

# ADOPTION ADVOCATE

Chuck Johnson, *editor*  
Megan Lestino, *editor*  
Christie Renick, *editor*

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## Supporting Military Families in Adoption

BY LAURA BEAUVAIS

**M**ilitary families have the potential to be outstanding adoptive families. They often have an incredible support network of friends. Military families tend to be flexible and adaptable and those are qualities that can help make great parents. The installments, where they often live, usually provide no-cost health care, including occupational, physical, and speech therapy, as well as counseling. Dental and vision care are usually provided with a co-pay. Even when military personnel move, the support systems are similar in the next location, so these families do not have to “relearn” what is available at the next location. If an adopted child has serious needs that cannot be met at an installation’s facilities, the military parent cannot be transferred to that installation, as outlined in the Exceptional Family Member Program.

### Competencies of Military Families

Regardless of where the military personnel go or how often, each person has a home state. Usually the home state is where the military family has the most extended family members or some other meaningful permanent attachments. Military installments have a uniformity amongst them; yet, they are culturally diverse. Therefore, a child adopted outside of the adoptive family’s race or culture is more likely to have people around who share some of the same heritage than in many more homogenous parts of the United States.



National Council  
For Adoption

225 N. Washington Street  
Alexandria, VA 22314  
(703) 299-6633  
[www.adoptioncouncil.org](http://www.adoptioncouncil.org)

Active duty parents in the military tend to share some common personal strengths. Serving in the armed services requires a high level of personal discipline and a strong work ethic. In addition, there is constant supervision, so if someone is “out-of-line,” this can come to the attention of superiors. The military authorities are more likely to know if a staff person had violated the law or was charged with child abuse or instances of domestic violence. These supervisors also know the person’s character, personality, and habits. These colleagues and superiors could be a good source of solid references in addition to the usual references provided by friends and family.

The military provides adoptive families with special benefits. The Department of Defense Adoption Reimbursement Program gives military members up to \$2,000 per child in adoption expenses<sup>1</sup>; they can also claim up to \$5,000 per calendar year in reimbursements for adoption expenses. These subsidies are in addition to the federal adoption tax credit.

Regarding time off, members can receive up to 21 days of non-chargeable, additional leave when adopting, in addition to regular leave. (Service members cannot take time using the Family Medical Leave Act (FMLA).) This leave is given at the discretion of the commander.

## Challenges for Military Families

Regardless of how qualified military personnel may be, most consistently face the hurdle of regular moves, which often slows down the adoption process or keeps them from adopting altogether. Moving from state to state can create concerns; moving overseas creates even more obstacles.

The homestudy is the foundation and first step of any adoption. Properly assessing adoptive couples in the homestudy process is one of the keys to a successful adoption. One such instrument is the Prepare and Enrich Assessment, which now includes military-related questions that are designed to assess the unique stressors and advantages that military couples may experience.

One such stressor that can complicate life – and the adoption process – for military families is the potential frequent moves. For example, during the homestudy process, obtaining supporting documents, especially the child abuse and criminal clearances from each state of previous residence, can add time and expense to the homestudy. If a homestudy is completed in one state, and then the family moves to another, a homestudy update or a completely

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<sup>1</sup> Adoption Reimbursement. Defense Finance and Accounting Service. Retrieved from: <https://www.dfas.mil/militarymembers/payentitlements/adoptionreimbursement.html>

new homestudy must be written, which can often mean paying the full cost for what has already been done just months ago.

These uncertainties can delay the placement of a child. For example, one very qualified adoptive military family had an identified older child who was available through a private agency. Once the child was identified, the family knew that they would be moving in the next two months. They, therefore, had to postpone beginning the homestudy until they moved to the next state. This meant the child spent more time in a residential facility before he could enter the family's home.

If a family is living overseas, then the family may need to have a homestudy provided by a U.S. approved agency or social worker, but may also need to follow the local laws of the country regarding approval for adoption. In general, most countries permit U.S. service families to adopt following only the laws of the U.S., but this varies in different nations.

The fact that some military families experience frequent moves can also create other attachment and re-traumatization issues for an adopted child in the home. Because agencies are seeking the best interest of the child, the staff may overlook military personnel in the belief that the family's moves will have a negative impact on the child.

Instead of overlooking military families, agency staff can educate families and learn from them regarding ways to create stability in spite of moves. Military personnel are experts on this subject. This professional concern is understandable. These children need routine and structure, and for a child who has just settled into a family, seeing a group of people descend upon the home to take all the belongings and pack them in a large truck has the potential to re-traumatize the child, reminding them of past difficult moves. In order to overcome this and provide support, families need to create other rituals that define permanency. Particularly if a move comes shortly after the placement of a child, it may be especially critical to build and maintain routines throughout a move. This might include a similar daily schedule, morning, bedtime, and mealtime routines and ensuring use of some familiar items around this time, such as favorite stuffed animals, bedding, or mealtime cups and utensils.

In addition, one parent may be required to be deployed without the family. This obviously creates loss for a child who may have already experienced many losses. Fortunately, technology now allows military parents to regularly communicate by video chat and phone. This regular and focused time to talk with the child can create a special bond with the parent. A parent can co-read a book to a child or play a simple game on Skype. There are also other ways parents can create points of connection without physical presence. Families

are very creative using recorded messages in video, story book readings, or even stuffed toys with a recording device.

Each type of adoption presents certain advantages and challenges for the military family.

## Adoption from Foster Care

If a military family seeks to adopt a child through the public foster care system, the first difficulty may be in not living in one place long enough to complete all the paperwork and appointments that are necessary. Filling out forms, having interviews with social workers, and attending trainings may require six to twelve months to complete. If the family must move to another state, the home study and required training may not transfer to the next state. If a family lives in one place long enough to have a child placed in the home, the family may not be permitted to cross state lines and move with a child whose biological family may still have visitation rights. To allow a child to move from one state to another requires a court order, and the judge will look at the best interest of the child in these circumstances. Unfortunately, whenever a family makes such a move and the child cannot stay with the family, this also means that a child must be placed in yet another foster or pre-adoptive home.

Certain organizations have reached out to military families, knowing their strengths and wanting to make it more feasible for these families to adopt. As stated, the diversity within the military community, the extra resources at the installations, as well as the structure within the family can be one of the best environments for a child.

Families stationed overseas can contact Military One Source at (800) 342-9647 or the Family Centers at specific installation ([www.militaryinstallation.dod.mil](http://www.militaryinstallation.dod.mil)). Not all military installations are supportive of families adopting children with special needs. If adopting through the foster care system, the authorities on base may express concerns that the resources, such as therapy and special schooling, are not sufficiently funded for a child with special needs. These unwritten policies usually occur where the military base is losing its footprint.

Children do not necessarily need to be legally free for adoption to be placed with a family living overseas, but Children are less likely to be placed overseas until the biological parents' rights are terminated. It can also be difficult for social service offices to contract for once-a-month supervision in another country and many may not be willing. Therefore, the children for whom the goal is adoption are seldom placed with overseas military families.

VIDA International Adoption Agency places legally free children from social services – primarily from the states of Florida and Ohio – with military

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personnel in other countries. These adoptions sometimes must have Interstate Compact on the Placement of Children (ICPC) approval, depending upon the state. For example, Virginia and New Jersey require ICPC approval for children leaving the state and going overseas.

### **Adopting Domestically Through an Attorney or Private Agency**

Many expectant or birth parents would likely select parents who are in the military as they may have very positive views of military personnel and believe that a child raised in such an environment will have many advantages such as traveling, good health care, and a broad education.

When possible, it is better if the family can adopt from the state they identify as their legal residence or the state in which they currently reside. For example, if they claim South Carolina as their home state, live in Texas, and adopt a child from North Carolina, they would potentially need to have three ICPC offices involved, which can become complicated and time consuming.

Some expectant or birth parents may be reluctant to select a family who is living overseas. Perhaps it is the fear that the birth mother will never know what happens to her child if the child goes to live on military base across the ocean. As professionals, we can educate expectant/birth parents of the benefits of such placements so that expectant parents do not overlook military families' portfolios. All families have the potential to move far from their original homes after the adoption. Likewise, military families are likely to return to the States. The connection between the adoptive family and the birth parents ultimately defines the relationship – not necessarily the distance.

Families living overseas will need to come to the U.S. to receive their child. If the family is living overseas or one of the spouses will be deployed and the adoption is not yet complete, the military staff can seek a Deployment Deferment or Extension of Assignment to remain in the States until the adoption is finalized. Also, some judges will allow for an earlier finalization for military personnel instead of waiting the usual 90 to 180 days.

The state where the adoption is finalized will issue the child a new birth certificate. Then the family can obtain a passport for the child, so that the child can enter the country with the family.

If a child is born in the same state where the parents reside, and the adoption is finalized before the parents move back overseas with the child, then ICPC normally would not apply. If the child goes overseas with the parents *before* finalization, then ICPC may apply. As noted, some states are more particular on this matter.

## Adopting Internationally

Families living in the many military installations in the world can adopt internationally. In fact, this can be one of the easiest ways for military families to adopt. If a family will be at one installation for at least one to two years, it is very possible to conduct an international adoption. If the timeframe will be shorter, it is still possible but it will become more expensive and delays are possible.

First, the family needs to determine from which country they would like to adopt and what are the travel requirements. Some countries require parents to make two or more trips and stay for extended periods. It can be helpful to consider a country's travel requirements. For example, some families consider China's adoption program a good fit because it has a systematic timeline, and families are generally in country for less than two weeks. In addition, only one parent is required to travel.

As with any U.S. citizen living abroad, military service staff need a home study completed in their country of residence. The Judge Advocate General or legal assistance office will need to confirm that the country permits adopted children into that particular country. The family may need to follow the local laws, policies, and agreements. The Status of Forces Agreement (SOFA), a treaty between a host country and a nation stationing troops, may dictate these terms. There are experienced agencies, such as Adopt Abroad, with social workers in many of the countries where there are military installations and who are familiar with the policies of each country. A client can use one agency to perform the home study, while using another agency to conduct the adoption.

All families living overseas and adopting internationally must go through U.S. Citizens and Immigration Services (USCIS) and file the I-600 A or the I-800 A paperwork with the National Benefits Center of USCIS office here in the U.S. In general, families can obtain the biometrics, as required by Immigration, at a U.S. Embassy near them.

The process of getting the dossier documents as well as the authentications/apostilles, as required by the child's country, can be more difficult for families living overseas. If documents must be authenticated or apostilled, a military notary public can notarize the signatures on the documents. However, the military notary public's status is not affiliated with a U.S. Secretary of State office. Therefore, the notarized documents must be sent to the U.S. State Department in D.C to be properly authenticated. There, the documents will receive a seal of authentication or be given the equivalent of an apostille. The family can save a few steps and, instead, make arrangements for the consular staff at the U.S. Embassy to notarize the documents. This process at the U.S.

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Embassy also provides an authentication or apostille seal. However, these signatures and seals can cost \$50 for each document. Just as military families living overseas may not choose to have a military notary public notarize dossier documents, the military family living in the States should most likely have their dossier documents notarized by a civilian notary public so that the documents can be authenticated at the proper Secretary of State office, instead of having to go the U.S. State Department in D.C.

Once a child is adopted in the country where the family is not residing, the family will have to come back to the U.S. for the child to become a U.S. citizen. In fact, some countries where military are stationed will not let a foreign-born child enter the country unless the child is a U.S. citizen.

If the more than 1.2 million active military personnel are to be honored – and orphaned and vulnerable children are to be placed in families – then a bridge needs to be created to bring families and children together. Following are potential strategies that may enable our finest to become adoptive parents.

## Recommendations to Improve Adoptions for Military Families

1. Ensure the home study process is thorough so that it can be transferrable. Have strict enough guidelines and assessments associated with the home study that, regardless of what agency provided the home study, it is high quality and likely to comply with the laws of future states. Require agencies to accept home studies from other states and only update the home study based on an in-office interview and home visit. Require that military staff have references from associates/supervisors as well as family and friends.
2. Encourage agencies to keep the cost of an update for a military family within a certain fee schedule if the home study from another state has not expired.
3. Have the military maintain a central registry of child abuse clearances and criminal checks for their personnel so that there is “one stop shopping” for these clearances. All ICPC offices and courts would have to accept the clearances from the military.
4. Allow children in state custody, for whom the plan is adoption but whose parents have not had a termination of parental rights (TPR) hearing because no adoptive parents have been found, to be placed in pre-adoptive homes as if the children are already legally free for adoption – regardless of whether the military family lives in the States or overseas.
5. Appropriate federal funding so that children placed from social services can be monitored by a social worker on the military base.



6. Do not allow distance of miles across the country or across the world keep a child from finding a home. Through federal and state funding, reduce the financial burden associated with increased staff time and travel costs when placing children with military families.
7. Do not allow the military to restrict families from adopting children with special needs. The government is paying for the care and special services of children within the foster care system. The military can pay for these services as well.
8. Have an adoption service provider at each state-level social service office serve as a liaison with a military family advocate liaison. The coordination between these two liaisons will help create consistency for adoption procedures, support for adoptive families, and allow more children to find forever families.
9. Have adoption agencies form a consortium to outline the best ways to serve military families and have each agency within this group be identified as a “military-friendly agency.”

## ABOUT THE AUTHOR

Laura Beauvais, M.P.H., M.A., L.P.C.I., the adoptive mother of two grown daughters and two grandchildren, has been involved with adoptions for more than 25 years. She has directed the South Carolina office of Nightlight Christian Adoptions since 1998. In addition to this role, she serves as the president of the South Carolina Association of Licensed Adoption Agencies. She is a Licensed Professional Counselor Intern, and offers counseling services through Nightlight. Laura is the primary author of *The Complete Adoption Book*. In 2005, the South Carolina state legislature awarded her with the South Carolina Woman of Achievement Award for her work in adoption.



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