

Important Reminders

About Your Child's Citizenship *by Angela Kopplin*

A few weeks ago we received a panicked call from a family who wanted to travel out of the country with their teen-aged son. Unfortunately, they never completed their paperwork after he arrived home and now they cannot get a passport for him until they go through months of forms and documents to get his Certificate of Citizenship.

This situation (or similar cases) happens all too often to adoptive parents and adult adoptees who realized that their parents did not follow through with the necessary procedures to ensure U.S. Citizenship before they were legal adults. We know it is so easy to get lost in the joy of finally being able to hold, love and play with your son or daughter. After months of paperwork sometimes it is hard to face the post-placement paperwork (finalization/re-finalization and citizenship). However, the story above illustrates just one of the reasons these steps are so important.

Finalization/Re-Finalization provides many protections for your child.

- For Korea families, your child remains under the legal guardianship of Dillon International until you finalize in the United States and we need your U.S. Final Decree to terminate your child's Korean citizenship.
- For India families, you are not your child's legal parents (only guardians) until you finalize in the United States.
- For families who adopted from China, Haiti, Guatemala, Vietnam, Russia, Thailand and Ukraine where you finalized in your child's birth country before coming home, there are many reasons to complete the re-finalization here in the United States which include:
 - Some courts, municipalities, and organizations may not recognize an international adoption decree and birth certificate as a valid legal document within the United States.
 - Finalization in the U.S. will ensure an adoptee receives full inheritance rights and privileges.
 - An adoptee whose adoption has been re-finalized in the US can readily access Vital Records to obtain a certified or legal copy of their birth certificate and adoption decree through their state.
 - Families often receive only one original legal adoption decree and birth certificate in-country. If these documents are lost or accidentally destroyed, the likelihood and efficiency of obtaining new documents will be very timely and potentially costly—if available at all from your child's country.
 - If an adoptee wants to adopt, join the military, marry, apply for college, travel abroad or work for a government entity, they will need a copy of their birth certificate—in many cases a certified copy.

U.S. Certificate of Citizenship from US Citizenship and Immigration Services (CIS) provides additional protections.

Since the Child Citizenship Act went into effect (February, 27, 2001), adopted children are legal U.S. citizens upon finalization of the child's adoption and entry into the United States. If you

finalized in your child's birth country after January 2004 and traveled on an IR-3 Visa, you automatically receive a Certificate of Citizenship in the mail a couple months after you arrive home with your child. If the Certificate you receive does not list your child's new legal English name, **it is extremely important that you take the necessary steps to obtain a Certificate of Citizenship with your child's English name on it¹**. This is important so that each of your child's proof of identification documents match (ie birth certificate, U.S. Adoption Decree, social security card, passport.)

If you finalized in your child's birth country BEFORE January 2004 and traveled on an IR-3 Visa, you would not have received your child's Certificate of Citizenship automatically. **Therefore, you need to take the necessary steps to obtain a Certificate of Citizenship with your child's English name on it²**.

For families who only finalize in the United States (i.e. Korea and India), your child does become a citizen after that finalization, but you do not automatically receive a Certificate of Citizenship. **You must file the necessary papers to receive your child's Certificate²**. (Note – if your child was 18 or older on February 27, 2001, they will be required to go through the Naturalization process to obtain their Certificate. Please contact our office for more information.)

- A Certificate of Citizenship for your child will provide non-expiring, irrefutable proof of your child's citizenship
- A United States passport and/or final decree are often not enough. If lost or stolen, and with heightened immigration standards, you or your child may be required to produce additional documentation of citizenship. Also, passports expire and you are solely responsible for updating the document until your child is an adult. Then your child would be required to have a current passport their entire life!
- Although the CIS website says that you do not need a Certificate of Citizenship if your child arrived home after February, 2001, the reality that families experience is much different. Most local organizations, agencies, schools and the military will not accept the Adoption Decree as proof of citizenship. (*One of our staff could not get their child into college, even with a Certificate of Foreign Birth, until they were able to provide proof of citizenship.*)
- Many families have trouble obtaining their child's Social Security Number at their local Social Security Office without a valid Certificate of Citizenship.
- As illustrated in the story above, families with older children or adult adoptees have a much tougher time obtaining a Certificate of Citizenship and may be prevented from traveling outside of the United States. (The process for these adopted children includes applying, fingerprints, interviews with CIS, an exam and taking an oath.)

If you have any questions about your child's post-adoption paperwork, please contact Zach in our Post Placement Department at PostPlacement@dillonadopt.com or 918-749-4600.

¹ To obtain a Certificate of Citizenship with your child's English name on it, you must file the Form N565 with CIS. You can download the form at www.USCIS.gov. You can also contact our office for a document to assist you in filing this form.

² To obtain a Certificate of Citizenship, you must file the Form N600 with CIS. You can download the form at www.USCIS.gov. You can also contact our office for a document to assist you in filing this form.