



CDSS

JOHN A. WAGNER
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

November 3, 2009

ALL COUNTY LETTER (ACL) NO. 09-67

TO: ALL LICENSED PRIVATE ADOPTION AGENCIES
CALIFORNIA SUPERIOR COURTS

SUBJECT: IMPLEMENTATION OF THE READOPTION PROVISIONS FOR
INTERCOUNTRY ADOPTIONS – SENATE BILL (SB) 1393
(CHAPTER 809, STATUTES OF 2006)

REFERENCE: ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-12-08

This ACL is the certificate described in Family Code section 8919(c).

Background

The SB 1393 amended Family Code section 8919 to include the requirements that must be met in order for a readoption order to be issued by a California Superior Court. The bill also established alternative requirements for readoption when the original adoption occurred in a country whose adoption standards have been certified by the California Department of Social Services (CDSS) as meeting or exceeding those of California.

Subsequent to the passage of SB 1393, the United States of America (U.S.) ratified the Hague Convention on the Protection of Children and Co-Operation in Respect of Intercountry Adoptions (Hague Convention), on April 1, 2008. The Hague Convention and implementing federal regulations establish uniform adoption standards between Convention countries¹. Accordingly, CDSS will certify that the adoption standards of Convention countries meet the adoption standards of the State of California if the adoption was finalized after April 1, 2008. For additional information on the Hague Convention, please refer to ACL 09-10².

¹ Family Code section 8900.5(f) defines “Convention Country” as a country that is a party to the Convention and with which the Convention is in force for the U.S.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

Alternative Method of Readoption

Family Code section 8919(c)³ establishes an alternative method for readoption. The alternative method is a streamlined readoption process that omits several requirements for readoption as described in ACIN I-12-08⁴.

Specifically, the alternative method for readoption requires the following documents to be filed with the court:

1. Filing of an Adopt 200–Adoption Request (Adopt-200)⁵ with the California Superior Court in the petitioner’s county of residence;
2. Filing of a VS 44–Court Report of Adoption, the form required to generate a birth certificate from the state of California⁶;
3. At least one post-placement visit report by a California adoption agency licensed by CDSS to provide intercountry adoption services⁷;
4. A copy of this ACL certifying that the adoption standards of the Convention country meet the standards of this state;
5. The adoption decree, order, or certificate from the Convention country where the adoption was completed;
6. The child’s birth certificate from the country of the child’s birth;
7. The child’s visa, issued by the Department of Homeland Security;
8. Certified translations of all documents listed above that are not in English.

The alternative method for readoption set forth in Family Code section 8919(c) allows the adoptive family to complete and file the Adopt 200, VS 44, the attachments listed above and any additional local court forms, or contract with a licensed intercountry adoption agency to complete the readoption paperwork.

Certified Countries

The CDSS is authorized to certify adoption standards in foreign countries pursuant to Family Code section 8919(c). The Hague Convention on Intercountry Adoptions and

² ACL 09-10 can be accessed on-line at:

<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2009/09-10.pdf>

³ Family Code section 8919(c) states, “A state resident who adopts a child through an intercountry adoption that is finalized in a foreign country with adoption standards that meet or exceed those of this state, as certified by the CDSS, may readopt the child in this state according to this subdivision.”

⁴ ACIN I-12-08 can be located online at:

http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acin08/I-12_08.pdf

⁵ The Adopt 200 can be located online at: www.courtinfo.ca.gov/forms

⁶ The VS 44 can be ordered online at: www.cdph.ca.gov

⁷ The post placement visit report is provided to the adoptive family by the agency that completes the visit. The report should be typewritten on the agency’s letterhead with an agency contact name and number.

implementing federal regulations establish uniform adoption standards among Convention countries. Therefore, CDSS certifies that adoptions finalized after April 1, 2008, with the following Hague Convention countries, meet the adoption standards of the State of California:

Albania	Luxembourg	Panama
Austria	Georgia	Paraguay
Belarus	Germany	Peru
Belgium	Hungary	Poland
Brazil	Iceland	Portugal
Bulgaria	India	Romania
Canada	Israel	Slovakia
Chile	Italy	Slovenia
China	Latvia	South Africa
Cyprus	Lithuania	Spain
Czech Republic	Luxembourg	Sri Lanka
Denmark	Malta	Sweden
Ecuador	Mexico	Switzerland
Estonia	Monaco	Turkey
Finland	Netherlands	United Kingdom
France	New Zealand	Uruguay
	Norway	Venezuela

If you have any question please contact me at (916) 657-2614 or the Concurrent Planning Policy Unit at (916) 657-1858.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division