

## PREFACE

International Adoption has always been a deceptively challenging area of law because it is highly specialized, but also because it involves a mix of different types of law. An international adoption should be evaluated for compliance with U.S. state law, U.S. immigration law, international treaties such as the Hague Convention, and the law of the sending country. There may also be an adoption agency involved. Therefore, the U.S. attorney must be clear about their expertise and ready to help collaborate with a team of other professionals. It is tempting to advise on issues beyond one's competence or beyond the bounds of one's license to practice law.

To make it even more complicated, any international adoption case should be reviewed for other immigration options. Unfortunately, the law and policy around international adoptions make these cases difficult—in fact the number of international adoption green cards has plummeted about 90% in the last 10 years. A case that comes into your office asking about international adoption may sadly not be possible, or it may end up continuing through another immigration category.

In 2008, AILA published the International Adoption Sourcebook, which, to our knowledge, was the first volume on the intersection of immigration and adoption. Toward the end of 2008, right as the book was going to press, the United States issued regulations implementing the Hague Convention. The editors very quickly updated the articles but could not provide the kind of insight that comes from years of processing these types of case.

Now in 2021, AILA has asked us to update the first edition of the book. We have reviewed the original articles and added practice pointers and new guidance on the Hague Convention and other topics. We have also included articles that provide an introduction to other immigration options for children as alternatives to the visa categories based on adoption. A theme throughout the book is the complexity of international adoptions and, with that, it is wise for practitioners to evaluate all possible immigration avenues for children.

We also highly [recommend this](#) as a companion book for the practitioner handling immigration matters for children from the Immigration Legal Resource Center—focusing on SIJS in depth, and also reviewing other immigration categories for children. Additionally, CLINIC provides this excellent [Practice Advisory](#) that focuses on the issue of parole.

We hope this collection will be a one-stop resource for both experienced and new practitioners, and the eBook format allows more readily for updates, and for hyperlinks to the key source documents. We are grateful to our colleagues across the country who collaborated with us on this collection and who advocate tirelessly for children. Finally, we encourage all of you to network through AILA to share ideas and practice tips.

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