



# Summary of Laws Regarding International Adoptions

## Finalized Abroad 50 States and 6 U.S. Territories

(7/01)

### Effect of Foreign Adoption Decree

Twenty-five States and one territory (Commonwealth of the Northern Mariana Islands) grant the same recognition and effect to final decrees of adoption when issued pursuant to due process in a foreign country as to decrees of adoption issued in that State or territory.

#### States Granting Full Effect and Recognition to Foreign Adoption Decrees

Alaska	Idaho	Missouri	Oklahoma
Arkansas	Illinois	Montana	Oregon
Delaware	Indiana	New Hampshire	Pennsylvania
Florida	Kansas	New Mexico	South Carolina
Georgia	Massachusetts	North Dakota	Tennessee
Hawaii	Minnesota	Ohio	Vermont
			Wisconsin

Iowa requires that if an adoption has occurred in a foreign country, a further adoption must occur in the State where the adopting parents reside.

#### States Allowing Re-adoption

Re-adoption is allowed by statute in eighteen States upon submission of a petition accompanied by proof of adoption in a foreign court; three States (California, Connecticut, and Tennessee) specify in their code that re-adoption is allowed if required by the United States Immigration and Naturalization Service. Further, Commonwealth of Virginia allows re-adoption after a child has resided with the petitioners for a period of time.

#### States Allowing Re-adoption

California	Idaho	New Hampshire	Tennessee
Colorado	Kansas	North Carolina	Virginia
Connecticut	Maine	Ohio	Wisconsin

Georgia  
Hawaii

Maryland  
Minnesota

Oklahoma  
Pennsylvania

### No Statutory Provisions

Seventeen States and five of the six U.S. Territories have no statutory provisions regarding international adoptions although two jurisdictions (Michigan and the District of Columbia), which have no provisions regarding international adoptions, do provide in their judicial rules procedural guidelines for the acceptance of foreign adoption decrees.

### District of Columbia

A foreign official record of an adoption is admissible evidence of an adoption in the D.C. courts. *District of Columbia Court Rules Annotated, Rules Governing Adoption Proceedings, D.C. SCR-Adoption Rule 44* (1998)

### Michigan

Judicial procedures for recognition accorded to court order or decree issued in another country. *Michigan Statutes Annotated, Title 27, Part 1, Chapter 266, Chapter X, Section 27.3178* (1998)

### States with No Statutory Provisions

Alabama	Mississippi	Rhode Island	West Virginia
Arizona	Nebraska	South Dakota	Wyoming
Kentucky	Nevada	Texas	
Louisiana	New Jersey	Utah	
Michigan	New York	Washington	

### Territories with No Statutory Provisions

American Samoa	District of Columbia	Guam	Puerto Rico
U.S. Virgin Islands			

<b>Review of State Statutes Regarding International Adoptions Finalized Abroad</b>			
<b>STATE</b>	<b>NO STATUTORY PROVISIONS</b>	<b>EFFECT OF FOREIGN ADOPTION DECREE</b>	<b>VALIDATION OF FOREIGN ADOPTION</b>
<b>ALASKA</b>		Full effect and recognition given to decree as if it had been issued by an Alaska court. <i>Alaska Statutes-Title 25</i>	

		<i>Chapter 23, Section 25.23.160 (1997)</i>	
<b>ARIZONA</b>	X		
<b>ARKANSAS</b>		Full effect and recognition given to final decree issued pursuant to due process of law by a court within or without the United States <i>Arkansas Code of 1987 Annotated, Title 9, Chapter 9, Section 9.9.218 (1997)</i>	
<b>CALIFORNIA</b>			(a) Re-adoption required if required by U.S. Immigration and Naturalization Service. (b) Re-adoption allowed <i>California Family Code Division 13, Chapter 4, Section 8919 (1997)</i>
<b>COLORADO</b>			Petitioners may petition court to issue decree declaring valid the decree issued by a court of any country other than the United States <i>Colorado Revised Statutes Title 19, Chapter 5, Section 205 (1997)</i>
<b>CONNECTICUT</b>			Validation of foreign adoption decree allowed when required by U.S. Immigration and Naturalization Service because parents had not personally seen and observed the child prior to the adoption abroad. <i>Connecticut General Statutes, Chapter 803, Section 45a-730 (1997)</i>
<b>DELAWARE</b>		Full effect and recognition given to decree issued in full accord with adoption laws of that foreign country <i>Delaware Code Annotated Title 13, Chapter 9, Subchapter 1, Section 927 (1997)</i>	
<b>FLORIDA</b>		Full effect and recognition given to decree issued by due process of law by a court of any other jurisdiction within or without the United States <i>Florida Statutes Annotated Title VI, Chapter 63, Section 192 (1997)</i>	

<b>GEORGIA</b>		Full effect and recognition given to decree issued pursuant to due process of law by a court of any other jurisdiction within or outside of the United States <i>Official Code of Georgia Annotated, Title 19, Chapter 8, Section 22 (1997)</i>	Re-adoption allowed upon submission of valid foreign adoption decree and proof of valid visa issued by U.S. Immigration and Naturalization Service <i>Official Code of Georgia Annotated, Title 19 Chapter 8, Section 8 (1997)</i>
<b>HAWAII</b>		Full effect and recognition given to decree issued under the laws of any nation <i>Hawaii Revised Statutes Annotated, Title 31, Chapter 578, Section 16 (h) (1997)</i>	Re-adoption allowed upon submission of valid foreign adoption decree and proof of valid visa issued by U.S. Immigration and Naturalization Service <i>Hawaii Revised Statutes Annotated, Title 31, Chapter 578, Section 8 (c) (1997)</i>
<b>IDAHO</b>		Full judicial comity accorded to decisions or orders of foreign courts and government agencies authorized to approve adoptions without additional proceedings or documentation provided child has been allowed to enter U.S. by U.S. State Department or U.S. Immigration and Naturalization Services <i>Idaho Code, Title 16, Chapter 15, Section 1514 (4) (1997)</i>	Re-adoption allowed upon submission of proof of valid visa issued by U.S. State Department or by U.S. Immigration and Naturalization Service <i>Idaho Code, Title 16, Chapter 15, Section 1514 (1-3) (1997)</i>
<b>ILLINOIS</b>		Full effect and recognition given to a final, complete, and valid Order of Adoption issued in a foreign country, as determined by both the U.S. Department of State and the U.S. Department of Justice <i>Illinois Compiled Statutes Annotated, Chapter 750, Section 50/4.1.c.8 and 50/6.b (1997)</i>	
<b>INDIANA</b>		Full force and effect accorded to decree issued under the laws of the country where the adoption took place once the decree is filed with the clerk of the county court and entered upon the order book of the court in open session. <i>Indiana Code, Title 31, Article 19, Chapter 28 (1998)</i>	

<b>IOWA</b>		If an adoption has occurred in the minor person's country of origin, a further adoption must occur in the State where the adopting parents reside in accordance with the adoption laws of that State. <i>Iowa Code Title XV Subtitle 1, Chapter 600 Sections 15.2</i> (2000)	
<b>KANSAS</b>		Full effect and recognition given to the laws of the foreign country and proceedings conducted in accordance with the laws of the foreign country pertaining to relinquishment, termination of parental rights and consent to adoption <i>Kansas Statutes Annotated Chapter 59 Article 21 Section 59-2144</i> (1997)	Re-adoption allowed when adoption has been recognized as valid by the Immigration and Naturalization Service of the U.S. Department of Justice. <i>Kansas Statutes Annotated Chapter 59 Article 21 Section 59-2144</i> (1997)
<b>KENTUCKY</b>	X		
<b>LOUISIANA</b>	X		
<b>MAINE</b>			Re-adoption allowed upon submission of final decree of adoption in a foreign country. <i>Maine Revised Statutes Annotated Title 18A, Article 9, Section 312</i> (1997) or <i>Maine Revised Statutes, Chapter 21, Subchapter III, Section 1133</i>
<b>MARYLAND</b>			Re-adoption allowed upon submission of a decree of adoption granted by a judicial, administrative, or executive body of a jurisdiction or country other than the United States that is in compliance with the laws of that country. <i>Maryland Family Law Code Annotated Chapter 5, Section 313.1</i> (1997)
<b>MASSACHUSETTS</b>		Full effect and recognition accorded to adoptions completed in another State or country, in accordance with the laws thereof, as if he had been adopted within the Commonwealth <i>Massachusetts General Laws Annotated, Chapter 210 Section 9</i> (1998)	

<b>MICHIGAN</b>	X		
<b>MINNESOTA</b>		Adoption under the laws of a foreign country is valid and binding under the laws of this State if the validity of the foreign adoption has been verified by the granting of an IR-3 visa for the child by the U.S. Immigration and Naturalization Service <i>Minnesota Statutes, Chapter 259 Section 60 (1997)</i>	Re-adoption allowed upon submission to the court of petition and child's documents (birth certificate, adoption decree, passport with IR-3 visa status, and translations, if applicable) <i>Minnesota Statutes, Chapter 259 Section 60 (1997)</i>
<b>MISSISSIPPI</b>	X		
<b>MISSOURI</b>		Adoptions pursuant to the laws of other States of the union or the laws of countries other than the United States with the approval of the United States government shall have the same force and effect as adoption under the provisions of this chapter, including all inheritance rights. <i>Revised Statutes Missouri, Chapter 453, Section 170 (1997)</i>	
<b>MONTANA</b>		Foreign adoption decree entered by a court or administrative entity in that country pursuant to that country's laws has the same effect as a decree or order of adoption issued by a court of this State. <i>Montana Code Annotated Title 42, Chapter 2, Section 101 (1997)</i> Adoption in this State of a child brought into this State from another country is governed by this title and is subject to any convention or treaty governing adoption that the United States has ratified and to any relevant federal law <i>Montana Code Annotated Title 42, Chapter 2, Section 104 (1997)</i>	
<b>NEBRASKA</b>	X		
<b>NEVADA</b>	X		
<b>NEW HAMPSHIRE</b>		Full effect and recognition accorded to a decree issued pursuant to due process of law	Court may validate and issue an adoption decree for an adoption finalized in another

		by a court of any other jurisdiction within or without the United States as though the decree was issued by a court of this State <i>New Hampshire Revised Statutes Annotated Title XII, Chapter 170, Section B-24</i> (1997)	jurisdiction upon submission of documentation from the U.S. Department of Justice or the Department of State that a legal adoption has been completed in another country <i>New Hampshire Revised Statutes Annotated Title XII, Chapter 170, Section B-22</i> (1997)
<b>NEW JERSEY</b>	X		
<b>NEW MEXICO</b>		Full effect and recognition accorded to a decree issued pursuant to due process of law by a court of any other jurisdiction within or without the United States as though the decree was issued by a court of this State <i>New Mexico Statutes Annotated, Chapter 32A, Article 5, Section 39</i> (1997)	
<b>NEW YORK</b>	X		
<b>NORTH CAROLINA</b>			Where a child has been previously adopted in a foreign country by petitioners seeking to readopt the child under the laws of North Carolina, the adoption order entered in the foreign country may be accepted in lieu of the consent of the biological parent or parents or the guardian of the child to the readoption. <i>General Statutes of North Carolina, Chapter 48, Part 2, Article 205</i> (1997)
<b>NORTH DAKOTA</b>		An adoption decree of court issued pursuant to due process of law by a court of any other jurisdiction within or without the United States must be recognized in this State as though the decree were issued by a court of this State <i>North Dakota Century Code, Title 14, Chapter 15, Section 17</i> (1997)	
<b>OHIO</b>		Full recognition and effect given to a decree issued pursuant to due process of law by a court of any jurisdiction outside this State whether	Re-adoption allowed upon submission of a petition and proof of finalization of the adoption outside the United States <i>Ohio Revised Code</i>

		within or outside the United States <i>Ohio Revised Code, Title XXXI, Chapter 3107, Section 18</i> (1998)	<i>Title XXXI, Chapter 3107, Section 18</i> (1998)
<b>OKLAHOMA</b>		Full recognition and effect given to a decree, judgment, or final order of adoption issued by a court or other governmental authority with appropriate jurisdiction in a foreign country as though issued by a court of this State <i>Oklahoma Statutes Annotated Title 10, Chapter 75, Article 2, Section 1.4</i> (1997)	Re-adoption allowed upon submission of a petition and proof of finalization of the adoption outside the United States <i>Oklahoma Statutes Annotated Title 10, Chapter 75, Article 2, Section 1.4</i> (1997)
<b>OREGON</b>		Full recognition and effect given to a decree issued in any foreign nation under the laws of such nation if the adoption is valid and legal in the foreign nation where the adoption occurred <i>Oregon Revised Statutes Title 11, Chapter 109, Section 385</i> (1996)	
<b>PENNSYLVANIA</b>		When a decree of adoption of a minor is made or entered in conformity with the laws of another State or a foreign country whereby a child is adopted by a resident of this Commonwealth, a copy of the final decree, properly authenticated, may be filed with the clerk in the county of residence of the adopting parents. The decree and such other documents as may be filed therewith shall be kept in the files of the court as a permanent record thereof <i>Pennsylvania Consolidated Statutes Annotated Title 23, Part III, Chapter 29, Section 8</i> (1997)	Upon the filing of a foreign decree of adoption, the clerk shall enter upon the docket an entry showing the foreign court, identification of the proceedings therein and the date of the decree <i>Pennsylvania Consolidated Statutes Annotated Title 23, Part III, Chapter 29, Section 8</i> (1997)
<b>RHODE ISLAND</b>	X		
<b>SOUTH CAROLINA</b>		Full recognition and effect given to a decree of adoption of a court of any other State or nation. <i>Code of Laws of South Carolina Title 20, Chapter 7, Article 11, Section 1810</i> (1997)	

<b>SOUTH DAKOTA</b>	X		
<b>TENNESSEE</b>		Full effect and recognition accorded to a decree issued pursuant to the laws of a foreign jurisdiction <i>Tennessee Code Annotated Title 36, Chapter , Part 1, Section 106</i> (1997)	Circuit and chancery courts are specifically authorized to enter new orders of adoption as they are required for purposes of compliance with any requirements of the government of the United States for children who were adopted in foreign countries in accordance with the laws of the foreign jurisdiction. <i>Tennessee Code Annotated Title 36, Chapter , Part 1, Section 106</i> (1997) and <i>Section 120.9</i> (1997)
<b>TEXAS</b>	X		
<b>UTAH</b>	X		
<b>VERMONT</b>		Full recognition and effect given to a decree or order of adoption entered by a court or administrative entity in another country acting pursuant to that country's law or to any convention or treaty on intercountry adoption which the United States has ratified <i>Vermont Statutes Annotated Title Fifteen A, Article 1, Section 108</i> (1997)	
<b>VIRGINIA</b>			Re-adoption allowed 1.) if child has lived in the home of the petitioners for at least one year immediately prior to the filing of the petition or 2.) if the child has resided in the home of the petitioners for at least 6 months immediately prior to the filing of the petition, and has had 3 post-placement visits within that 6-month period <i>Code of Virginia Annotated Title 63, Chapter 11 Section 1-229</i> (1997)
<b>WASHINGTON</b>	X		
<b>WEST VIRGINIA</b>	X		
<b>WISCONSIN</b>		Full effect and recognition accorded to order of adoption of a court of any other State or	Re-adoption allowed <i>Wisconsin Statutes Annotated Chapter 48 Subchapter XIX</i>

		nation for Wisconsin residents who obtained departmental approval of the placement <i>Wisconsin Statutes Annotated Chapter 48, Subchapter XIX, Section 97</i>	<i>Section 97</i>
<b>WYOMING</b>	X		
<b>AMERICAN SAMOA</b>	X		
<b>DISTRICT OF COLUMBIA</b>	X		
<b>GUAM</b>	X		
<b>NORTHERN MARIANA ISLANDS</b>		Full effect and recognition accorded to a decree of court pursuant to due process of law by a court of any other jurisdiction within or without the United States as though the decree were issued by a court of the Commonwealth <i>Northern Mariana Islands Commonwealth Code, Title 8, Chapter 4, Section 1415 (1998)</i>	
<b>PUERTO RICO</b>	X		
<b>VIRGIN ISLANDS</b>	X		

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