FILING THE APPLICATION & PETITION

PAP chooses an ASP:
- Signs contract and has home study completed

I-800A (Application for PAP to Adopt):
- PAP submits I-800A with completed home study to USCIS

I-800A Approved:
- 15 month validity period, extension possible
- PAP notified of approval by USCIS and scheduled for fingerprint appointment
- PAP submits fingerprints (checked against criminal and abuse registries)

Convention Country Matches PAP with Child:
- ASP transmits approval of I-800A to COO
- COO Accepts PAP
- COO Matches a child with PAP
- COO Transmits Article 16 Report (medical and social history of child) to PAP through ASP
- PAP has at least 2 weeks to decide whether to accept the match. IF THE MATCH IS ACCEPTED, then:

I-800 (Petition for Child to Immigrate) Provisional Adjudication:
- PAP submits I-800, Article 16 Report, any evidence relating to the child, Statement of No Improper Contact, and any waivers already identified to USCIS

I-800 Provisionally Approved:
- USCIS provisionally approves I-800 and any waivers filed with I-800
- USCIS sends file to Department of State

I-800 Denied:
- Case ends, pending possible appeal with USCIS

Waiver Denied:
- Case ends, pending possible appeal

Dark Red indicates Department of State action
Indigo indicates USCIS action
ASP – Adoption Service Provider
PAP – Prospective Adoptive Parent
COO – Country of Origin
USCIS – U.S. Citizenship & Immigration Services (DHS)
Visa Process

Visa Application filed by PAP or ASP

Consular Officer Overseas (Embassy or Consulate) Reviews Application
- The following question is considered: Was the adoption process conducted in compliance with Convention requirements?
- Evaluates child for possible visa ineligibilities
- IF NO PROBLEMS OR INELIGIBILITIES ARE FOUND (that are not covered by an approved waiver): Annotates visa application that child appears to be eligible for a visa (this is not guaranteed)

Consular Officer Sends Article 5 Letter to COO’s Central Authority
- Letter notifies COO of PAP’s suitability to adopt
- Letter also notifies COO that child will most likely be able to enter and reside permanently in the United States

Receive Article 23 Certificate or Equivalent for Grants of Custody:
- PAP completes adoption or receives grant of custody in COO
- Competent authority of COO will certify that adoption or grant of custody is compliant with the Convention (Article 23 Certificate)
  - May be the adoption or custody decree
  - May be sent by the COO directly to the Department of State

PAP requests visa application interview at Embassy or Consulate
- PAP must have the valid adoption or custody decree

I-800 Final Adjudication
- Consular Officer reviews application again for visa ineligibilities or inconsistencies with the requirements of the Convention
- IF NO NEW PROBLEMS OR INELIGIBILITIES ARE FOUND: Consular Officer issues final approval of I-800

Visa Adjudication:
- Consular Officer issues a Hague Certificate
- Consular Officer issues the visa (IH3, IH4 or B2)

Unable to Confirm Convention Requirements Met:
- Application returned to USCIS as not clearly approvable
- USCIS may:
  - Approve → Case returned to Consular Officer
  - Deny → Case ends

Possible Ineligibilities Found:
- If no waiver available: Visa refused → Case ends
- If waiver available: PAP notified and given chance to file proper waiver(s)
- IF waiver(s) denied → Case ends

Unable to Confirm Convention Requirements Met:
- Case file returned to USCIS as not clearly approvable
- USCIS may:
  - Approve the I-800 (this does not obligate the Consular Officer to issue a visa)
  - Deny the I-800 → Case ends
- Consular officer may still decline to certify that the Convention requirements have been met → Case ends