

Finalization or Re-Finalization: Massachusetts

Please make certain to read through the introductory information about the post placement period available in the WHFC Client Portal - especially the information about determining your child's visa type. Your Finalization Coordinator is Jessica Ellison. Please feel free to let her know of any questions you may have.

Name	Phone	Fax	Email
Jessica Ellison	781.419.0397	781.899.2769	jellison@whfc.org

Under the laws of the Commonwealth of Massachusetts, a petition can be filed for the adoption of your child after he or she has been living in your home for at least six months and all post placement requirements have been satisfactorily met. Families must finalize their adoption or re-adoption in the Probate and Family Court of their county of residence. It is highly advisable to work with an attorney experienced in international adoptions. Such an attorney will be best able to assist you in navigating case specific requests by courts. However, in all counties except Suffolk, families do have the option of finalizing or re-adopting on their own. Should you choose to represent yourself, you will need to contact the Adoption Clerk at the Probate and Family Court in your county for further information and to obtain all necessary court filing forms. Please be advised that the adoption clerks in these courts are not attorneys, and can not advise you on the law relative to finalization or re-finalization. Pursuing this process on your own does lead to additional work for you and may be confusing. Some families who have made the decision to work with the court directly have done so quite successfully. Others have ultimately hired an attorney.

IMPORTANT: As you prepare for this process, if you are a married couple, a certified copy of your marriage certificate with a raised seal will be needed (in all counties except Plymouth County). If you do not have a spare certified copy, you may wish to request this early in your post placement period.

Once your final post placement report is complete (usually a few weeks after your final post placement visit), all medicals and photos are received and any other outstanding post placement requirements have been met, you will be sent the WHFC documents needed for finalization. This will include official copies of your home study report, home study updates, and post placement reports. If you adopted from the Philippines, you will also be sent the official legal documents from your child's country of birth and WHFC's consent to your adoption. For children adopted from countries other than the Philippines, you will also need the official documents you received while in country.

If you would prefer, we can provide these documents directly to your chosen attorney if you alert Jessica Ellison (jellison@whfc.org) to your request. This does require that you have already officially retained the services of the attorney and provided written authorization to

WHFC to release the documents to someone other than you, including the name and address of the attorney.

If you delay this process and wish to pursue it in the future, the courts will typically require an updated post placement report. This will require an service additional fee to WHFC.

ADOPTION FINALIZATION PROCESS: Your child was adopted from the Philippines (or possibly other countries long ago)

As you are aware, your child has arrived under the placement authority of WHFC. Once your post placement period is complete and the needed paperwork is available, it is important to move forward with finalization as soon as possible. Securing your child's adoption decree and U.S. birth certificate are very important steps. While you have been providing all care since your child's arrival, this process will secure your legal standing as parents.

It is very important that you remember to submit a copy of your child's US decree to WHFC as it is needed abroad and to be filed with the US Secretary of State within 30 days of the decree.

A photocopy, scan, or fax is sufficient and should be sent to Jessica Ellison whose contact information is on the previous page of this document.

Your attorney or the court will provide information regarding when you will actually receive the decree and the needed steps to request a birth certificate, as this varies significantly by county.

Additional Information For Families with Children from Other Countries

While you are the legal parents of your child by virtue of the court process completed abroad, it is advisable or required to re-finalize your adoption in the Massachusetts' courts.

The re-adoption process is much easier to complete shortly after your 6 month post placement period ends than it will be if you wait to pursue it in the future.

If your child arrived on an IR-4: In order for your child to be a U.S. citizen, you will need to re-finalization the adoption in the Massachusetts' courts. Furthermore, you are required by law to re-finalize so that the foreign adoption can be recognized by the U.S. **Your child is not a US citizen unless you do so.**

If your child arrived on an IR-3 or IH-3 visa, re-adoption is highly recommended, but not needed for citizenship. There are many reasons why re-adoption is highly advisable. Re-adoption will allow a legal name change for your child, if needed. It is also how you will receive

a U.S. adoption decree and/or U.S. birth certificate. As it can be impossible (or at least very difficult) to receive new copies of a foreign birth certificate, it is far easier to have a U.S. birth certificate. Additionally, should you choose not to readopt, your child may not be entitled to all of the rights they should have as your child under U.S. and state law (i.e., some future scholarships).

Your attorney or the court will provide information regarding when you will actually receive the decree.

Attorney Recommendations

The following attorneys are very familiar with international adoption, the documentation from the countries WHFC works with, and the nuances of the local courts. We highly recommend the following:

Counties: Barnstable, Bristol, Duke, Essex, Middlesex, Nantucket, Norfolk, Plymouth, and Suffolk

Amy Berlin Cook
Phone: 781.934.3268
Fax: 781.934.4632

County: Berkshire, Franklin, Hampden, Hampshire, Worcester

Renee S. Wetstein
222 Elm Street, Northampton, MA 01060
Phone: 413.582.0044
Fax: 413.582.0055

Birth Certificates

After the finalization proceedings at the court, and once you have the necessary paperwork back from court, you can obtain a new birth certificate (sometimes referred to as an amended birth record) from the town hall of the town in which you live. Take the following documents with you:

1. Proof of residency (i.e., phone bill, credit card bill, etc.)
2. Original foreign documents (they will make a copy and return to you)
3. Original Certificate of Adoption (R-891). They will keep this.
4. Your child's foreign passport (may or may not be requested, but advisable to bring)



5. Certificate of Citizenship or U.S. passport (only if you already have it) or permanent resident card.

The town hall will process your paperwork and forward to Bureau of Vital Statistics in Boston. It may take several weeks to receive documents.