



INTERNATIONAL ADOPTION SERVICE AGREEMENT

This Agreement is entered into by and between AAC Adoption and Family Network, Inc., herein referred to as AAC and _____ (Prospective Adoptive Parents) herein referred to as PAPs in regard to prospective adoption services and to define their respective rights and obligations.

AAC is a licensed, private, non-profit adoption agency in Colorado (since 3/1994) that provides services in a variety of areas of the international adoption process, including assistance with all necessary paperwork, family assessments (homestudies), assistance with adoptive placements, and post-adoption supervision. AAC is licensed for adoption and foster care placement and currently has active programs with Korean and China. AAC is not affiliated with any religious organizations.

PAPs is a natural person or persons who wishes to adopt an orphaned child born in China or Korea.

General Obligations of AAC

Confidentiality

- AAC agrees to maintain confidentiality of all of the PAPs' information in accordance with AAC's Confidentiality and Disposition of Adoptive Records Policy provided in Section I of the Policies and Procedures.

Information and Assistance

- AAC agrees to provide to the Prospective Adoptive Parents accurate and current information about the adoption process from the country which the Prospective Adoptive Parent(s) wish to adopt from.
- AAC agrees to provide Prospective Adoptive Parents guidance in the completion of adoption related paperwork including dossier documents, immigration applications, etc.
- AAC offers assistance with the certification and authentication of dossier documents if required by the central authority of the country which the Prospective Adoptive Parents wish to adopt. AAC will also review the Prospective Adoptive Parents' dossier and submit it to the appropriate entity in the foreign country.

Training

- For Colorado families- AAC will provide 16 hours of face to face adoption and parent training. These hours will meet the requirements for Hague approved training. They will also count towards the 24 hours of mandatory training required by the state of Colorado.
- Families living outside of Colorado- Must complete a minimum of 10 hours of Hague approved training through their homestudy agency or through another Hague approved organization.

An in depth Explanation of Training has been provided to PAPs in the Formal Application Packet

Homestudy

- For Colorado families- AAC agrees to prepare a homestudy that will meet the requirements of the State of Colorado, the central authority in the child's country of origin, and the United States Citizenship and Immigration Services (USCIS).
- For families living outside of Colorado- AAC will review the homestudy prepared by a Hague or COA accredited agency licensed in the state that the family resides in, and will make comments, suggestions, or requests for revisions if necessary.

More information about the homestudy can be found in Section F of the Policies and Procedures.

Child Placement

- AAC will work with the relevant agencies and central authorities in the country which the PAPs wish to adopt in order to refer a child for potential adoption. Furthermore, AAC will disclose all information provided to us about any such child to the PAPs.
- AAC will function as the liaison between the PAPs and the central authority, orphanage, foreign authority or cooperating agency in the foreign country throughout the adoption process.
- AAC will assist the PAPs in completing and submitting their petitions to United States Citizenship and Immigration Services (USCIS)

Travel

- AAC will assist the PAPs in the planning of international travel including arranging in country appointments with foreign and US governmental entities, hotel reservations, and in country travel. AAC does not assist in the booking of international flights.
- AAC will provide all necessary services related to the adoption while the family is present in the foreign country. Parents adopting from China will be provided with an in-country facilitator that will accompany them to all adoption related appointments, as well as functioning as a guide for shopping and tours. Ground transportation to and from all adoption related appointments is also provided.

Post-Adoption/Validation

- AAC will provide post adoption services to the PAPs in compliance with the regulation of the Central Authority in the country that the child is from.
- For Colorado families- The Social Worker assigned to the PAP's case will check in with the family periodically as outlined in the post-adoption requirements. In addition to completing the necessary reports, he/she will also provide support and counseling to the Adoptive Parents and Adopted Child.
- For families living outside of Colorado- AAC will notify the PAP's homestudy agency of the child's arrival in the country and provide them with the post-adoption schedule. AAC will review all post-adoption reports completed by the PAP's homestudy agency and will submit those reports to the Central Authority in the child's country of origin.
- For Colorado families- AAC will assist PAPs with the completion of the appropriate documents for Validation of a Foreign Adoption. AAC will also assist the family in filing those documents with the appropriate court.

Disruption and Dissolution

- In the event the PAPs wished to relinquish the child after taking custody, but before finalizing the child's adoption, AAC would provide counseling service and support. If after said counseling, the PAPs decided to relinquish the child (referred to as a disruption) AAC would contact the appropriate authorities so that the child could return to the orphanage or foster home.
- In the event the PAPs wished to relinquish the child after finalizing the child's adoption but before bringing the child to the US, AAC would provide counseling service and support. If after said counseling, the PAPs decided to relinquish the child (referred to as a dissolution), AAC would contact the appropriate authorities so that the child could return to the orphanage or foster home.
- In the event the PAPs wish to relinquish the child after the adoption of the child was finalized and after the child was brought to the US (also referred to as a dissolution), AAC will offer counseling, support, and referral services.

More information about disruptions and dissolutions can be found in Section H of the Policies and Procedures.

General Obligations of Prospective Adoptive Parent(s)

Cooperation

- PAPs will complete and submit all necessary documents to AAC in a timely manner according to AAC's instructions.
- PAPs agree to pay for services in accordance with AAC's fee schedule in effect at the time services are rendered.
- PAPs will provide AAC information regarding and allow access to financial, medical, criminal and other records.

Homestudy

- The PAPs are responsible for the fees associated with homestudy services including any required home study updates
- The PAPs agree to provide all documents and information requested in a timely manner AAC to initiate the homestudy. Not submitting paperwork on time could jeopardize or change applicant/s status in the adoption process.
- Colorado Families- PAPs living in Colorado agree to provide AAC social workers reasonable access to the PAP's home for the purposes of study and evaluation.
- Families Living Outside of Colorado- PAPs living outside of Colorado understand that they are responsible for selecting and contracting an appropriate agency licensed in the state in which the PAPs reside.
- If the PAPs experienced any significant changes in their situation or if US or foreign government entities changed their requirements regarding homestudies, an update, addendum, or amendment to the original homestudy may be required. In which case, the PAPs obtaining and paying for said updates, addendums, or amendments.

More information about the homestudy can be found in Section F of the Policies and Procedures.

Adoption Education

- PAPs will make every effort to stay informed and educated with regard to international adoption process by reading any and all educational and informational materials provided to them by AAC.
- PAPs understand that they have a duty to ask questions. The PAPs will make their questions and uncertainties regarding the child they hope to adopt, the adoption process and adoption in general known to their social worker so that the social worker may better prepare the PAP.
- PAPs will complete adoption and parent training as required by the regulations of their state and Hague.

For more detailed information about training please see the Explanation of Training provided to PAPs in the Formal Application Packet

Truthful and Complete Information

- PAPs warrant that all information provided by the PAP throughout the adoption process and post-adoption period will be true, accurate, and complete, to the best of the PAP's knowledge. Withholding, misrepresenting, or providing false or misleading information to any AAC representative may result in immediate termination of services and/or cancellation of adoption procedures.

Notice of Change and Duty to Disclose

- PAPs will promptly notify AAC of any changes in their circumstances including: change in employment or financial status, change of address, change in contact information, change in health, changes in family composition including pregnancy, referral or placement of foster or adoptive children, separation or divorce, or addition or removal of a household member. PAPs understand and acknowledge that such changes may delay the adoption process, cause additional expenses, or invalidate their eligibility to adopt. PAPs understand that failure to notify AAC of such changes could result in breach of contract.
- In addition to disclosing any prior criminal history during the application process, PAP's must also promptly notify AAC of any criminal charges brought against the PAPs during the adoption process or during the post-adoption period. Furthermore, the PAPs will notify AAC of any complaints made to or by any child protection agency, any allegations of child neglect or abuse, or any investigation relating to allegations or claims of child neglect or abuse concerning the PAP or any member of the PAP's household. PAP's understand and acknowledge that AAC has the right and obligation to withdraw or change the approval or recommendation for events or actions which come to AAC's attention.

Contact with Foreign Entities or Persons

- PAP's shall refrain from any and all unauthorized contact with any government official, social services agency personnel, foster parents, or orphanage staff in the country in which the PAP wish to adopt from. PAP must also refrain from soliciting any third party other than AAC personnel to contact and obtain information from these foreign entities or persons. Such contact is prohibited throughout the duration of this contract.

Please note, that in limited circumstances, such contact may be permissible under the conditions specified by AAC. In which case, the PAPs must obtain written approval from AAC prior to any such contact and PAPs must follow the stipulations and conditions set forth by AAC.

Travel

- PAPs will travel to the child's country of origin to finalize the adoption of the child within the timeframe set by the governing entity in that country.

More information about travel requirements for each specific country has been provided to PAPs in the Formal Application Packet.

Post-Adoption

- PAPs will cooperate fully with all post-adoption supervision and reporting necessary to comply with the post-adoption requirements set by the central authority in the country which the PAP have adopted from as well as any regulations set by the state in which the PAP reside. This includes providing all documents and information necessary.
- PAPs are responsible for all fees associated with post-adoption services.
- Colorado Families- PAPs living in Colorado agree to provide AAC social workers reasonable access to the PAP's home for the purposes of supervision, counsel and evaluation.
- Families Living Outside of Colorado- PAPs living outside of Colorado understand that both AAC and the homestudy agency have respective roles in the post adoption supervision process and each agency will have fees associated with the service that they provide.
- If the PAPs move to another state (in which the homestudy agency is not licensed) during the post-adoption supervision period, the PAPs agree to identify and contract another agency that is licensed in their new state of residence that also meets the requirements set by the central authority in the country which they adopted from.

A detailed explanation of post-adoption requirements has been provided to PAPs as part of AAC Adoption's Formal Application Packet and is incorporated herein by this reference.

Interagency Cooperation

For PAPs residing in the state of Colorado, AAC must supply all homestudy and post-adoption supervision services; however, PAPs residing in other states must secure the services of a local, state-licensed, Hague Accredited home study agency to work in cooperation with AAC, which functions as the child placement agency and primary provider.

PAPs understand that the homestudy agency is responsible for the following:

- Providing AAC with a timely and complete homestudy which meets the requirements of their state of operation, the country of adoption, U.S. immigration standards, and Hague convention standards when applicable.
- Notifying AAC promptly of any changes to the family's status or discovery of circumstances that could affect the recommendation of the family to adopt.
- Educating and advising prospective adoptive parents on the risks of adoption, international adoption issues and adjustments the child and family may experience.

- Providing prospective parents with information, counseling, preparation and resources for adoption.
- Providing post-adoption supervision, providing support and referral resources, if needed, to the family; submitting required reports in a timely manner; and assisting the family with finalization or validation of the adoption in their state of residency.
- Providing AAC with copies of licensure and its social workers' credentials.
- Notifying AAC promptly of any changes in agency licensure.

United States Citizenship and Immigration Services

The United States Citizenship and Immigration Services (USCIS) plays a key role in every international adoption. It is important for PAPs to understand that role.

PAPs understand that USCIS is responsible for the following:

- Processing the PAPs form I-800A or I-600A. If approved this allows the PAP's to bring an orphaned child into the US.
- Processing the PAPs form I-800 or I-600. If approved this allows a specific orphaned child to enter the US as the PAPs child.
- Issuing the adopted child's visa through the US Consulate in the child's country of origin, allowing them to enter the US.

Entities in the Foreign Country

China Center for Children's Welfare and Adoption (CCCWA)

The CCCWA is the central authority for adoptions in China.

PAPs understand that CCCWA is responsible for the following:

- Setting standards for PAP and creating regulations that govern the adoption process.
- Reviewing PAP's dossier and request to adopt a specific child and if approved, issuing the Letter of Seeking Confirmation (aka LOA or LSC) documenting their approval
- Issuing the PAPs an invitation to travel to China to complete the adoption of a specified child (Known as the Travel Approval or TA)

Eastern Social Welfare Society (ESWS)

PAPs understand that ESWS is responsible for the following:

- Birth parent relinquishment
- Prepare child's international adoption documentation according to Korean Special Adoption Laws
- Child referral process
- Review and approve PAP's adoption application paperwork
- Provides care for the orphaned child, including but not limited to, medical care, foster care, therapeutic care, a pre-school, until the adoption is complete.

- Submit child and PAP's file to the MOHW for the processing of the child's emigration permission (EP).
- Submit child and PAP's file to the Korean Family Court and arrange for court hearing.
- Arrange Visa appointments with the US Embassy on behalf of the PAPs.
- Provide assistance with the facilitation of the adoption while PAPs are in the foreign country including but not limited to interpreting services.

Ministry of Health and Welfare (MOHW)

Korea has signed the Hague Treaty for international adoptions however, they are still in the process of ratifying it. Currently, the MOHW has been designated as the central authority for adoptions in Korea.

PAPs understand that MOHW is responsible for the following:

- Setting standards for PAP and creating regulations that govern the adoption process
- Review and approve the child and PAPs file for the child's emigration permission (EP)

Korean Family Court

PAPs understand that the Korean Family Court is responsible for the following:

- Conduct the adoption hearing and if approved, finalize the adoption.

By signing below, we the Prospective Adoptive Parents are expressing our desire for AAC to provide us with services relevant to an international adoption and that our goal is to have orphaned child placed with our family.

We, the Prospective Adoptive Parents, understand and acknowledges that the relationship created by adoption is that of parent and child and that if the adoption process is successful, the PAP will incur towards the adopted child all duties, obligations, rights and responsibilities as that of a legal parent.

We, the Prospective Adoptive Parents, acknowledge, understand and agree that there are risks involved with adoption. AAC cannot and does not under any circumstances guarantee in advance that PAPs will be approved by AAC or by the US or foreign government entities. AAC does not make any guarantees, representations, or warranties concerning any aspect of the adoption process. PAPs understand that completing an application, signing this agreement, and/or enrolling in our adoption program does not guarantee the placement of a child with them, nor does it assure a successful outcome.

We, the Prospective Adoptive Parents understand the responsibilities outlined in this Agreement and agree to fulfill our duties and responsibilities.

We the Prospective Adoptive Parents understand that in order for this agreement to be valid we must also

1. Complete and submit a Formal Application
2. Thoroughly read, sign and submit the Statement of Risk and Waiver of Liability
3. Thoroughly read AAC's Policies and Procedures, and sign and submit the Understanding of Policies and Procedures.

This agreement was entered into this _____ day of _____, 20____ and shall be governed in accordance with the laws of the state of Colorado.

Prospective Adoptive Parent printed name

Prospective Adoptive Parent Signature

Prospective Adoptive Parent printed name

Prospective Adoptive Parent Signature

AAC Representative printed name

AAC Representative signature

SAMPLE