

Petition to Register Foreign Adoption Decree Checklist

Before Filing:

- _____ Verify that the following facts apply to your case (if they do NOT, a re-adoption is required rather than a registration of a foreign decree):
- Both Parents, or just the sole parent if only one parent is adopting, were present for the adoption hearing in the foreign country
 - The foreign court entered a final adoption decree or its equivalent
 - The child's visa affords the child full United States Citizenship (IR2 or IR3 / IH2 or IH3)

To Be Attached to the Petition in the order they appear:

- _____ Final Decree
- _____ Petition to Register Foreign Adoption Decree
- _____ Signed by Adoptive Parent(s) – if the foreign decree shows two adopting parents, both parents must sign the Petition
- _____ Verified by Adoptive Parent(s)
- _____ *Adoptive Parent(s) reside(s) in Montgomery County*
- _____ Copy of Foreign Adoption Decree
- _____ English Translation – Certified by the translator to be true and correct
- _____ Certified copy of the child's birth certificate
- _____ English Translation – Certified by the translator to be true and correct
- _____ Copy of the child's United States visa. **IR2 or IR3 / IH2 or IH3 only.**
- _____ Certificate of Adoption of Foreign-Born Child (Form HD01273F) with Parts 1 & 2 (and Part 3, if applicable) completed
- _____ Statement of Citizenship & Residency (Form HD01275F)
- _____ Copy of U.S. Government Form N-560 (Certificate of Citizenship) and/or a copy of the child's U.S. Passport

Decree is signed in Chambers – No Hearing Required

**INSTRUCTIONS FOR FILING
PETITION TO REGISTER FOREIGN ADOPTION DECREE
PURSUANT TO 23 Pa. C.S. § 2908**

When a child is adopted in conformity with the laws of a foreign country, the adopting parent(s) may register the Foreign Adoption Decree so that the Decree is considered full and final, enforceable as if entered pursuant to the Pennsylvania Adoption Act, and a Pennsylvania birth certificate can be obtained.

Adopting parent(s) seeking to register the Foreign Adoption Decree must:

1. Complete, sign and date the Petition to Register Foreign Adoption Decree and Verification. If a Foreign Adoption Decree shows that there are two adopting parents, both parent(s) *must* execute the Petition to Register Foreign Adoption Decree.
2. Attach the following documents to the Petition:
 - A copy of the Foreign Adoption Decree;
 - A copy of the child's birth certificate. If no birth certificate was issued, a copy of any other birth identification issued by the country of birth should be attached. If no birth certificate or birth identification can be obtained, an Affidavit stating the reason should be submitted;
 - A copy of the child's United States visa;
 - An English translation of all documents not in English, with a verification by the translator that all translations are true and correct;
 - Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed;
 - Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency;
 - If available, a copy of U. S. Government Form N-560 and/or a copy of the child's U.S. Passport.
3. The Petition to Register with the attachments should be filed with the Clerk of the Orphans' Court Division of the Court of Common Pleas in the county in which the adopting parent(s) reside(s), except for Philadelphia County resident(s), who must file with the Family Court Division. A filing fee will be charged in accordance with the fee schedule of the county court.

After the Petition to Register is filed, it will be submitted to the Court for review. If the Petition to Register and accompanying documents establish that the foreign adoption of the child is full and final, the Court will enter a Decree directing the registration of the Foreign Adoption Decree. The Clerk of the appropriate Court will then issue a certificate of adoption and transmit to the Department of Health, Division of Vital Records Forms HD01273F and HD01275F, and if provided by the adopting parent(s), a copy of U.S. Government Form N-560 and/or a copy of the child's United States passport.

If the Court cannot determine that the foreign adoption is full and final, it will enter a Decree denying the petition. In that case, it will be necessary to proceed under Pa.O.C. Rule 15.9.

Some of the following are reasons why a foreign adoption may not be a full and final adoption eligible for registration:

- both adopting parents were not present for the adoption hearing in the foreign country and the foreign country is not a Hague Convention country; or

- the sole adopting parent was not present at the adoption hearing in the foreign country and the foreign country is not a Hague Convention country; or
- the foreign court did not enter a final adoption Decree or Order or its equivalent; or
- the child's United States visa is not the type that affords the child full United States citizenship.

If the child has an IH-4 or IR-4 United States visa, it will be necessary to proceed under Pa.O.C. Rule 15.9.

IN THE COURT OF COMMON PLEAS

_____ COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: FOREIGN ADOPTION OF _____

FILE NO. _____

PETITION TO REGISTER FOREIGN ADOPTION DECREE
PURSUANT TO 23 Pa. C.S. § 2908

1. Petitioner(s), the Adopting Parent(s) of the above-named adopted child, is/are

2. Petitioner(s) reside(s) in _____ County, Pennsylvania, at

(Street Address)

(City, State, Zip)

3. Has any other court in this Commonwealth or in any other state reviewed, registered, finalized or otherwise assumed jurisdiction over the foreign adoption decree being registered here:

(circle one) Yes No

If yes, please provide the name of the court, the state and county, what was previously presented to the court and the resulting decision from the court: (Attach all court decrees).

4. The full name of the adopted child at birth as listed on the foreign birth certificate, if available, was _____.
5. The full name of the adopted child as written on the foreign adoption decree is _____
6. The full name of the adopted child as he or she is to be known from this time forward is

7. The date of birth of the adopted child is _____.
8. The date of the foreign adoption decree is _____.
9. The type of United States visa issued to the adopted child is:
(circle one) IR-2, IR-3, IH-3, IR-4, IH-4
10. The following documents are attached to this Petition:
 - a. Copy of child's birth certificate or other birth identification issued by country of birth; if none, an affidavit of parent(s) stating why none is available.
 - b. Copy of Decree of Adoption issued by foreign government; if Decree is not in English, an English translation certified by the translator to be correct.
 - c. Copy of adopted child's United States visa.
 - d. Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child with Parts 1 and 2 (and Part 3, if applicable) completed.
 - e. Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency.
 - f. Copy of U.S. Government Form N-560, Certificate of Citizenship, and/or a copy of the child's United States passport, if either or both documents are available.

WHEREFORE, Petitioner(s) request(s) that this Court enter a Decree authorizing the registration and docketing of the attached Foreign Adoption Decree with the Clerk of the appropriate Court and decreeing that

_____ shall henceforth be known as
(Name of child as written on Foreign Adoption Decree)

_____ and shall have all the
(Child's name from this time forward)

rights of a child and heir of the Petitioner(s).

Signature of Adopting Parent¹

Signature of Adopting Parent

Daytime telephone no. for Adopting Parent(s)

¹ When there are two adopting parents, both must sign.

**VERIFICATION TO PETITION TO REGISTER FOREIGN ADOPTION DECREE
PURSUANT TO 23 Pa. C.S. § 2908**

I/We, _____, verify that I/we am/are the Petitioner(s) named in the foregoing Petition, that I/we have read and understand the information set forth in the Instructions to the Petition to Register Foreign Adoption Decree, and that the facts set forth in the foregoing Petition are true and correct to the best of my/our knowledge, information and belief. I/We further verify that all documents attached to this Petition are true and correct copies of the originals. I/We understand that false statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Signature of Adopting Parent

Signature of Adopting Parent

Where to Find Foreign Adoption Forms

Forms listed below are available online at <https://www.montcopa.org/206/Orphans-Court-Adoption-Information>

- Pennsylvania Department of Health, Division of Vital Records Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child
- Pennsylvania Department of Health Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency

IN THE COURT OF COMMON PLEAS
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
(FAMILY COURT DIVISION in Philadelphia County)

IN RE: FOREIGN ADOPTION OF _____
ADOPTION NO. _____

FINAL DECREE

AND NOW, this _____ day of _____, 2____, it
is hereby ORDERED and DECREED that the Petition of _____
_____ (Adopting Parent(s))
_____ to Register

Foreign Adoption Decree is GRANTED and that this Court authorizes the
registration and docketing of the Foreign Adoption Decree entered on

_____ by _____
(Date of Foreign Adoption Decree) (Name of Foreign Court)
in _____.
(Foreign Country)

It is FURTHER ORDERED and DECREED that the above Foreign Adoption
Decree shall be enforceable as if this Court had entered the Decree and that

henceforth this child _____
(Name of child as written on Foreign Adoption Decree)

shall be known as _____ and shall
(Child's name from this time forward)

have all the rights of a child and heir of _____.
(Adopting Parent(s))

BY THE COURT:
