



*Gateways to Information: Protecting Children and Strengthening Families*

# Summary of Laws Regarding International Adoptions Finalized Abroad: 50 States and 5 U.S. Territories

## Effect of Foreign Adoption Decree

Twenty-six 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	Iowa	North Dakota
Arkansas	Kansas	Ohio
Delaware	Maryland	Oklahoma
Florida	Massachusetts	Oregon
Georgia	Minnesota	Pennsylvania
Hawaii	Missouri	South Carolina
Idaho	Montana	Vermont
Illinois	New Hampshire	Wisconsin
Indiana	New Mexico	

## States Allowing Re-Adoption

Re-adoption is allowed by statute in 17 States upon submission of a petition accompanied by proof of adoption in a foreign court. Three States (California, Connecticut, and Tennessee) specify in their codes that re-adoption is allowed if required by the United States Immigration and Naturalization Service.

### States Allowing Re-Adoption

California	Kansas	Ohio
Colorado	Maine	Oklahoma
Connecticut	Maryland	Pennsylvania
Georgia	Minnesota	Tennessee
Hawaii	New Hampshire	Wisconsin
Idaho	North Carolina	



The Clearinghouses are services of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

## No Statutory Provisions

Eighteen States, the District of Columbia, and four of the five U.S. Territories have no statutory provisions regarding international adoptions.

### States With No Statutory Provisions

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

### Territories With No Statutory Provisions

American Samoa	Puerto Rico
Guam	U.S. Virgin Islands

### Review of State Statutes Regarding International Adoptions Finalized Abroad

STATE	NO STATUTORY PROVISIONS	EFFECT OF FOREIGN ADOPTION DECREE	VALIDATION OF FOREIGN ADOPTION
ALABAMA	X		
ALASKA		Full effect and recognition given to decree as if it had been issued by an Alaska court. <i>Alaska Statutes</i> § 25.23.160 (1997)	
ARIZONA	X		
ARKANSAS		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 CodeAnnotated</i> § 9-9-218 (1997)	
CALIFORNIA			(a) Re-adoption required if required by U.S. Immigration and Naturalization Service. (b) Re-adoption allowed <i>California Family Code</i> § 8919 (2001)
COLORADO			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</i> § 19-5-205 (1997)
CONNECTICUT			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</i> § 45a-730 (1997)

STATE	NO STATUTORY PROVISIONS	EFFECT OF FOREIGN ADOPTION DECREE	VALIDATION OF FOREIGN ADOPTION
DELAWARE		Adoptive parents seeking validation of a foreign adoption decree shall file the decree with the Family Court in the county where they reside <i>Delaware Code Annotated Title 13, § 927(c)</i> (2002)	
FLORIDA		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 § 63.192</i> (1997)	
GEORGIA		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, § 19-8-22</i> (1997)	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, § 19-8-8</i> (1997)
HAWAII		Full effect and recognition given to decree issued under the laws of any nation <i>Hawaii Revised Statutes Annotated, § 578-16(h)</i> (1997)	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, § 578-8 (c)</i> (1997)
IDAHO		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, § 16-1514(4)</i> (1998)	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, § 16-1514 (1-3)</i> (1998)
ILLINOIS		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, §§ 50/4.1(c)(8) &amp; 50/6(b)</i> (1999)	
INDIANA		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, § 31-19-28-2</i> (1998)	
IOWA		A decree of adoption issued by a court of any jurisdiction within or outside the United States is valid in the State. <i>Iowa Code § 600.15</i> (2002)	
KANSAS		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 § 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 § 59-2144</i> (1997)
KENTUCKY	X		
LOUISIANA	X		

STATE	NO STATUTORY PROVISIONS	EFFECT OF FOREIGN ADOPTION DECREE	VALIDATION OF FOREIGN ADOPTION
MAINE			Re-adoption allowed upon submission of final decree of adoption in a foreign country. <i>Maine Revised Statutes Annotated Title 18A, § 9-312 (1997)</i>
MARYLAND		A final decree of adoption granted by a country other than the United States shall be given full recognition <i>Maryland Family Code Annotated § 5-326.1 (2002)</i>	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 § 5-313.1 (2002)</i>
MASSACHUSETTS		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 § 9 (1998)</i>	
MICHIGAN	X		
MINNESOTA		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, § 259.60 (2002)</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, § 259.60 (2002)</i>
MISSISSIPPI	X		
MISSOURI		When an adoption occurs in a foreign country and the adopted child has migrated to the United States with the permission of the U.S. Department of Immigration and Naturalization Services, this State shall recognize the adoption. <i>Revised Statutes Missouri, § 453.170 (2001)</i>	
MONTANA		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 § 42-2-101 (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 § 42-2-104 (1997)</i>	
NEBRASKA	X		
NEVADA	X		
NEW HAMPSHIRE		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 Hampshire Revised Statutes Annotated § 170-B:24 (1997)</i>	Court may validate and issue an adoption decree for an adoption finalized in another 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 § 170-B:22 (1997)</i>

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NEW JERSEY	X		
NEW MEXICO		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</i> § 32A-5-39 (1997)	
NEW YORK	X		
NORTH CAROLINA			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</i> , § 48-2-205 (1997)
NORTH DAKOTA		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</i> , § 14-15-17 (1997)	
OHIO		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 within or outside the United States <i>Ohio Revised Code</i> , § 3107.18 (2000)	Re-adoption allowed upon submission of a petition and proof of finalization of the adoption outside the United States <i>Ohio Revised Code</i> , § 3107.18 (2000)
OKLAHOMA		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</i> , § 7502-1.4 (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</i> , § 7502-1.4 (1997)
OREGON		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</i> § 109.385 (1996)	
PENNSYLVANIA		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</i> , § 2908 (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</i> , § 2908 (1997)

STATE	NO STATUTORY PROVISIONS	EFFECT OF FOREIGN ADOPTION DECREE	VALIDATION OF FOREIGN ADOPTION
RHODE ISLAND	X		
SOUTH CAROLINA		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 § 20-7-1810 (1997)</i>	
SOUTH DAKOTA	X		
TENNESSEE			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 § 36-1-106 (1997)</i>
TEXAS	X		
UTAH	X		
VERMONT		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 15A, § 1-108 (1997)</i>	
VIRGINIA	X		
WASHINGTON	X		
WEST VIRGINIA	X		
WISCONSIN		Full effect and recognition accorded to order of adoption of a court of any other State or nation for Wisconsin residents who obtained departmental approval of the placement <i>Wisconsin Statutes Annotated § 48.97 (1996)</i>	Re-adoption allowed <i>Wisconsin Statutes Annotated § 48.97 (1996)</i>
WYOMING	X		
AMERICAN SAMOA	X		
DISTRICT OF COLUMBIA	X		
GUAM	X		
NORTHERN MARIANA ISLANDS		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>	
PUERTO RICO	X		
VIRGIN ISLANDS	X		