



# **Forever Families Through Adoption, Inc. Dominican Republic Adoption Program**



Once you have decided that you would like to adopt a child from the Dominican Republic you will need to take the following steps in order to proceed with Forever Families Through Adoption, Inc.

Forever Families Through Adoption Inc., (“FFTA”) works in conjunction with Family Law and International Law Attorney of the Dominican Republic Adalberto J. Lora-Fernández. He will assist you with the facilitation of the adoption process while in the Dominican Republic.

International Adoptions in the Dominican Republic must be done through CONANI (“Consejo Nacional para la Niñez y la Adolescencia” - National Council for Children and Adolescents) which is the official government entity in the Dominican Republic that handles the assignment of all children to their adoptive parents.

The general requirements for an international adoption in the Dominican Republic are as follows:

1. The adoptive parents must be married heterosexuals, having lived together as a couple for at least five years.
2. The adoptive parents must be between thirty (30) and sixty (60) years old and at least fifteen (15) years older than the child they wish to adopt.
3. The child’s parents must consent to the adoption. In case of orphans, the authorization is obtained from the Court of Children and Adolescents. (“Tribunal de Niños, Niñas y Adolescentes”)
4. The adoptive parents must live with the child in the Dominican Republic for at least sixty (60) days, or may be reduced by a special appeal process. This period is automatically reduced to thirty (30) days if the child is twelve years old or older.
5. Children twelve years old or older must approve their own adoption.
6. The adoptive parents’ biological children who are twelve years old or older must give their opinion on the adoption.

## **The Adoption Process**

Adopting a child in the Dominican Republic is a three-step process:

1. The applicants must file an application with the Adoptions Department at CONANI.
2. If approved, the decision by CONANI must be reviewed and approved by the Court for Children and Adolescents.
3. The decision by the Court is reviewed by the Civil Registry Division of the Junta Central Electoral which authorizes the issuance of a new birth certificate.

### **Filing of the Application at CONANI**

The following documents are needed in order to have a complete application: prior to filing it with CONANI. FFTA will ensure that your application is complete, translated and authenticated prior to sending it to Law Firm of Guzmán Ariza for filing.

- Power-of-Attorney to the Law Firm Adalberto J. Lora-Fernández
- Adoptive Parents' birth certificates
- Adoptive Parents' marriage certificate
- Copies of the Adoptive Parents' passports/driver's licenses
- Adoptive Parents' Home Study
- SCR Clearance/Child Abuse Clearance
- Adoptive Parents' Criminal Clearances
- Adoptive Parents' Medical Certificates
- Reference Letter/Affidavit from a religious or community organization which attests to the adoptive parents' physical, mental, social and moral suitability
- Affidavit from FFTA which guarantees that the adopted child will be monitored for post-placement purposes
- Financial Records (bank statements, W-2, letter from employer, etc.)
- Authorization or visa for the adopted child to enter US
- Photographs of you, your family and home

The Law Firm of Adalberto J. Lora-Fernández will handle obtaining the following documents:

- Copies of the National Identification Cards ("cédulas") of the biological parents
- Consent to the adoption by the biological parents or legal guardian
- Non-opposition statement from the adoptee, if twelve years old or older

All documents must be submitted to CONANI in originals duly authenticated at the nearest Dominican Consulate. If the originals are not in Spanish, a certified translation into Spanish must also be provided. FFTA or Adalberto J. Lora-Fernández can assist you with the coordination of the translation of the documents or you are free to have them translated yourself provided that you utilize a licensed translation agency.

Once your dossier has been prepared and approved, your translated and authenticated file will be forwarded directly to CONANI.

During this time, you will need to apply with the CIS to obtain the necessary visa for your child. Forever Families Through Adoption can assist you in preparing these forms for your signature and submitting them on your behalf to the CIS in the United States.

It is then the responsibility of CONANI to review your application and assign a child to you. When a child has been selected for your family, Adalberto J. Lora-Fernández will forward a "Child Proposal" to FFTA. The child proposal will contain items such as a medical and psychological report on the child, age, sex along with any information available on the biological parents, as well as a photo of the child. This proposal will be reviewed by FFTA staff and then you will be contacted to review the proposal.

Once you approve the child proposal an acceptance letter is signed and returned to Adalberto J. Lora-Fernández in the Dominican Republic. He will forward this acceptance letter to CONANI, and upon their receipt, the final paperwork is compiled and the child's dossier is prepared. When this work has been completed, you will be notified and travel arrangements will be made for you to begin your mandatory residency requirement period of at least sixty (60) days in the Dominican Republic. This period is reduced to thirty days if the child is twelve years old or older.

When the child is released into your temporary care, both husband and wife must remain in the DR for the first 60 days. After that, during the 3 – 8 month wait until the finalization, only one parent **MUST** remain in the Dominican Republic at all times during this post-placement follow up period. The other parent is free to return to the United States for work, etc., however, for the finalization, **BOTH** adoptive applicants **MUST** be present to complete the adoption with the Dominican Republic courts.

During the time that you are residing in the Dominican Republic, we anticipate that through Adalberto J. Lora-Fernández, local attorney will be available to assist you with every step of the process.

While we are able to recommend lodging to parents to assist with travel arrangements, we encourage them to seek out the least expensive air fares and lodging, suitable to their budget.

If the cohabitation with the child is successful, CONANI will issue, a certificate stating the applicants have been found to be fit to adopt the child. Once the final Adoption Decree has been registered and the Visa has been prepared, you are free to return home with your child.

The Dominican Republic requires that follow up reports are made on the child once a year for the first five (5) years, by a licensed social worker, plus one at the first six months. These follow up reports will be paid for in advance to FFTA. They must be conducted by an FFTA representative or the Hague Accredited Agency Social Worker who completed your initial homestudy. Forever Families Through Adoption must then submit the report directly to CONANI in English and Spanish – notarized and apostilled. FFTA encourages you to apply to CIS and obtain the Certificate of Naturalization for your child immediately upon your return so that you can submit the necessary documents to the Dominican Government as quickly as possible.

### **Judicial Review**

The Court for Children and Adolescents of the domicile of the legal guardian of the child will have jurisdiction over the adoption. The attorney for the adoptive parents must submit a petition to the Court with all the documentation mentioned above. Once received, the file is sent to the District Attorney for Children and Adolescents for an opinion. After receiving the opinion from the District Attorney, the Court will examine the documentation to ensure that all legal requirements have been met and will approve or reject the petition. If the file is incomplete, the Court may grant the petitioner ten days to complete the file.

The decision of the Court approving the adoption must be notified to the biological parents of the child. The decision must also be registered, legalized and authenticated at the Attorney General's Office of the Dominican Republic, at the Ministry of Foreign Relations of the Dominican Republic and the Consulate in the Dominican Republic of the country of residence of the adoptive parents.

### **New Birth Certificate**

To obtain a new birth certificate for the adopted child, a copy of the entire adoption file, including the Court decision, must be submitted to the Civil Registry Division of the "Junta Central Electoral" for review. If the adoption is found to be in order, the Civil Registry Division will authorize the Civil Registry which issued the original birth certificate to issue a new one with the surnames of the adopting family. The new birth certificate will not make any reference to the biological parents of the adopted child.

The new birth certificate should also be authenticated at the Junta Central Electoral, at the Attorney General's Office of the Dominican Republic, at the

Ministry of Foreign Relations of the Dominican Republic and at the United States Consulate in the Dominican Republic.

### **The Adoption File**

All documentation related to the adoption will be kept on file at the Court for Children and Adolescents for a period of thirty years. Only the adoptive parents, the adopted child after reaching legal age (18) and the District Attorney for Children and Adolescents may request copies of the documents therein. Every adopted child has the right to know about his or her biological family. The adoptive parents will determine the best time to reveal this information to the child.

### **Costs**

In addition to fees paid to FFTA (see FFTA's Fee Agreement), the Adalberto J. Lora-Fernández Law Firm charges fees which can be reviewed by contacting FFTA or Adalberto J. Lora-Fernández directly. CONANI has no charges for adoptions except for those referring to minimum taxes.

### **Overview**

- Typically, children between 3 – 5 years old are being placed for adoption.
- Wait time for Proposals are 1-2 years from the time your file arrives in the Dominican Republic.
- Couples must remain open to accepting either a male or female child.
- Families travel 4-6 weeks following the acceptance of a child proposal to cohabit with the child for at least 60 days.
- All children are tested for HIV, TB and Hepatitis B.
- The adoption is finalized in the Dominican after the mandatory cohabitation period which could take an additional 3 – 8 months.
- Post Placement Reports must be submitted to CONANI once a year for the first five (5) years, plus one at the initial 6 month period, by a Hague accredited agency licensed social worker. The foreign adoption authority is very interested in how their children are doing and rely upon the follow up reports from our agency to assure them that these children are adjusting well and are being well cared for. Failure to provide these report places the adoption program in jeopardy, and may interrupt the adoptions of families who follow after you.