

Rule 15.8. Registration of Foreign [a]Adoption [registration] Decree.

(a) **[Adoptive]Adopting** parent(s) may petition the **[c]Court** of **[c]Common [p]Pleas** in the county of **their** residence to register a foreign adoption decree so that it will be given full and final effect in this Commonwealth. The **[p]Petition and Final Decrees** shall be in **substantially** the form approved by the Supreme Court. **See Appendix of Forms to these Rules.**

- (1) **As part of the Petition to Register Foreign Adoption Decree, a child's name may be changed from that appearing on the foreign adoption decree if the child is younger than twelve (12) years of age.**

(b) A foreign adoption decree previously registered or otherwise finalized by a Court of this Commonwealth or of any other state may not be registered subsequently in another Court of this Commonwealth.

(c) If the Court of Common Pleas determines that the foreign adoption decree can be registered, the Court shall sign the Final Decree and shall direct the Clerk of the appropriate Court to enter the date of the foreign adoption decree and identify the foreign court on the docket. The Clerk shall send Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child, and Form No. HD01275F, Statement of Citizenship and Residency, to the Department of Health, Division of Vital Records, along with a 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 have been provided by the adopting parent(s). The Clerk shall issue to the adopting parent(s) a certificate of adoption in accordance with Section 2907 of the Adoption Act. See 23 Pa.C.S. § 2907.

([b]d) If the [c]Court of [c]Common [p]Pleas determines that the foreign adoption decree cannot be registered, the [adoptive] adopting parent(s) [may] shall proceed as applicable under the provisions set forth in the Adoption Act, 23 Pa.C.S. §§ 2101 et seq., Pa.O.C. Rule 15.9 (specific to the adoption of a foreign born child), and local rules of court [to obtain a full and final decree of adoption].

(e) Adopting parent(s) who are eligible to register the foreign adoption decree under this Rule may, for any reason, proceed under Pa.O.C. Rule 15.9.

Explanatory Note: Pursuant to 23 Pa.C.S. § 2908(b), as amended by Act 96 of 2006, a set of forms, consisting of a **[p]Petition [for registration of a] to Register [f]Foreign [a]Adoption [d]Decree, Final [d]Decrees** approving and denying the **[p]Petition**, and detailed **[i]Instructions for the pro se petitioners [, have been created and]** are set forth in the Appendix to these **[r]Rules**.

The **[p]Petition** should be filed with the Clerk of the Orphans' Court Division, except in Philadelphia County, where it should be filed with the Clerk of the Family Court Division. **The Petition and accompanying documents, including the Final Decree, are confidential and should be impounded and withheld from public inspection as provided in the Adoption Act, 23 Pa. C.S. §§ 2905, 2906, 2907 and 2908(f) and Pa.O.C. Rule 15.7.**

The Clerk shall make **available to petitioner(s)** the necessary Department of Health, **Division of Vital Records** forms **[available to petitioners.]: Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child; and Form No. HD01275F, Statement of Citizenship and Residency.**

A change of name from that appearing on the foreign adoption decree is permitted without the need to comply with the procedures of 54 Pa.C.S. § 702 if the child is younger than twelve (12) years of age. Cf. 23 Pa.C.S. § 2711(a)(1). If the foreign born adopted child is twelve (12) years of age or older, then the child and parent(s) would need to follow the procedures set forth in 54 Pa.C.S. § 702 and would not be foreclosed by 54 Pa.C.S. § 702(b)(5)(ii) because the name change petition would not be in connection with any adoption proceeding as the foreign adoption is full and final and therefore completed.

A foreign born child who has been issued an IR-2, IR-3 or IH-3 United States visa has had the adoption proceeding fully completed in the foreign country and the foreign adoption decree only needs to be registered here to be given the full force and effect of an adoption decree issued by this Commonwealth. However, situations may arise that necessitate proceeding under Pa.O.C. Rule 15.9 even though the foreign born child has been issued an IR-2, IR-3 or IH-3 United States visa, such as the inclusion of an incorrect birth year on the foreign adoption decree, or other personal family reasons. Proceeding under Pa.O.C. Rule 15.9 is permitted; Pa.O.C. Rule 15.8 is not the exclusive means to obtain a Pennsylvania adoption decree and birth certificate for a foreign born adopted child.

Only one court, whether in this Commonwealth or another state, should exercise jurisdiction over the foreign adoption decree. Thus, if the foreign adoption decree has been registered or otherwise finalized in

another state court, the adopting parent(s) need not and should not register the foreign adoption decree in this Commonwealth under this Rule. In similar fashion, if the foreign adoption decree has been registered in this Commonwealth, and thereafter, another petitioner in this Commonwealth seeks to adopt this child, the subsequent proceeding will be a standard proceeding under the applicable provisions of the Adoption Act, 23 Pa. C.S. §§ 2101 et seq. Such a situation could occur when the child is to be adopted by a step-parent after divorce or death of the original adopting parent(s), or when, after termination of parental rights, the child is to be adopted by different adopting parent(s).

If the Court determines that the foreign adoption is [determined] not [to be] a full and final adoption because the foreign born child has been issued an IH-4 or IR-4 visa, the [adoptive] adopting parent(s) [may] shall proceed under [the Adoption Act and local rules to seek a decree of adoption in this Commonwealth] subdivision (d) of this Rule. See also 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.[3] 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. [4.] The full name **[by which] of** the adopted child **as he or she** is to be known **from this time forward** is _____

7. [5.] The date of birth of the adopted child is _____.

8. [6.] The date of the foreign adoption decree is _____.

9. [7.] 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. [8.] The following documents are attached to this Petition:

- a. **[Certified c]**Copy of child's birth certificate or other birth identification issued by country of birth; if none, an Affidavit of **[P]**parent(s) stating why none is available.
- b. **[Certified c]**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 **[is attached]**.
- 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. [Pennsylvania Department of Health Form H105.091 (Vital Records Form) with Parts I and II (and Part III, if applicable) completed.]**
- e. Pennsylvania Department of Health, **Division of Vital Records Form No. HD01275F,** Statement of Citizenship and Residenc**[e]y.**

- f. **A 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 **[Orphans'] appropriate** Court and decreeing that

_____ shall henceforth be known as
([Birth Name of Adopted Child] Name of child as written on Foreign Adoption Decree)

_____ and shall have all the
[(Name of Child after Adoption)] (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/[W]we [verify that we] have read and understand the information set forth in the Instructions to the Petition to Register Foreign Adoption Decree[. I/We verify], 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

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 _____, 20__, it
is hereby ORDERED **[AND] 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** _____
([Birth Name of Adopted Child] **Name of child as written**
on Foreign Adoption Decree)

shall be known as _____ and shall
(Child's **[N]name [After Adoption] from this time forward**)

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

BY THE COURT:

J.

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 _____, 20__, it
is hereby ORDERED and DECREED that the Petition of _____
_____ *(Adopting Parent(s))*
_____ to Register

Foreign Adoption Decree is DENIED.

BY THE COURT:

J.

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 **[f]Foreign [a]Adoption Decree** so that **the [Foreign Adoption] Decree** is considered **[to be a] full and final [decree]**, 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 **[certified]** copy of the Foreign Adoption Decree;
 - A **[certified]** copy of the child's birth certificate. If no birth certificate was issued, a **[certified]** 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, **[certified] with a verification** by the translator **that all translations are [to be] 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; [Form H105.091 (Pennsylvania Department of Health, Vital Records, Certificate of Adoption) with Parts I and II (and Part III if applicable) completed;]**
 - Pennsylvania Department of Health, **Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency; [Form.]**
 - **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 **[c]Court** will then issue a certificate of adoption and transmit **[form H105.091 and the Statement of Citizenship and Residency Form]** 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 **[p]Petition**. In that case, it will be necessary to proceed **[under the Adoption Act and any local rules of court to obtain a full and final Pennsylvania adoption decree] 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 **[would]** 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.

Rule 15.9 Petition for Adoption of a Foreign Born Child

- (a) *General Rule.* Adopting parent(s) who are residents of the Commonwealth may petition the Court of Common Pleas in any county as provided in Section 2302 of the Adoption Act (see 23 Pa. C.S. § 2302) to proceed with an adoption of their foreign born child who has entered the United States pursuant to an IR-2, IR-3, IH-3, IR-4 or IH-4 United States visa.
- (b) *Required Documents.* The following documents shall be filed in the following order with the Clerk of the appropriate division of the Common Pleas Court:
 - (1) Preliminary Decree;
 - (2) Final Decree;
 - (3) Petition for Adoption of a Foreign Born Child;
 - (4) Copy of United States visa;
 - (5) Reports of investigations, home studies, preplacement and postplacement;
 - (6) Copy of birth certificate of foreign born child (if available), with translation;
 - (7) Copy of any other relevant foreign decrees and/or documents with translations;
 - (8) Consents of any person and/or agency having custody and/or legal and/or physical rights to the child;
 - (9) Report of Intermediary (if an intermediary agency was involved);
 - (10) Verifications signed by petitioner(s), intermediary and translator(s) stating that facts set forth are true and correct, copies are true and correct copies of originals, that the English translation of foreign documents is accurate, and that false statements are subject to the penalties of 18 Pa. C.S. § 4904;
 - (11) 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;

- (12) Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency; and
 - (13) A 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.
- (c) *Form of Documents:* The Preliminary Decree, Final Decree, Petition for Adoption of a Foreign Born Child, Report of Intermediary (if applicable), and verifications referenced in subparagraph (b)(10) above shall be in substantially the form approved by the Supreme Court. See Appendix of Forms to these Rules.
- (d) *Judicial Review and Hearing*
- (1) *Scope of Review.* The Petition and accompanying documents filed under this Rule shall be subject to review by the Court as prescribed by the Pennsylvania Adoption Act, 23 Pa.C.S. §§ 2101 *et seq.*, Pennsylvania Orphans' Court Rules and local rules of court.
 - (2) *Home Study and Investigation.* The Court may rely in whole or in part upon a home study containing information required by Section 2530(b) of the Adoption Act and an investigative report containing information required by Section 2535(b) of the Adoption Act previously commissioned in the foreign adoption proceeding without regard to when such reports were prepared. See 23 Pa. C.S. §§ 2530, 2535. The Court may in its discretion require additional reports and investigations to be made in accordance with the Pennsylvania Adoption Act, Pennsylvania Orphans' Court Rules and local rules of court.
 - (3) *Original Documents, Decrees and Translations.* All original documents, decrees and translations must be available for review by the Court upon request.
 - (4) *Pre-adoption Requirements.* In order to grant an adoption, the Court must be satisfied that the pre-adoption requirements set forth in Sections 2530-2535 of the Adoption Act have been met. See 23 Pa.C.S. §§ 2530-2535. If the adopting parent(s) were Pennsylvania residents at the time that the United States visa was issued to the foreign born child, the Court may accept an IH

or IR United States visa as proof that the pre-adoption requirements have been met.

- (5) *Proof that the Child is an Orphan.* In order to grant an adoption, the Court must be satisfied that the child to be adopted is an orphan. The Court may accept the child's IH or IR United States visa as proof that the foreign born child is an orphan.
- (6) *Hearing.* The Court shall schedule a hearing to allow for testimony pursuant to Sections 2721-2724 of the Adoption Act. See 23 Pa.C.S. §§ 2721-2724. Petitioner(s) and the child to be adopted shall appear at the hearing. The Court may in its discretion require the presence of additional persons, including a representative of the intermediary.
- (e) *Disclosure of Fees and Costs.* Prior to or at the hearing, a report shall be filed setting forth the amount of fees, expenses and costs paid or to be paid to counsel, the intermediary and/or any other person or agency in connection with the adoption of the foreign born child. The Court may request an itemization of any of the amount(s) reported.
- (f) *Final Decree.* After the hearing, the Court shall determine if the adoption of the foreign born child can be granted, and if so, the Court shall enter a decree as provided in Section 2902 of the Adoption Act. See 23 Pa.C.S. § 2902.
- (g) *Clerk of the Appropriate Court.* Upon the filing of a decree granting the adoption under this Rule, the Clerk of the appropriate Court shall enter the decree and date of the decree on the docket. The Clerk shall send Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child, and Form No. HD01275F, Statement of Citizenship and Residency, to the Department of Health, Division of Vital Records, along with a 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 have been provided by the adopting parent(s). The Clerk shall issue to the adopting parent(s) a certificate of adoption in accordance with Section 2907 of the Adoption Act. See 23 Pa.C.S. § 2907.
- (h) *Only One Court May Assume Jurisdiction.* A parent shall not proceed under this Rule if the foreign adoption has been registered or otherwise finalized by a Court of this Commonwealth or any other state.

Explanatory Note: Pursuant to 23 Pa.C.S. § 2908(e), as amended by Act 96 of 2006, a set of forms, consisting of a Petition for Adoption of a Foreign Born Child, Report of Intermediary, Verification of Translator, Preliminary Decree, and Final Decree are set forth in the Appendix to these Rules.

In most instances, the adopting parent(s) of a foreign born child who has entered the United States with an IR-2, IR-3 or IH-3 United States visa will not need to proceed under Pa.O.C. Rule 15.9, but can register the foreign adoption decree pursuant to Pa.O.C. Rule 15.8. Situations may arise, though, that necessitate proceeding under this Rule, such as the inclusion of an incorrect birth year on the foreign adoption decree, or other personal family reasons. In these situations, adopting parent(s) of a foreign born child entering the United States with an IR-2, IR-3, or IH-3 United States visa may proceed under Pa.O.C. Rule 15.9; however, adopting parent(s) should be advised by counsel of the additional costs, additional documentation required, and the delay caused by the need for a hearing.

If a foreign born child has entered the United States with an IH-4 or IR-4 United States visa, the adopting parent(s) must proceed under Pa.O.C. Rule 15.9 because the adoption of their foreign born child was not finalized in the country of the child's birth.

Only one state court, whether in this Commonwealth or another state, should exercise jurisdiction over the registration of the foreign adoption decree or the completion of the adoption initiated in the native country of the foreign born child. Thus, if the adoption has been finalized or the foreign adoption decree has been registered in another state court or in another court within this Commonwealth, the adopting parent(s) need not and should not proceed under this Rule. In similar fashion, if the adoption of the foreign born child has been finalized in this Commonwealth, and thereafter, another petitioner seeks to adopt this child, the subsequent proceeding will be a standard proceeding under the applicable provisions of the Adoption Act, 23 Pa.C.S. §§ 2101 *et seq.* Such a situation could occur when the child is to be adopted by a step-parent after divorce or death of the original adopting parent(s), or when, after termination of parental rights, the child is to be adopted by different adopting parent(s).

The documents referenced in Pa.O.C Rule 15.9 should be filed with the Clerk of the Orphans' Court Division, except in Philadelphia County, where they should be filed with the Clerk of the Family Court Division. The Petition and accompanying documents under this Rule, including the decree granting the adoption, are confidential and should be impounded and withheld from public inspection as provided in the Adoption Act, 23 Pa. C.S. §§ 2905 *et seq.* and Pa.O.C. Rule 15.7.

The Clerk shall make available to the petitioner(s) the necessary Department of Health, Division of Vital Records forms: Form No. HD01273F, Certificate of Adoption of a Foreign-Born Child; and Form No. HD01275F, Statement of Citizenship and Residency.

**IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF _____
(initials only)

ADOPTION NO. _____

PRELIMINARY DECREE

AND NOW, this _____ day of _____, 20__,
upon consideration of the within Petition and on the motion of _____,
Esquire, attorney for Petitioner(s) or _____, Pro Se, a
hearing thereon is fixed for _____ in
_____ before the Honorable _____ at
_____ am/pm.

Notice shall be given to the following persons and or entities having any
legal and/or physical rights to the child:

1. NAME _____
ADDRESS _____
RELATIONSHIP _____
2. NAME _____
ADDRESS _____
RELATIONSHIP _____
3. NAME _____
ADDRESS _____
RELATIONSHIP _____

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF _____
(initials only)

ADOPTION NO. _____

FINAL DECREE

AND NOW, this _____ day of _____, 20____,
upon consideration of the within Petition and after the hearing thereon, the Court
having made an investigation to verify the statements of the Petition and other
facts to give the Court full knowledge as to the desirability of the proposed
adoption; and the Court, being satisfied, finds that the statements made in the
Petition are true, that the needs and welfare of the child proposed to be adopted
will be promoted by this adoption, and that all requirements of the Adoption Act
have been met, it is hereby ORDERED, ADJUDGED and DECREED that this
child, _____ is hereby adopted,

(Name of child as written on Foreign 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))

_____, and shall be subject to the duties of a child to
said adopting parent(s).

BY THE COURT:

J.

**IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF _____
(initials only)

ADOPTION NO. _____

PETITION FOR ADOPTION OF A FOREIGN BORN CHILD

To the Honorable, the Judge of said Court:

The Petition of _____
(Name(s) of Adopting Parent(s))

under 23 Pa. C.S. §§ 2701 and 2908 respectfully states that:

1. At least one of the Petitioners filing this Petition is a resident of the Commonwealth of Pennsylvania and has resided in this Commonwealth since _____.
(Provide at least month and year)

2. No other court in this Commonwealth or in any other state has reviewed, registered, finalized or otherwise assumed jurisdiction over the adoption of this child, except as follows: _____
(Provide name of court, county and state)

Explain the proceeding previously initiated and the resulting decision from the court: (Attach all court decrees).

3. Petitioner(s) desire(s) to adopt this child known as _____,
(Name of child as written on Foreign Decree)

and intend that such child shall be treated as one of (his/her/their) heirs and hereby declare(s) that (he/she/they) will perform all the duties of parent(s) to him/her.

4. The child has entered the United States pursuant to a United States visa. A true and correct copy of the United States visa is attached as an exhibit to this

Petition. The United States visa was issued as an:

(Please circle one) IR-2, IR-3, IH-3, IR-4 or IH-4

5. a) The child's full name as shown on the United States visa is

b) The full birth name of the child as listed on the foreign birth certificate (if available) is

c) The full name of the child as it appears on the foreign decree is

d) The full name of the child as he/she is to be known from this time forward is

6. The child has resided with Petitioner(s) for the following length of time

7. Information concerning the Petitioner(s), the adopting parent(s), is as follows:

a) Adopting Father:

- 1) Full name _____
- 2) Residence _____
- 3) Marital status _____
- 4) Age _____
- 5) Occupation _____
- 6) Religious affiliation _____
- 7) Racial background _____
- 8) Relationship to adoptee by blood or marriage, if any _____
- 9) Daytime telephone no. _____

b) Adopting Mother:

- 1) Full name _____
- 2) Residence _____
- 3) Marital status _____
- 4) Age _____
- 5) Occupation _____
- 6) Religious affiliation _____
- 7) Racial background _____
- 8) Relationship to adoptee by blood or marriage, if any _____
- 9) Daytime telephone no. _____

8. The following reports, as applicable, have been completed as of the dates set forth below. A true and correct copy of each of these reports is attached as an exhibit to this Petition.

- a) Report of Intermediary described in 23 Pa. C.S. § 2533 _____
- b) Home Study and/or Preplacement Reports described in 23 Pa. C.S. § 2530 _____
- c) Investigation Reports described in 23 Pa. C.S. § 2535 _____
- d) Postplacement Reports, if any _____

9. Information concerning the intermediary agency, if any, is as follows:

Name of agency _____
Address _____

Telephone no. _____
County where office is located _____

10. If there is no report of an intermediary, the following information is being provided by the Petitioner(s) as to the adoptee child:

- a) Sex _____
- b) Racial background _____
- c) Age _____
- d) Birth date _____
- e) Birthplace _____
- f) Places of residence since birth _____
- g) Religious affiliation _____
- h) A full statement of the value of all property owned or possessed by the child, if any _____

- i) State whether medical history information was obtained, and if not, explain why not _____

11. If there is no report of an intermediary, and the adoptee child is under 18 years of age, provide the following information as to the birth mother, if known:

- a) Name _____
- b) Residence or last known address _____
- c) Racial background _____

- d) Age _____
- e) Marital status as of the time of the birth of child _____
- f) Marital status during one year prior to birth of child _____
- g) Religious affiliation _____
- h) Birth mother's parental rights were terminated by decree of _____
_____ dated _____

12. If there is no report of an intermediary, and the adoptee child is under 18 years of age, provide the following information as to the birth father, if known:

- a) Name _____
- b) Residence or last known address _____

- c) Racial background _____
- d) Age _____
- e) Marital status as of the time of the birth of child _____
- f) Marital status during one year prior to birth of child _____
- g) Religious affiliation _____
- h) Birth father's parental rights were terminated by decree of _____
_____ dated _____

13. If there is no report of an intermediary, attach a copy of the birth certificate. If no birth certificate or other birth identification issued by the country of birth can be obtained, a statement of the reason and a detailed explanation of the efforts made to obtain the certificate are required and attached as an exhibit to this Petition.

14. If there is no report of an intermediary, attach copies of any foreign decrees and/or documents concerning this adoption, including any decree terminating the parental rights of birth mother and/or birth father, if needed, with an English translation for those decrees and/or documents not in English, certified by a translator to be true and correct translations of the foreign decrees and/or documents.

15. If there is no report of an intermediary, attach all consents required by Section 2711 of the Adoption Code, 23 Pa. C.S. § 2711. If consents are not required, explain _____

16. Attach 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.

17. Attach Pennsylvania Department of Health, Division of Vital Records Form No. HD01275F, Statement of Citizenship and Residency.

18. Attach a 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.

19. It is the desire of the Petitioner(s) that the relationship of parent and child be established between the Petitioner(s) and the adoptee child.

WHEREFORE, Petitioner(s) pray your Honorable Court to enter a Final Decree that the child proposed to be adopted shall have all the rights of a child and heir of Petitioner(s) and Petitioner(s) shall be subject to the duties as parent(s) of such child, and that the child's name shall henceforth be

_____.

DATE: _____

Signature of Adopting Parent²

Signature of Adopting Parent

(If represented, counsel's name, address, and telephone number)

² When there are two adopting parents, both must sign.

VERIFICATION TO PETITION FOR ADOPTION OF A FOREIGN BORN CHILD

I/We, _____, verify that I/we are the Petitioner(s) named in the foregoing Petition and that the facts set forth therein 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 herein are made 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

**IN THE COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

(FAMILY COURT DIVISION in Philadelphia County)

IN RE: ADOPTION OF _____
(initials only)

ADOPTION NO. _____

**REPORT OF THE INTERMEDIARY IN THE ADOPTION OF A FOREIGN BORN
CHILD**

The report of the agency, _____, as intermediary, under 23 Pa. C.S. § 2533, states as follows:

1. Intermediary's address _____

Intermediary's telephone no. _____

County where office is located: _____

2. The facts as to the adoptee child are:
a) Name _____
b) Sex _____
c) Racial background _____
d) Age _____
e) Birth date _____
f) Birthplace _____
g) Religious affiliation _____

3. Date of the placement of the child with the Petitioner(s), adopting parent(s), _____

4. If known, the facts as to the birth mother are:
a) Name _____
b) Residence or last known address _____

c) Racial background _____
d) Age _____
e) Marital status as of the time of the birth of the child _____
f) Marital status during one year prior to birth of the child _____
g) Religious affiliation _____
h) Birth mother's parental rights were terminated by decree of _____
_____ dated _____

5. If known, the facts as to the birth father are:
 - a) Name _____
 - b) Residence or last known address _____
 - c) Racial background _____
 - d) Age _____
 - e) Marital status as of the time of the birth of the child _____
 - f) Marital status during one year prior to birth of the child _____
 - g) Religious affiliation _____
 - h) Birth father's parental rights were terminated by decree of _____
dated _____

6. All consents required by 23 Pa. C.S. § 2711 are attached to this Report as exhibits or are not required for the following reasons, provide explanation:

7.
 - a) A true and correct copy of the birth certificate or a registration of the birth by the country of birth is attached to this Report as an exhibit. If no birth certificate or other birth identification issued by the country of birth can be obtained, a statement of the reason and a detailed explanation of the efforts made to obtain the certificate are attached as exhibits to this Report.
 - b) Attach copies of any foreign decrees and/or documents concerning this adoption, including any decree terminating the parental rights of birth mother and/or birth father, with an English translation for those decrees and/or documents not in English, certified by a translator to be true and correct translations of the decrees and/or documents.

8. Attach a verified list of itemized fees and/or expenses paid or to be paid to or received by the intermediary and/or any other person or persons to the knowledge of the intermediary by reason of the adoption placement.

9. A full description and statement of the value of all property owned or possessed by the child, if any, is as follows:

10. No provision of any act regulating the interstate placement of children has been violated with respect to the placement of the child.

11. The child's medical history information was obtained and is available, except as follows: _____

DATE: _____

Signature
(Type name of signor, title, and name of agency)

VERIFICATION TO REPORT OF INTERMEDIARY

I, _____, verify that I am
_____ of

(Title)

(Name of Agency)

and I am authorized to take this verification on its behalf, and that the facts set forth in the foregoing Report are true and correct to the best of my knowledge, information and belief. I further verify that all documents attached to this Report are true and correct copies of the originals. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: _____

Signature

VERIFICATION OF TRANSLATOR

I, _____, verify that I am a licensed translator and that all translations of the foreign documents which are attached to this Petition are true and correct English translations of the originals. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: _____

Signature

**INDEX TO APPENDIX
ORPHANS' COURT AND REGISTER OF WILLS FORMS
ADOPTED BY SUPREME COURT
PURSUANT TO Pa. O.C. Rule 1.3**

Available as Fill-in Forms on Website
of Administrative Office of Pennsylvania Courts
[<http://www.aopc.org/Index/Forms/IndexForms.asp>.]
<http://www.pacourts.us/Forms/OrphansCourtForms.htm>

Orphans' Court and Administration Forms

* * *

F. Foreign Adoption Forms

1. Registration Forms – Pa.O.C. Rule 15.8

- a. Petition to Register Foreign Adoption Decree**
- b. Final Decree - Granted**
- c. Final Decree - Denied**
- d. Instructions for Filing Petition**

2. Completion of Foreign Adoption Forms – Pa.O.C. Rule 15.9

- a. Preliminary Decree**
- b. Final Decree**
- c. Petition for Adoption of a Foreign Born Child**
- d. Report of the Intermediary**
- e. Verification of Translator**