

This information was collected from Internet sites that regulate or mediate adoptions, such as: State Department, USCIS, USA Child Welfare, US Embassy in Ukraine and Ministry of Social Policy of Ukraine.

To adopt a child from another country and bring that child to live in the United States, you must first be found eligible to adopt under U.S. law. The federal agency that makes this determination is U.S. Citizenship and Immigration Services (USCIS), part of the Department of Homeland Security.

You may not bring an adopted child (or a child for which you have gained legal custody for the purpose of immigration and adoption) into the United States until USCIS determines that you are eligible to adopt from another country.

National Requirements

You must meet certain requirements to bring a foreign-born child whom you've adopted to the United States. Some of the basic requirements include the following:

1. You must be a U.S. Citizen.
2. If you are unmarried, you must be at least 25 years old.
3. If you are married, you must jointly adopt the child (even if you are separated but not divorced), and your spouse must also be either a U.S. citizen or in legal status in the United States.
4. You must meet certain requirements that will determine your suitability as a prospective adoptive parent, including criminal background checks, fingerprinting, and a home study.

State Requirements

In addition to qualifying to adopt under U.S. law, you must also meet your home state's requirements for prospective adoptive parents. Learn more about individual state requirements on the [Child Welfare Information Gateway](#) website.

Foreign Country Requirements

Each country has its own requirements for adopting parents.

Foreign citizens must be married in order to be eligible to adopt from Ukraine. Under current Ukrainian law prospective adoptive parents must be at least 21 years old, and at least 15 years older than the adopted child. In case of adoption of an 18-year old child, the minimum age difference between the adopted child and the adopting parent must be at least 18 years. If only one of the adoptive parents complies with these age requirements, the adoption can be completed in the eligible parent's name only. If the child is being adopted by a relative, the age difference is not

considered.

Hague Requirements and Ukraine

Ukraine is not a part of the Hague Convention on Protection of Children and Cooperation in Respect of Inter Country Adoption ([Hague Adoption Convention](#)). Therefore, when the Hague Adoption Convention came into force for the United States on April 1, 2008, inter country adoption processing for Ukraine did not change. However, the Universal Accreditation Act (UAA) is effective as of July 14, 2014 and there is specific UAA guidance for Ukraine posted by the [State Department](#).

The Department for Adoption and Protection of the Rights of the Child (DAPRC), a part of the Ministry of Social Policy, is the only legal Ukrainian authority for adoptions. It maintains the database of adoptable children available for both domestic and international adoptions. DAPRC contact information is:

Ministry of Social Policy, Department for Adoptions and Protection of the Rights of the Child, 8/10, Esplanadna Str., Kyiv, Ukraine, 01601. Tel/Fax # (38) (044) 289-5262. e-mail: depdeti@ukr.net. <http://msp.gov.ua/content/usinovlennya.html>

Ukrainian law requires orphans to be at least five years old before they are eligible for inter country adoption. The law exempts children with certain special needs, relative adoptions, and sibling adoptions.

To bring an adopted child to the United States from Ukraine, you must be found eligible to adopt by the U.S. government. The U.S. government agency responsible for making this determination is the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

- In addition to these U.S. requirements for adoptive parents, Ukraine also has the following requirements for adoptive parents:
- **Age Requirements:** Under a Ukrainian law prospective adoptive parents must be at least 21 years old, and at least 15 years older than the adopted child. In case of adoption of an 18-year old child, the minimum age difference between the adopted child and the adopting parent must be at least 18 years. If only one of the adoptive parents complies with these age requirements, the adoption can be completed in the eligible parent's name only (classified as IR4 visa type).
- **Marriage Requirements:** Foreign citizens must be married in order to be eligible to adopt in Ukraine.
- **Income Requirements:** While there are no specified income requirements, prospective adoptive parents are required to submit documentation identifying their income/financial standing.

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- Ukraine has specific requirements that a child must meet in order to be eligible for adoption. You cannot adopt a child in Ukraine unless he or she meets these requirements, and is listed on the database of adoptable children available for inter country adoptions maintained by the central adoption authority in Ukraine, the SDAPRC.
- In addition to these requirements, a child must meet the definition of an *orphan* under U.S. law for you to bring him or her home back to the United States.

The Process

The process for adopting a child from Ukraine generally includes the following steps:

1. Choose an Adoption Service Provider
2. Apply to be Found Eligible to Adopt
3. Be Matched with a Child
4. Adopt the Child in COUNTRY
5. Apply for the Child to be Found Eligible for Adoption
6. Bring Your Child Home

1. **Choose an Adoption Service Provider:**

The first step in adopting a child from Ukraine is usually to select a licensed agency in the United States that can help with your adoption. Adoption service providers must be licensed by the U.S. state in which they operate.

2. **Apply to be Found Eligible to Adopt:**

To bring an adopted child from Ukraine to the United States, you must apply to be found eligible to adopt (Form I-600A) by the U.S. Government, Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

3. **Be Matched with a Child:**

The SDAPRC, the central adoption authority in Ukraine, maintains the database of adoptable children available for both domestic and inter country adoptions, and will help you meet and identify an eligible child to adopt. If you are eligible to adopt, and the SDAPRC approves your application, you will receive an appointment (invitation) to visit the SDAPRC. At this appointment SDAPRC officials will show you information about orphans eligible for inter country adoption, and issue a letter of referral to allow you to visit an orphanage to meet and establish contact with a child, and check his or her medical records.

SDAPRC will allow only three appointments to each adoptive family to look at the children's files. If you have not chosen a child after the third appointment, your adoption

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dossier will be returned to you immediately. You will need to submit a notarized statement to request a second/third appointment with your dossier to the SDAPRC and then they officially have ten business days to respond with the date of your second/third appointment. The SDAPRC also limits the number of adoption referrals issued to each family to two referrals.

Each family must decide for itself whether or not it will be able to meet the needs of a particular child and provide a permanent family placement for the referred child.

The child must be eligible to be adopted according to Ukraine's requirements. The child must also meet the definition of an orphan under U.S. law.

4. Adopt the Child in Ukraine:

The process for finalizing the adoption in Ukraine generally includes the following:

- a. **ROLE OF THE ADOPTION AUTHORITY:** The SDAPRC processes the documents submitted by the prospective adoptive parents and enters them into its database (within 20 working days). Upon approval of the application, the prospective adoptive parents receive an appointment to visit the SDAPRC to view information on eligible orphans for inter country adoption and who are within the parents' specified age range. SDAPRC issues a letter of referral allowing the parents to visit an orphanage to meet and make contact with a child. In addition to the referral letter, the prospective adoptive parents receive their documents (bound, numbered, sealed, and signed by an official in charge of SDAPRC) along with a separate sheet specifying the number of pages and the prospective adoptive parents' registration file code.

NOTE: SDAPRC officials will not meet with prospective adoptive parents who arrive without an appointment or on a day other than when their appointment is scheduled.

- b. **ROLE OF THE CHILDREN SERVICES:** With the referral and sealed and signed dossier, the prospective adoptive parents travel to the region, city or town (or stay in Kyiv if the orphanage is in Kyiv), come to the local Children Services (Department of the local administration authorities), talk to the head of the Children Services Department and then go to the orphanage in which the child they have a referral for is residing accompanied by the representative of the Children Services. Prospective adoptive parents have ten office days to create contact with the orphan they are planning to adopt. During those ten days the Children Services collect child's status documents from the orphanage, copies of prospective adoptive parents' dossier and work on a document which describes a possibility of adoption. When this document is ready prospective adoptive parents (or their translator/assistant/facilitator) submits

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it to the adoption authority (SDAPRC of the Ministry of Social Policy). Ministry of Social Policy will take ten office days to work on their final document, which is called “Agreement of the Ministry of Social Policy for Adoption”.

- c. **ROLE OF THE COURT:** After parents have received the Agreement of the Ministry of Social Policy, the file for the case is presented to the court in the region where the child resides. The power to approve or deny an adoption lies solely with the judge, who bases his or her decision on a review of various case-specific documents during the court hearing. Adoptive parents must attend the hearing.

The judge's decision is announced and issued the day of the hearing. However, it will not take effect for 10 days. During the 10 days the adoption can be appealed. If an appeal application is submitted, an additional 20-day period is granted for the appellant to file his/her complete appeal. This additional time can be shortened or waived if the court finds that delaying the final court decision would be contrary to the child's best interests. Once the final decision takes effect, the adoptive parents have full parental rights and legal responsibility for the child.

- d. **ROLE OF ADOPTION AGENCIES:** As stated above, Ukrainian law does not allow adoption intermediaries.
- e. **TIME FRAME:** Two-four months can pass between the prospective adoptive parents' submission of their application dossier and the SDAPRC appointment date. In addition, there is usually a 3 weeks-2 months wait between the initial filing of the adoption petition in the local court and issuance of the final adoption.
- f. **ADOPTION FEES:** There are no Ukrainian fees except those for court filing, notarial, translation, lodging, transportation, authentication of Ukrainian documents, fees for expedited services, and interpretation/translation services.
- g. **DOCUMENTS REQUIRED:** The following is a list of the documents required for an inter country adoption in Ukraine:

1. **Application to the Ministry of Social Policy to be registered as candidates for adoptive parents** – notarized and apostilled (sample is available).
2. **Passport** copy of each parent notarized and apostilled - 4 duplicates. Each copy on a separate sheet of paper.
3. **Home Study** must contain the following information: address, living conditions (number of bedrooms, living conditions for the adopted child or children), biographical data of both parents, family structure (number of members living together with the applicant, degree of relationship, biological children, if any), applicant’s attitude toward adoption, whether the adoptive parents have undergone any training on preparation to accept and take care of the adopted child, previous introduction to the adoption requirements in Ukraine, information

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regarding previously adopted children, their health, development, upbringing, living conditions, post adoption information on living in the family under the social worker's supervision. Home Study must include an approval and a recommendation for the number, age and health conditions of children that may be adopted by the adoptive family. If the family is recommended to adopt a special need child, specific diagnoses (diseases, illnesses) must be stated in the Home Study.

It is also necessary to state the following in the Home Study: whether the adoptive parents have ever been recognized as incapable by the court, have been deprived of their parental rights, or whether the adoption of previously adopted by them children have been cancelled, or the previously adopted by them children have been taken away from them, or if the adoptive parents have ever refused to take care of their children, biological or previously adopted – such facts must be described in the Home Study. If the family doesn't have a history of such facts then it also needs to be stated in the home study. Home Study needs to be signed by the social worker that prepared it, it needs to be stated that the social worker that prepared the Home Study is licensed in the state in which the Home Study was prepared, or that he (she) works for the adoption agency that is legally authorized and licensed to complete home studies in the state, and that this agency conducts adoptions for the agency that is Hague approved (and give that agency's name and address). Home Study needs to be approved by the Hague approved agency – notarized and apostilled – 3 duplicates with original stamps and signatures.

4. **License of the agency** that shows permission to conclude Home Studies for adoptions (needs to be valid at the time of conducting the Home Study) – notarized and Apostilled – 3 duplicates.
5. **Hague Accreditation Certificate** (document that contains information on the accreditation of the adoption agency on the territory of the foreign country – notarized and Apostilled – 3 duplicates.
6. **Copy of the Contract** signed between the adoptive parents and the agency for adoption on the territory of a foreign country, which guarantees the fulfillment of the following by both parties of the contract: submission of timely reports, informing of Ukrainian consulate office or any other diplomatic office on any unusual events, including the child's address change, arising of a possibility of the adoption termination or transferring the adopted child to be taken care of by other foreigners, to a child care institution for children who lost parental care, taking the child away from the adoptive parents, violation of the adopted child's rights, accidents, death of the adopted child, etc. This can be an extract from the contract – notarized and Apostilled – 3 duplicates.
7. **I-171H** - Copy of the USCIS form (notification that the adopted child will be issued a visa at the American Embassy in Kyiv) — notarized and Apostilled.
8. **Obligation** to register the child at the Ukrainian Consulate notarized and apostilled - 2 duplicates (sample is available).
9. *If one parent is adopting with the permission of the other – Home Study must contain the information on such permission and recommendation for one parent to complete the*

MAYA'S HOPE

*adoption process stating the reasons for such recommendation. Also a notarized **Consent** given by one parent to the other is needed. Consent must be notarized and Apostilled. This does not apply to those families who adopt together.*

10. **Tax Returns for the previous year or Certificate from work** which must include information on the salary for the last 6 months for both parents, unless the Home Study says that the mother doesn't work and is a full-time housekeeper – notarized and Apostilled.
11. **Copy of Marriage Certificate** - notarized (or authenticated by the court or authority of issuance) and Apostilled – 2 duplicates.
12. **Medical Certificate** for each adoptive parent must have dates next to each specialist's diagnoses, dates next to each blood test. Also if there are any diagnoses there must be the International Code of that Diagnoses stated next to the diagnoses itself (like F 33) – notarized and Apostilled (sample is available).
13. **FBI Clearance** for each adoptive parent – notarized and Apostilled.
14. **Property Ownership Certificate**, issued by a competent agency must contain the data on general square footage of the house, living square footage, number of bedrooms. Preferably **Deed** – notarized and Apostilled.
15. **Interpol Consent** – notarized and Apostilled – 2 duplicates.
16. **Application giving permission for data processing** – notarized and apostilled - 3 duplicates.
17. **Power-of-Attorney** for the adoption services provider in Ukraine – notarized and Apostilled.
18. **Power-of-Attorney for each other** (husband to wife and vice versa) in case one parent will need to leave earlier, so the other one can continue the process – notarized and Apostilled. *If only one parent is adopting this Power of Attorney is not needed.*
19. If a family has adopted from Ukraine before, an additional document is required. **Information of the Consulate Office (Embassy) of Ukraine** on opportuneness (inopportuneness) submission of the reports and the presence (absence) of the facts of incorrect fulfillment of their duties by the adoptive parents, who are foreigners – does not need to be notarized or Apostilled. It comes in two languages – Ukrainian and English.

NOTE: On the date of submission of the documents to the SDAPRC, they should remain valid for at least six months. Documents are valid for 12 months from the date of issuance, except for the I-171H form, which is valid for 18 months. Additional documents may be requested.

5. Apply for the Child to be Found *Eligible for Adoption*:

After you finalize the adoption in Ukraine, the U.S Government, Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) **MUST** determine whether the child is eligible under U.S. law to be adopted (Form I-600).

6. **Bringing Your Child Home:**

Once you receive the court decree on adoption you are almost done but there are a few more steps to take before you can head home. Specifically, you need to apply for several documents for your child before he or she can travel to the United States:

a. **Birth Certificate**

You will first need to apply for a new birth certificate for your child, so that you can later apply for a passport. Your name will be added to the new birth certificate.

Once the final decree has been issued, the local Vital Records Office (RAGS) issues the child a new birth certificate. In order to receive the revised birth certificate, parents must submit both the court decree and the child's original Ukrainian birth certificate. Parents should make notarized copies (usually five will be needed) of the pre-adoption birth certificate because it will not be returned.

b. **Ukrainian Passport**

Your child is not yet a U.S. citizen, so he/she will need a Passport from Ukraine to travel abroad.

After receiving the post-adoption birth certificate, the parents may apply to the local Department of Migration and Passport Services for a Ukrainian passport for their child. Parents must present a written and notarized request that the travel document be issued. Along with the request, parents should provide the post-adoption birth certificate, final court decree, and four passport photos of the child. Issuance of the passport may take up to 10 days following the application submission.

At the time the passport is issued, a special, mandatory stamp is put in it showing the child is departing Ukraine for permanent residence abroad. The stamp is called a "PMP-stamp" for the words "permanent residence" in Ukrainian.

c. **U.S. Immigrant Visa**

After you obtain the new birth certificate and passport for your child, you also need to apply for a U.S. visa from the United States Embassy for your child. After the adoption is granted, visit the U.S Embassy for final review and approval of the child's I-600 petition and to obtain a visa for the child. This immigrant visa allows your child to travel home with you. As part of this process, the Consular Officer must be provided the "Panel Physician's" medical report on the child if it was not provided during the provisional approval stage.

- d. **NOTE:** *In Ukraine, the 10-day waiting period for the passport issuance is in addition to the 10-day waiting period following the final court hearing.*

Child Citizenship Act

For adoptions finalized abroad: The Child Citizenship Act of 2000 allows your new child to acquire American citizenship automatically when he or she enters the United States as lawful permanent residents.

For adoptions finalized in the United States: The Child Citizenship Act of 2000 allows your new child to acquire American citizenship automatically when the court in the United States issues the final adoption decree.

*Please be aware that if your child did not qualify to become a citizen upon entry to the United States, it is very important that you take the steps necessary so that your child does qualify as soon as possible. Failure to obtain citizenship for your child can impact many areas of his/her life including family travel, eligibility for education and education grants, and voting.

What does Ukraine require of the adoptive parents after the adoption?

Ukraine requires adoptive parents to supply information about the adopted child's living conditions and educational progress to the Ukrainian consular office annually during the first three years following the adoption and once every three years thereafter, until the child's 18th birthday. Note: Under Ukrainian law, an adopted child remains a citizen until he/she turns 18 years old. At that time, he/she can decide whether or not to remain a Ukrainian citizen.