

INTERCOUNTRY ADOPTION -- THAILAND

April 2007

Disclaimer: The following is intended as a very general guide to assist U.S. citizens who plan to adopt a child from a foreign country and apply for an immigrant visa for the child to come to the United States. Two sets of laws are particularly relevant: 1) the laws of the child's country of birth govern all activity in that country including the adoptability of individual children as well as the adoption of children in country in general; and 2) U.S. Federal immigration law governs the immigration of the child to the United States.

The information in this flyer relating to the legal requirements of specific foreign countries is based on public sources and our current understanding. It does not necessarily reflect the actual state of the laws of a child's country of birth and is provided for general information only. Moreover, U.S. immigration law, including regulations and interpretation, changes from time to time. This flyer reflects our current understanding of the law as of this date and is not legally authoritative. Questions involving foreign and U.S. immigration laws and legal interpretation should be addressed respectively to qualified foreign or U.S. legal counsel.

INTRODUCTION: U.S. citizens wishing to adopt a Thai child should be aware that an adoption is a complex and lengthy process which may take up to two years to complete. They should also be aware that both Thai adoption procedures and U.S. immigration procedures must be followed before the child can enter the United States. This sheet provides an overview of the process. However, procedures are subject to change, and all prospective adoptive parents should contact the Thai Child Adoption Center, U.S. Citizenship and Immigration Services (USCIS) and U.S. consular officials at the American Embassy in Bangkok regarding their specific circumstances.

PATTERNS OF IMMIGRATION OF THAI ORPHANS TO THE UNITED STATES:

Recent U.S. immigrant visa statistics reflect the following pattern of U.S. immigrant visa issuances to Thai orphans:

Fiscal Year	Number of Immigrant Visas Issued
2006	56
2005	72
2004	68
2003	72
2002	66

THAI ADOPTION AUTHORITIES: All adoptions in Thailand must be processed through the Child Adoption Center of the Department of Social Development and Welfare (DSDW), which is the sole governmental social welfare agency responsible for adoption of Thai children. For

complete information and application forms, prospective adoptive parent(s) should contact DSDW at:

Child Adoption Center

Department of Social Development and Welfare (DSDW)

225 Ratchawithi Road

Bangkok 10400

Tel. (66) (2) 354-7515;

Email: adoption@loxinfo.co.th

In addition, four non-governmental organizations (NGOs) are licensed to deal with DSDW's Child Adoption Center in cases where a child is to be placed abroad. These are:

Holt Sahathai Foundation

Street Address

850/33 Sukhumvit 71

Bangkok 10110

Mailing Address:

P. O. Box Nana Nua 1478,

Bangkok 10110

Tel. (66)(2) 381-8834

Thai Red Cross Foundation

Chulalongkorn Hospital

Corner of Rama IV Road and Rajdamri Road

Bangkok 10300

Tel. (66)(2) 252-8181 or (66)(2) 256-4178

Pattaya Orphanage

Pattaya City, Chonburi

Mailing Address:

P.O. Box 15,

Pattaya City, Chonburi 20151

Tel. (66)(38)422-745

Friends for All Children

25 Soi Ruam Ruedee 1 (Off Ploenchit Road)

Bangkok 10330

Tel. (66)(2) 252-6560;

Email: ffac1@loxinfo.co.th

ELIGIBILITY REQUIREMENTS FOR ADOPTIVE PARENTS: Thai law (Adoption Act, April 1979) stipulates strict requirements and procedures for adoption of children in Thailand. Consequently, American prospective adoptive parents who do not meet the following criteria

should contact DSDW before pursuing the matter further. The basic criteria for adoptive parent(s) are:

1. Being at least 25 years of age;
2. Being at least 15 years older than the child to be adopted;
3. Being legally qualified under your U.S. law to adopt a child; and
4. Having a legitimate spouse (if applying as a couple).

THAI REGULATIONS REGARDING ADOPTIVE CHILDREN: It is not possible to apply for more than one child at a time, except for twins, siblings, or in cases of adoption of the children of the applicant's Thai spouse. DSDW advises that it is extremely unlikely that an abandoned child under the age of one year would be available for foreign adoption.

PROCEDURES TO ADOPT A THAI CHILD (General Overview Table with Estimated Timeframes):

The following summary of the adoption process is intended as a general guideline only. Processing times may vary considerably depending on individual circumstances. Incomplete or incorrect applications and documents will significantly delay processing time. **PLEASE NOTE:** There is no guarantee that an application will be accepted by the Child Adoption Board or that a child will be matched.

ACTION	TIMEFRAME
1. Contact Department of Social Development and Welfare (DSDW) or authorized Thai NGO for application forms and list of authorized adoption agencies	
2. Engage licensed adoption agency in state of residence to conduct home study	Varies
3. File I-600A (or I-600 if child has been identified) with USCIS office in U.S.	3-6 months for USCIS approval
4. Submit completed application to DSDW with all supporting documents	6 to 12 months for DPW to match approved application with child and receive CAB approval
5. DSDW (or NGO) matches child with adoptive parent(s)	
6. Advise DSDW whether proposed match is acceptable	
7. Child Adoption Board (CAB) reviews match; if approves, sends to Ministry of Social Development and Human Security for final approval	
8. Interview with CAB	Approximately 2 months for appointment

9. File I-600 with USCIS (if I-600A previously filed)	Expedited Processing
10. Apply for IR4 immigrant visa at Consular Section IV Unit	Same or next day visa pickup
11. Licensed adoption agency in U.S. supervises pre-adoption placement with at least three bi-monthly visits and reports to CAB	Not less than 6 months
12. CAB approval of final adoption under Thai law	Approximately 2 months
13. Parent(s) registers adoption at Thai Embassy or Consulates	Within 6 months of notification of CAB approval
14. Parent(s) registers adoption with U.S. authority	

PROCEDURES TO ADOPT A THAI CHILD (Step by Step Outline):

1. Prospective adoptive parent(s) obtain official DSDW application forms (these forms may be obtained from DSDW or from one of the above NGOs). These forms elicit biographic, health, and financial information about the prospective adoptive parent(s).
2. Prospective adoptive parent(s) engage an adoption agency or child welfare organization licensed by their state of U.S. residence to perform a home study (this agency must also be recognized by DSDW--a list of recognized agencies is available from DSDW).
3. The licensed agency or organization in the United States assembles the application forms and supporting documents for submission to DSDW. The application must be accompanied by the following:
 - **Completed home study** - All homestudies MUST be conducted or endorsed by one of the agencies approved by the DSDW. Therefore, home studies conducted by a non-DSDW agency (eg homestudies done for the I-600A procedure) must obtain an endorsement from a DSDW approved agency agreeing to supervise the pre-adoption placement.
 - **Confirmation Statement** - the adoption agency supervising the pre-adoption placement must confirm that after the adoption is finalized under Thai law, it will also be legalized under the laws of the applicant's state of residence, as applicable.
 - **Formal Commitment Statement** – If the prospective adopting parents reside in Thailand, DSDW's social workers will conduct three bi-monthly home visits and supervise the pre-adoption placement of the child. If and when DSDW is satisfied with the pre-adoption placement, DSDW reports their finding to the Child Adoption Board (CAB) who will in turn approve the child for adoption. If the prospective adopting parents do not reside in Thailand, the U.S. licensed adoption agency must formally commit to supervise a pre-adoption placement of at least six months and conduct at least three bi-monthly progress reports will be provided to DSDW.
 - **Medical Certificate** - verifying good physical health, mental stability, and infertility (if applicable) for prospective adoptive parent(s)
 - **Birth Certificate(s)** - for parent(s), for both if married

- **Marriage Certificate**
- **Proof of Termination of Previous Marriages** - death certificate of spouse or divorce decree
- **Proof of Occupation and Income** - letter from employer
- **Complete Financial Statement** - indicating all assets and liabilities
- **Recommendations from Two Responsible Persons**
- **Current License of Involved Adoption Agency**
- **Photographs of (both if married) Prospective Adoptive Parent(s)** - (4 each), 4.5 cm x 6 cm, and of their children (if applicable)
- **Statement from USCIS or Consular Officer confirming that the child to be adopted will be the beneficiary of an immigrant visa.** *(NOTE: for U.S. citizens who reside in Thailand, the Consular Section's visa unit will provide a letter to this effect. For U.S. citizens who do not reside in Thailand, evidence of an approved I-600A or I-600 petition is sufficient.)*

If the prospective parent(s) reside in the United States, all the above-listed documents must be authenticated or "verified" by the Thai Embassy or one of the Thai consulates in the U.S. All documents must be in English or Thai. Any documents not in English or Thai must be accompanied by English or Thai translations.

4. If the above documentation is acceptable, DSDW (or one of the four NGOs listed earlier in this flyer) matches the prospective adoptive parent(s) with a child. The prospective parent(s) are provided with photos and information about the background and health condition of the child. *(NOTE: DSDW reserves the right to review and investigate matches made by the NGOs.)*

5. The prospective adoptive parent(s) must advise DSDW whether they wish to proceed with the adoption of the proposed child. The application will then be given to the Child Adoption Board (CAB) for review. If the Child Adoption Board agrees to the suitability of the prospective adoptive parent(s) for pre-adoption placement of the child, the case is referred to the Minister of Social Development and Human Security for official authorization. *(NOTE: Steps 4 and 5 together frequently take six months to one year to complete.)*

6. When the pre-adoption placement is approved, a definite appointment is made by DSDW (or one of the NGOs) for the prospective parent(s) to be interviewed by the Child Adoption Board. The meeting with the Board is essentially a formality. If married, both prospective adoptive parents must attend this meeting. *(NOTE: The waiting period for such an appointment may be as long as three months, depending on the CAB's schedule.)*

7. DSDW will issue documents necessary for the child's travel, including a Thai passport. These documents will normally be issued on the same day as the meeting with the Board. The parent(s) will also receive the child on the same day. *(NOTE: Occasionally issuance of documents takes longer. DSDW advises adoptive parents to plan to stay in Thailand for approximately two weeks total.)* Parent(s) adopting from Thailand for a second time may request that a DSDW social worker escort the child to the United States instead of appearing before the Child Adoption Board as outlined below. All costs of such travel by the escort are the responsibility of the adoptive parent(s).

At this point, the parent(s) will be eligible to apply for a U.S. orphan immigrant visa per instructions below. However, the Thai adoption will not be complete until the following steps have occurred:

- When the prospective adoptive parent(s) have returned to the U.S. with the child and at least three bi-monthly reports on the pre-adoption placement have been submitted to DSDW, DSDW will refer the case to the Child Adoption Board for approval of final adoption under Thai law.
- The adoptive parent(s) have to register the adoption under Thai law within six months of notification of finalization by the Board. This can be done at the Thai Embassy or Consulates in the United States. (Please note that at this point, the adoptive parents will have to take their child to their local USCIS office to finalize the visa and citizenship procedures for their child.)

AUTHENTICATING U.S. DOCUMENTS TO BE USED ABROAD: The language describing the process of authenticating U.S. documents to be used abroad is currently under review. Please click on the following link for more information until the new language is finalized: <http://www.state.gov/m/a/auth/>.

THAI EMBASSY AND CONSULATES IN THE UNITED STATES:

The Royal Thai Embassy, Washington, D.C.

1024 Wisconsin Avenue, N.W.

Washington, D.C., 20007

Telephone (202) 944-3600

Website: <http://www.thaiembdc.org>

Thailand also has consulates in Chicago, Los Angeles and New York City.

U.S. IMMIGRATION REQUIREMENTS

Prospective adoptive parents are strongly encouraged to consult USCIS publication [M-249, *The Immigration of Adopted and Prospective Adopting Children*](#), as well as the Department of State publication, [International Adoptions](#). The USCIS publication is available at the [USCIS Web site](#). The Department of State publication International Adoption can be found on the Bureau of Consular Affairs web site, travel.state.gov, under “International Adoption.”

Before completing an adoption abroad, prospective adoptive parents are strongly encouraged to read the requirements for filing Form I-600, Petition to Classify Orphan as an Immediate Relative. Please see the flyer [“How Can Adopted Children Come to the United States”](#) at the U.S. Department of State, Bureau of Consular Affairs web site travel.state.gov.

U.S. Embassy and Consulates General in Thailand: Americans living or traveling abroad are encouraged to register with the nearest U.S. Embassy or Consulate via the State Department’s travel registration website, <https://travelregistration.state.gov/>, and to obtain updated information on travel and security within the country of travel. Americans without Internet access may register directly with the nearest U.S. Embassy or Consulate. By registering, American citizens

make it easier for the Embassy or Consulate to contact them in case of emergency. The Consular Sections of the Embassy and Consulates General are located at:

Embassy of the United States of America, Bangkok

Consular Section

95 Wireless Road

Bangkok, Thailand 10330

Tel. (66)(2) 205-4000

Fax: (66)(2) 253-6250

Email: visasbkk@state.gov

Website: <http://bangkok.usembassy.gov/consulcm/index.htm>

U.S. Mailing Address:

U.S. Embassy, Bangkok

APO AP 96546

Hours of Operation: 7:00 am to 4:00 p.m. (closed 12:00 to 1:00 p.m.)

Consulate General at Chiang Mai

Vidhyanond Road

Tel. - 66-2-252-629/30-33

Website: <http://bangkok.usembassy.gov/consulcm/index.htm>

APPLYING FOR A VISA AT THE U.S. EMBASSY IN THAILAND: In order to apply for an immigrant visa abroad, the U.S. citizen parent must first file a petition with US Citizenship and Immigration Services (USCIS). This petition, Form I-600, has two parts. Form I-600 is filed when a specific child has been identified for adoption. Form I-600A is filed when the prospective adoptive parent has not yet identified a child for adoption. The prospective adoptive parent must file either an I-600 or I-600A petition with the USCIS office having jurisdiction over his/her place of residence in the U.S. In either case, USCIS transmits notification of approval of the petition to the U.S. consulate in the country where the parent seeks to adopt. If an I-600A was filed initially, an I-600 must be filed and approved once a child is identified. Until USCIS has approved an I-600 petition, no immigrant visa may be applied for.

For U.S. citizens who are residents of Thailand, the I-600 and I-600A may be filed at the USCIS Bangkok Office. Questions regarding procedures for filing these forms should be directed to the Bangkok District Director.

U.S. Citizenship and Immigration Service

15th Floor, Tower 2, Sindhorn Building

130-132 Wireless Road,

Bangkok, Thailand 10330

Tel. (66)(2) 205-5382

Fax: (66)(2) 650-7770

Email: BKKCIS.Inquiries@dhs.gov

For U.S. citizens who adopt in Thailand, USCIS notice of approval is sent to the Immigrant Visa Unit of the Consular Section. If an I-600A was filed in the U.S., an I-600 may be filed with the Bangkok USCIS office once the Thai Child Adoption Board has approved pre-adoption placement. Once USCIS Bangkok approved the I-600, the child is eligible for an immigrant visa interview.

The Consular Section's Immigrant Visa (IV) Unit conducts immigrant visa interviews and issues visas to children eligible for adoption. Interviews are conducted by appointment only, Monday to Friday mornings. To request an appointment, please call or visit the IV Unit any afternoon. Immigrant visas are normally issued on the same day as the visa interview and may be picked up in the afternoon.

ACQUIRING U.S. CITIZENSHIP: The language describing the acquisition of U.S. citizenship for adopted children is currently under review. Until the new language is finalized, please click on the following link for further information:

http://travel.state.gov/family/adoption/info/info_457.html.

ADDITIONAL INFORMATION: Specific questions about adoption in Thailand may be addressed to the U.S. Embassy in Bangkok. General questions regarding intercountry adoption may be addressed to the Office of Children's Issues, U.S. Department of State, CA/OCS/CI, SA-29, 4th Floor, 2201 C Street, NW, Washington, D.C. 20520-4818, **toll-free Tel: 1-888-404-4747**. Useful information is also available from several other sources:

Telephone:

- **Toll Free** - For information on intercountry adoption and international parental child abduction, call Overseas Citizens Services at 1-888-407-4747. This number is available from 8:00 a.m. to 8:00 p.m. Eastern Standard Time, Monday through Friday (except U.S. federal holidays). Callers who are unable to use toll-free numbers, such as those calling from overseas, may obtain information and assistance during these hours by calling 1-202-501-4444.
- **U.S. Department of State Visa Office** - recorded information concerning immigrant visas for adopting children, **(202) 663-1225**.
- **U.S. Citizenship and Immigration Services** - recorded information for requesting immigrant visa application forms, **1-800-870-FORM** (3676).

Internet:

- **Adoption Information Flyers:** The U.S. Department of State, Bureau of Consular Affairs web site at: <http://travel.state.gov/> contains intercountry adoption information flyers like this one and the *International Adoptions* brochure.
- **Consular Information Sheets:** The State Department has general information about hiring a foreign attorney and authenticating documents that may supplement the country-specific information provided in this flyer. In addition, the State Department publishes Consular Information Sheets (CISes) for every country in the world, providing information such as location of the U.S. Embassy, health conditions, political situations, and crime reports. If the situation in a country poses a specific threat to the safety and

security of American citizens that is not addressed in the CIS for that country, the State Department may issue a Public Announcement alerting U.S. citizens to local security situations. If conditions in a country are sufficiently serious, the State Department may issue a Travel Warning recommending that U.S. citizens avoid traveling to that country. These documents are available on the Internet at: <http://travel.state.gov/> or by calling the State Department's Office of Overseas Citizen Services Toll Free at 1-888-407-4747. This number is available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. federal holidays). Callers who are unable to use toll-free numbers, such as those calling from overseas, may obtain information and assistance during these hours by calling 1-202-501-4444.

- **USCIS web site** - <http://uscis.gov/>.