

Non-Convention Adoption Cases: Form I-604 Determination and Immigrant Visa Appointment Scheduling

The Department of State, Office of Children's Issues, wishes to remind U.S. adoption service providers (ASPs) and prospective adoptive parents (PAPs) adopting a child in non-Hague Convention countries of the potentially lengthy time involved in processing the *Form I-604, Determination on Child for Adoption* (commonly referred to as an orphan determination). Consular officers are **required** to conduct a Form I-604 determination to verify the child's orphan status prior to immigrant visa processing. Conducting this determination is a critical part of the adoption process in countries that are not signatories to the Hague Adoption Convention.

When USCIS adjudicates a [Form I-600](#) petition in the United States, the consular section in the child's country must complete a Form I-604 determination. When Department of State adjudicates a Form I-600 petition, the consular section must complete the Form I-604 determination to verify the child's orphan status prior to visa adjudication. Consular officers appreciate that families are eager to bring their adopted child home as quickly as possible; however, **depending upon the circumstances of the case, it can take several weeks or, in some cases, months to complete the Form I-604 orphan determination.** While the Form I-604 determination for most cases will consist of an analysis of available documents, some cases will require additional interviews, documentation, or a field investigation, all of which may result in delayed processing of the case.

Some additional factors that may contribute to the length of the investigation include prevailing fraud patterns in the country, civil unrest or security concerns that restrict travel to certain areas of the country, available staffing in the consular section, and poor infrastructure and record keeping in the child's country of origin. Consular officers make every effort to complete the orphan determination as expeditiously as possible while following the requirements of U.S. immigration law. PAPs are advised to keep their travel plans flexible while awaiting the Form I-604 determination results.

PAPs are not required to remain in country during the Form I-604 process. If the family is currently in-country when this

determination is initiated, the PAPs may return to the United States until it is completed.

PAPs should not schedule immigrant visa interviews until they have heard from the consular section processing the visa that the orphan Form I-604 determination has been resolved favorably. PAPs may consult the consular section to see if it is possible to appoint a representative to appear in their place for the visa interview if they are in the United States.

PAPs who have questions about their specific adoption should consult their ASP.

Please continue to monitor adoption.state.gov for updated information on intercountry adoption. For questions about this notice, please contact the Office of Children's Issues at Adoption@state.gov.

Last Updated: April 30, 2019

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