



## **Standard Operating Procedures (2016) Domestic and Inter-Country Adoptions**

### **Adoption Process**







- I. Petitioner Files a Petition to the Probate Court expressing desire to adopt a child, either personally or through a lawyer (Domestic Adoption)(Kinship) or an agency accredited (Inter-country) to provide adoption services in Liberia.**
- II. The Probate Court informs the Ministry of Justice of the filing of the Petition.**
- III. The Probate Court informs the Ministry of Gender, Children and Protection (Adoption Unit) of the petition filed and refers the petitioner to the Ministry to obtain a Comprehensive Report.**

#### **A. Inter-Country Adoptions:**

- 1. A licensed agency in the prospective adoptive parents' country of residence performs Home Study of the prospective adoptive parent(s), which is submitted to the Department of Children and Social Protection. (Adoption Unit) Home Study" means an examination into aspects of the prospective adoptive parent(s) home, family, lifestyle, and fitness to adopt the child and a formal assessment of the capacity and readiness of prospective adoptive parent(s) to adopt a child conducted by an agency, including the**

agency's written report and recommendations. The Home Study is a comprehensive Bio-psychosocial Evaluation of the Prospective Adoptees.

**Home Study supporting documents:**

-  **Bio-Social-Psycho Assessment Report**
-  **Copy of Medical Records**
-  **Police Clearance**
-  **2 References**
-  **Marriage license if applicable**
-  **Financial Records or Taxes**

**Note: Agencies from a Hague Convention Country will be given first preference.**

- 2. The Ministry of Gender, Children & Social Protection Ministry conducts a Case History Investigation. This investigation includes interviews and consultations with all necessary parties involved in the adoption process. A social worker may travel to the county, in which the child is born or resides to confirm all information provided. Interviews of Biological Parents /Guardian are required if parents are alive. If the Child is abandoned, the Ministry recommends to the Probate Court to declare the child as a Ward of the State after all proper documentations and verifications are put into place. A medical, educational and psychosocial report of the prospective adoptee is required as part of the Comprehensive Report from the Ministry. The Ministry also requires that:**

- a. Two passport size pictures each of both the prospective adoptee and the prospective adoptive parent(s) are attached to the application form.**

- 3. A US\$1,500.00 (United States Dollars One Thousand Five Hundred) Inter-Country Adoption Fee is charged for the purpose of processing and handling. This fee also covers expenses incurred in conducting the Case History. The Ministry will prepare a payment voucher in which the applicant will use in order to deposit the money in a Transitory Account established solely for that purpose. The applicant will return the original copy of the deposit slip and obtain a receipt from the Ministry as proof of payment.**
- 4. After the investigation, a Comprehensive Case History is presented to the Deputy Minister of Children & Social Protection for her/his recommendation and/or approval of the applicant's adoptions process.**
- 5. The Investigation and Adoption process may be time consuming therefore adoptive parents are advised to be in constant contact with the Ministry before making travel arrangements.**

#### **B. Domestic Adoptions**

- 1. A Ministry may select an Accredited Independent Social Service Agency to Conduct a Home Study of the prospective adoptive parents. Home Study” means an examination into aspects of the prospective adoptive parent(s) home, family, lifestyle, and fitness to adopt the child and a formal assessment of the capacity and readiness of prospective adoptive parent(s) to adopt a child conducted by an agency, including the agency's written report and recommendation. The Home Study is a comprehensive Bio-psychosocial Evaluation of the Prospective Adoptees.**

**Home Study supporting documents:**

** Bio-Social-Psycho Assessment**

- ✚ Copy of Medical Records**
- ✚ Proof of residency or citizenship in Liberia**
- ✚ Police Clearance**
- ✚ 2 References**
- ✚ Financial Records or Taxes**

- 2. The Ministry will conduct a Case History Investigation of the prospective adoptee.**

**The Ministry also requires that the following is provided:**

- a. Two-passport size pictures each of the prospective adoptee and of the prospective adoptive parent(s).**
- 3. A US\$250.00(Two Hundred United States Hundred) fee is charged for Domestic Adoptions. This fee is basically used to cover all expenses in conducting the Case History Investigation. This amount is to be deposited in a designated Account and a receipt issued as proof of payment to the prospective adoptive parent(s).**
  - 4. The investigation process done by the Ministry may take between thirty to ninety-days.**
  - 5. A Comprehensive Case History is presented to the Deputy Minister of Children and Social Protection for her/his recommendation and/or approval of the applicant's adoption.**

**IV. The Ministry thereafter submits a copy of the report to the Probate Court, the Court hears the Petition and makes a determination, if the Probate Court is satisfy that all of the legal procedures and Laws are applied; the court then grants the Petition and issues an Adoption Decree in favor of the Petitioner.**

**V. The Prospective Adoptive Parent(s) by and through its Lawyer or Attorney in Fact is required to submit a photocopy of the Petition and Decree of Adoption to the Ministry of Gender for filing and codification.**

**VI. In the case of Inter-Country Adoptions, upon the issuance of the Adoption Decree by the Probate Court, the adoptive parent(s) may file for the child's visa at the Embassy of the country in which the child is to be relocated.**

**VII. In the case of Inter-Country Adoption, the Ministry of Justice MUST issue a final clearance document that will confer authority on the adoptive parent(s) to leave Liberia with the adopted child.**

**NOTE: The below additional information serves as a guide in the adoption process.**

#### **Probate Court's Investigation in the Child's Situation**

##### **Order of priority for adoptable children:**

- a. A Double Orphan**
- b. A Ward of the State**
- c. An Abandoned Child**
- d. A Single Orphan**

##### **Additional Requirements for Adoption**

- a. The adoption MUST be in the best interests of the child.**
- b. A child must be under 18 years of age.**
- c. A copy of the child's medical records must accompany the Case History.**
- d. A copy of the child's birth certificate, Affidavit of Consent by the birth parent(s) and two letters of attestation to prove that the Adoptive Parent is financially viable to cater to the adopted child's wellbeing.**

- e. **The panel interviews the child to assess his/her mental, physical and intellectual capabilities. The child's opinion or view as regard the adoption proceeding will be noted to form part of the observations and comments placed in the report.**
- f. **There should be NO contact between the prospective adoptive parents and the birth parents UNLESS:**
  - i. **The (authorized entity) Ministry of Gender, Children and Social Protection and the Probate Court have established that the child is adoptable, that inter-country adoption is in the best interest of the child, that the birth mother has executed a sworn Affidavit of Consent to the Adoption process and has indicated that she has willingly given out her child for adoption and that there was no form of duress, illegality and financial inducement attached;**
  - ii. **The authorized entities of the country of the prospective adoptive parent(s) have determined that the Adoptive Parents are eligible and capable to adopt.**

#### **Probate Court Procedure**

- I. Judge hears the Adoption Petition and makes a determination;**
- II. Birth parents or legal guardians personally appear and testify during hearing of the Petition. Both parents must consent if the birth parents are married.**
- III. In the case of an abandon child, a double orphan or a ward of the state, the child's legal guardian must consent to the Adoption process.**
- IV. For an inter-country adoption, the prospective adoptive parent(s) may consider meeting a (30) thirty -day residency requirement.**
- V. The Probate Court shall complete the Probate Court Adoption Processing Form.**
- VI. If the Gender Ministry approves the adoption application, the Probate Judge will hear the Petition and if satisfy, grant the Petition for Adoption and issue an Adoption Decree transferring parental ownership to the prospective adoptive parent(s).**

- VII. The clerk of the Probate Court will record and file all documents to form a cogent part of the proceedings. Filing fees will be required.**
- VIII. The Ministry will also maintain records so that where legally applicable, the adoptive child may access their adoption records in the future.**
- IX. The Principal Registrar will prepare a supplementary birth certificate in the adoptee's new name.**

### **Ministry of Justice Clearance Checklist**

**Please present all of the below documents to open a Clearance File and immediately thereafter, contact the Ministry of Justice for your Clearance Appointment schedule. Please note that the below documents must form part of your clearance file before Ministry of Justice can issue clearance letter devoid of irregularities that will enable Bureau of Immigration issue exit visa for adoptive parents.**

- Petition for Adoption**
- Notarized Affidavit of Relinquishment/Consent from Parent(s)/Guardians**
- Adoption Decree**
- Photograph, Passport & Visa of Child**
- Photograph & Passport of Adoptive Mother**
- Photograph & Passport of Adoptive Father**
- Parent(s) Home Study from Overseas**
- Child's Case History Investigation**
- New Birth Certificate**
- Immigrant Visa**
- Guidelines Approval Criteria**
  - Case History report from the Department of Children, Social Protection (MOGSCP)**
  - For inter-country adoptions, background checks must have been completed at least 6(six) months prior to the time clearance is requested. Adoptive Parents may need to update background checks performed during the time of the Home Study.**

- **At least one adoptive parent MUST escort the child**
- **Ministry of Justice forwards the Clearance Letter to the Commissioner of Immigration**
- **The parent(s) escorting the child receives a copy of the Clearance Letter and presents it to Immigration officer/s assigned at the airport.**