

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 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 parents 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 by the translator to be true and correct;
 - 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 Statement of Citizenship and Residency Form.
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 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 form H105.091 and the Statement of Citizenship and Residency Form to the Department of Health, Division of Vital Records.

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 the Adoption Act and any local rules of court to obtain a full and final Pennsylvania adoption decree.

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; or
- the sole adopting parent was not present at the adoption hearing in the foreign 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 afford the child full United States citizenship.