

Finalization or Re-Finalization: Vermont

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

Important: The state of Vermont requires parents to file the court documents within 45 days of a child's arrival home.

Under the laws of the state of Vermont, families must finalize their adoption or re-adoption in their county of residence. Unless your child has an IR-3 or IH-3 visa, 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, families do have the option of finalizing or re-adopting on their own. You may explore this option reviewing the information and resources presented here. Your social worker and Jessica Ellison in the WHFC Central Office can be consulted. Please be aware that 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.

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.

Category 1: Your child arrived on an IR3 or IH3 visa and your child's name appears exactly as you wish on the foreign adoption decree

You do not need to go through the re-adoption process. After you receive your child's certificate of citizenship in the mail (usually within 60 days of arrival), you may obtain a birth certificate from the VT Department of Health with your child's adopted name.

Category 2: Your child arrived on an IR3 or IH3 visa and your child's name DOES NOT appear exactly as you wish on the foreign adoption decree

You need to proceed with re-adoption. This will allow you to change your child's legal name to the chosen name and ultimately to file for a birth certificate.

The following documents need to be filed with the VT courts within 45 days to initiate and complete the re-adoption process. The following documents need to be submitted all together at one time.

- \$75 check to cover court costs
- 1 Adoption Petition form (Download from www.vermontjudiciary.org – click Court Forms, read general instructions, then Probate Forms, then non-relative adoption to get petition – must be notarized)
- Statement of Adoptive Parent Expenses (form available with Petition, list of expenses will be sent to you by WHFC with the items listed below)
- If married, a copy of marriage license (some courts require an original with a raised seal)
- Copy of child’s legal documents and translations
- The following items which will be sent to you by WHFC once 1st Post Placement Report is available:
 - An official copy of your home study
 - Copy of your record checks
 - WHFC first post placement report
 - Letter requesting to waive the 6 month post placement period in order to finalize
- If you adopted from Korea or India, please make certain to send WHFC a copy of your decree. It can be faxed, emailed, or mailed to Jessica Ellison.

Category 3: Your child arrived on an IR-4 or IH-4 visa and a foreign decree is available

You need to proceed with re-adoption. YOUR CHILD IS NOT A U.S. CITIZEN UNLESS YOU DO SO. This will also allow you to change your child’s legal name to the chosen name and ultimately to file for a birth certificate.

The following documents need to be filed with the VT courts within 45 days to initiate and complete the finalization process. The following documents need to be submitted all together at one time.

- \$75 check to cover court costs
- 1 Adoption Petition form (Download from www.vermontjudiciary.org – click Court Forms, read general instructions, then Probate Forms, then non-relative adoption to get petition – must be notarized)
- Statement of Adoptive Parent Expenses (WHFC will send the information needed with items below)
- If married, a copy of marriage license (some courts require an original with a raised seal)
- Copy of your and your spouse’s birth certificates

- Copy of child’s legal documents and translations
- The following items which will be sent to you by WHFC once 1st Post placement Report is ready:
 - An official copy of your home study
 - Copy of your criminal record checks
 - WHFC first post placement report
 - Cover letter regarding required 180 day post placement period

At the 6 month mark, WHFC will submit both the Interim and Final Post Placement Reports to the court. At that time, a final hearing is scheduled. The court will send you a notice with the date and time. This completes the Finalization process.

Category 4: Your child was adopted from the Philippines or Korea (if before courts in Korea were involved).

You need to proceed with finalization. While you have been providing all care since your child’s arrival, this process will secure your legal standing as parents. As you are aware, your child has arrived under the guardianship (Korea) or placement authority (Philippines) of WHFC.

The following documents need to be filed with the VT courts within 45 days to initiate and complete the finalization process. The following documents need to be submitted all together at one time.

- \$75 check to cover court costs
- 1 Adoption Petition form (Download from www.vermontjudiciary.org – click Court Forms, read general instructions, then Probate Forms, then non-relative adoption to get petition – must be notarized)
- Statement of Adoptive Parent Expenses (WHFC will send the information needed with items below)
- If married, a copy of marriage license (some courts require an original with a raised seal)
- Copy of your and your spouse’s birth certificates
- The following items which will be sent to you by WHFC once 1st Post Placement report is ready:
 - Copy of child’s legal documents and translations
 - Agency Consent
 - An official copy of your home study
 - Copy of your criminal record checks
 - WHFC first post placement report
 - Cover letter regarding required 180 day post placement period

At the 6 month mark, WHFC will submit both the Interim and Final Post Placement Reports to the court. At that time, a final hearing is scheduled. The court will send you a notice with the date and time. This completes the Finalization process.

It is very important that you remember to submit a copy of your child's US decree to WHFC. Both the Philippines and Korea need copies for their files and to remove the child from the citizenship rosters of their own nations, which prevents future requests such as involvement in the military.

A photocopy, scan, or fax is sufficient and should be sent to Jessica Ellison whose contact information is at the beginning 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.

Attorney Recommendation

Many VT families have been assisted by utilizing the services of an attorney. The finalization or re-finalization process can require significant organization and effort and many do decide that it is a worthy investment to hire an attorney. WHFC recommends the following or another attorney certified in adoption practice:

Kurt M. Hughes k.hughes@adoptionattorneys.org
131 Main Street, P.O. Box 363
Burlington, VT 05402
802.864.9811

Birth Certificates

Contact the Bureau of Vital Records and obtain form VS37-FB, Application for Certificate of Foreign Birth; follow the directions for applying and mail back the form along with the appropriate fee and required documents to the Bureau of Vital Statistics.

Please call 1-800-852-3345 ext. 5322 if you have any questions relating to obtaining a Certificate of Foreign Birth.