re-adoption in the United States, after the adoption in the Convention country.

Post-Placement: After a grant of legal custody or guardianship of the child to the prospective adoptive parents, or to a custodian for the purpose of escorting the child to the identified prospective adoptive parents, and before an adoption.



