



OFFICE OF THE JUDGE ADVOCATE GENERAL **LEGAL ASSISTANCE POLICY DIVISION**



ADOPTION

What is adoption?

Adoption is defined as taking a child into one's family through legal means and raising that child as one's own. In essence, adopting a child means pledging to raise the child with all the rights and responsibilities you would have with your biological children. The legal result is that the child ceases to be the legal obligation of the natural, or biological, parents, becoming instead the responsibility of the adoptive parents, as though they bore the child. Adoption laws are state specific, and you generally must file in the jurisdiction in which you live or where the placement agency is located.

Types of adoptions are:

- Open adoption: The birth parent and adoptive parents have some kind of contact or relationship.
- Closed adoption: There is not contact between the birth parents and adoptive parents. Adoption records are sealed by the court.
- Relative adoption: Child is adopted by a family member (aunt, grandparent, older sibling).
 - Stepparent adoption: Check state law.
 - Adult adoption: Check State law (does not have to be a relative).
- Facilitated adoption: An unlicensed matchmaker links birth and adoptive parents.
- Independent adoption: Also known as infant adoption.
- International adoption: Adopting a child from another country.

The US Department of State is responsible for regulating international adoptions. Requirements vary by the home country of the adopted child, but parents looking to adopt will likely work with an adoption service provider in the child's home country. The Department of State website has information on each country as well as general information and required forms. The time it takes to adopt a child from another country and bring that child to the United States varies widely. Generally, the process may take anywhere from one to four years, though in some cases, it may take longer. The length of time depends on a number of factors, including the country of origin's laws and procedures, the adoption service provider's process, the U.S. immigration process, and the specific circumstances regarding the case. For more information on international adoption view the International Adoption Process here at <https://travel.state.gov/content/travel/en/Intercountry-Adoption/Adoption-Process.html>.

For more information about adoptions, please visit the National Counsel for Adoption website at <https://adoptioncouncil.org/resources-and-training/important-adoption-laws/> or contact your local legal assistance office to speak with an attorney. (no federal endorsement).

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