

**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 OF
SUSQUEHANNA COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

IN RE: FOREIGN ADOPTION :
OF _____ : No. _____
(initials only) :

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



Phone: (724) 598-2284

STATEMENT OF CITIZENSHIP AND RESIDENCY

Only one parent who is **BOTH** a United States citizen **AND** a resident of Pennsylvania is required to sign below.

I, the adoptive parent of _____, hereby certify
(Child's name as he or she is to be known after adoption)
that I am a citizen of the United States and a resident of Pennsylvania. I further certify that the foreign adoption decree for the child listed above was not previously registered or otherwise acted upon by a court of this Commonwealth or of any other state.

I understand that false statements made herein is subject to the penalties of *18 Pa.C.S. § 4904* relating to unsworn falsification to authorities.

ADOPTIVE FATHER/PARENT:

ADOPTIVE MOTHER/PARENT:

(Printed Name)

(Printed Name)

CURRENT ADDRESS:

CURRENT ADDRESS:

(Street Address)

(Street Address)

(City, State, Zip Code)

(City, State, Zip Code)

(Daytime Telephone No.)

(Daytime Telephone No.)

Signature

Date

Signature

Date

Instructions Regarding Child's Citizenship and Birth Certificate

1) Requesting Certified Copy of Child's Birth Record from Pennsylvania Division of Vital Records:

This child's birth record will be filed with the Pennsylvania Division of Vital Records (Division) upon the submission of the following acceptable documentation:

- Certificate of Adoption of a Foreign-Born Child (*Pursuant to 23 Pa. C.S. § 2908*) that includes certification of the Court (Form HD01273F)
- Statement of Citizenship and Residency (Form HD01275F)

A certified copy of this child's birth record may be obtained by completing and returning an Application for Certified Copy of Birth Record to the Division. This application form is available on the Department's website at www.health.state.pa.us/vitalrecords or by writing to: Division of Vital Records, 101 S. Mercer Street, P.O. Box 1528, New Castle, PA 16103.

The individual requesting the record must submit a legible copy of his or her valid government issued photo identification. Examples of acceptable identification are a state issued driver's license or non-driver photo identification that verifies the eligible requestor's name and current address. Payment in the amount of \$10.00 for each copy requested must be included. This fee may be waived for dependents of individuals who served or are currently serving in the Armed Forces.

2) Notifying Pennsylvania Division of Vital Records of child's citizenship:

Providing one of the documents listed below, which verifies the child's name as it appears on the Certificate of Adoption of a Foreign-Born Child, will enable the Division of Vital Records (Division) to issue requested certified copies of this child's birth record without a notation that the certificate is not evidence of U.S. citizenship. Even if the foreign born child satisfies the requirements of 8 U. S. C. § 1431 or § 1433, one of the following documents must be provided to prove U. S. citizenship. If available, the Court will provide either or both of the following documents to the Pennsylvania Division at the time the Certificate of Adoption of a Foreign-Born Child (*Pursuant to 23 Pa. C.S. § 2908*) is filed:

- Copy of the adopted child's U.S. Certificate of Citizenship (Form N-560)
- Copy of the adopted child's U.S. Passport

If neither document is submitted by the Court or with the Application for Certified Copy of Birth Record, the Division must, by law, include a notation on the certificate that it is not evidence of U.S. citizenship. However, a copy of this child's U.S. Certificate of Citizenship (Form N-560) or U.S. Passport may be submitted to the Division at a later date so that a certified copy of the child's birth record may then be issued without this notation.

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF HEALTH – DIVISION OF VITAL RECORDS
 101 S. Mercer St., P. O. Box 1528, New Castle, PA 16103

SFN: _____ (For Vital Records Use Only)
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CERTIFICATE OF ADOPTION OF A FOREIGN-BORN CHILD *(Pursuant to 23 Pa. C.S. § 2908)*
 (See reverse side for instructions regarding child's citizenship and birth certificate)

PART 1: ADOPTED CHILD'S INFORMATION (Type or print in black ink)

- As Listed on the Foreign Birth Certificate: _____
 (First) (Middle) (Last)
- As it Appears on the Foreign Adoption Decree: _____
 (First) (Middle) (Last)
- Full name of the adopted child as he/she is to be known from this time forward is:
 First _____ Middle _____ Last _____
 Date of Birth _____ Sex _____ Country of Birth _____ Registration # _____
(As listed on Child's U.S. Visa)

PART 2: Complete information as listed in the Petition to Register Foreign Adoption Decree or Petition for Adoption of a Foreign Born Child

ADOPTIVE FATHER'S INFORMATION

ADOPTIVE MOTHER'S INFORMATION

- | | |
|--|--|
| <ol style="list-style-type: none"> Father's Name (First, middle, last)
 _____ Date of Birth _____ Age at time of child's birth _____ State or Country of Birth _____ Social Security # _____ Is father a U.S. Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No Is father a resident of Pennsylvania? <input type="checkbox"/> Yes <input type="checkbox"/> No | <ol style="list-style-type: none"> Mother's MAIDEN Name (First, middle, maiden name)
 _____ Date of Birth _____ Age at time of child's birth _____ State or Country of Birth _____ Social Security # _____ Is mother a U.S. Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No Is mother a resident of Pennsylvania? <input type="checkbox"/> Yes <input type="checkbox"/> No |
|--|--|
14. Check appropriate box if applicable: Single adoptive parent Adoptive parents of same gender
15. Adoptive parents' address *(as listed in the Petition to Register Foreign Adoption Decree or Petition for Adoption of a Foreign Born Child)*
 Street _____ City _____
 County _____ State _____ Zip Code _____ Telephone No. _____

PART 3: Name and address of legal counsel or adoption agency, if applicable:

Name of Attorney/Agency _____ Street _____
 City _____ State _____ Zip Code _____ Telephone No. _____

PART 4: CERTIFICATION OF COUNTY CLERK

State of _____ County of _____ Case Number _____ Date of Decree _____

Full name of the adopted child as he/she is to be known from this time forward is: _____

I hereby certify that the child described above was adopted pursuant to 23 Pa. C.S. § 2908 by the parent(s) as shown above.

Signature of Clerk _____ Date Signed _____

SEAL OF COURT

Report sent to Vital Records _____
 (Date)

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