



CONGO Adoption Program Information

About Our Program:

Frank Adoption Center began working in Congo in 2017 to facilitate adoptions from Mwana Villages. We have so appreciated the ethical model of operations for Mwana involving family reunification and support of vulnerable families, as well as our shared focus on best practices in adoption that centers on the best interest for children.

A message from Mwana: "Mwana Villages US, Inc. is an orphan care nonprofit ministry. Mwana Villages US, Inc. is an independent 501(c)3 faith-based nonprofit who exists, alongside and collectively with Mwana Villages Canada and Mwana Villages France to promote the mission of Mwana Villages in Congo. Its primary operations are to empower the vulnerable (i.e. orphans and vulnerable children and families) in Congo and beyond. In cases where our first priority of family reunification is not possible or appropriate, plenary adoption is sought as an opportunity to provide orphaned children with hope and a future in accordance with Mwana's organizational mission. Mwana supports ethical, transparent adoption processes in full compliance with the Congolese law and pledge the same commitment."

We are working with a phenomenal attorney in Congo, Mte. Kolyardo as well as the incredible team at Mwana Villages Congo. Mte. Kolyardo is a skilled attorney with a wonderful reputation. She is dedicated to the best interest of children in the Republic of Congo.

While we have great confidence in our team of providers in Congo, it is important to remember this is a program in a non-Hague convention country where steps are added and changed periodically, and Congo operates quite differently than the US, so we must remain flexible and patient.

Overview:

Families should expect a process time of 18-24+ months with a minimum of 2 trips to the Republic of Congo. Families should be open to referrals of children over the age of 2 at the time of placement.



Process Steps:

Please note that all timeframes are approximations based on a limited number of cases, with every case varying greatly due to a number of circumstances. It is nearly impossible to develop a "precedent" timeframe for any one step.

Judicial holiday, with extremely limited court movement, is August to mid-September.

Courts and the US Embassy also close for national holidays.

Initial Steps by Prospective Adoptive Parents:

1. The first step in the adoption process is to obtain a Hague Accredited Primary Provider in the US (adoption agency), this is the role Frank Adoption Center serves.
2. The second step is to obtain a home study provider in your home state. (We are happy to give you recommendations for this.) The home study agency will access your home and family to determine your eligibility to adopt according to US and international regulations. They will then write a full report that our agency will review. Once the report is approved and printed, we will use it to take our next steps. Estimate 60-90 days for this step, but this will vary from agency to agency and state to state.
 - a. It is important to note that this agency will also be responsible for keeping your home study up to date throughout your process and for providing post adoption reports after you come home.
3. Step 3 is I-600a submission and approval. We will help you submit your home study report and supporting documents to USCIS with an I-600a application to get approval from the US government to adopt from Congo.
4. Step 4 is dossier assembly and submission (*many families work on this simultaneously with their home study, but we'll help with instructions and timing when we start to move forward*). We will help you assemble a dossier of all necessary documents to be submitted by Frank Adoption Center to The Republic of Congo via Mte. Kolyardo for official translation.
 - a. Families will receive a contract for Mte. Kolyardo's services at this time.
 - b. Mte. Kolyardo acts as a Foreign Supervised Provider under Frank Adoption's supervision. No other attorneys are permitted for use by FAC families at this time.

5. Step 5 is Matching and Referral. Frank Adoption Center will work in collaboration with Mwana Villages to present you with a referral of a child or children eligible for international adoption. We will do our best to give you as much information as is available on the child. Once you have reviewed the file and had a referral call with FAC and Mwana to answer any questions you may have, you will be asked to sign a referral acceptance document to commit to the adoption of that child.
 - a. Children eligible for international adoption have no in country options of reunification or domestic adoption.
 - b. Before being referred for international adoption, children will have completed Abandonment Judgements or formal court Relinquishment proceedings. Information on this will be provided at the time of referral.

6. Once the referral is accepted families will begin an observed relationship building and bonding period as they wait out their adoption process.
 - a. Families may begin communicating with their children on a bi-weekly basis and Mwana will facilitate sending basic medical reports (height, weight, head circumference taken monthly), photos or any additional information available.
 - i. These calls are scheduled and facilitated by the staff of Mwana Villages and families should respect their guidance on appropriate timing and be respectful of their full schedules.
 - ii. Major updates to information about the child will be communicated to FAC first and then a group call will be scheduled to discuss this information with the family, FAC, and Mwana.
 - b. Families will also be permitted to travel to meet the child. Both FAC and Mwana consider this trip to be an important part of not only bonding and building trust with your child, but also gaining knowledge and appreciation for your child's home country and culture.
 - i. Trips will need to be scheduled and approved by both FAC and Mwana.
 - ii. Families have the option to take additional trips beyond their first meeting, but these must always be approved by FAC and Mwana.

Adoption Process Steps in the Republic of Congo:

7. Translated dossier is called for a hearing (approximately 1 month after request is submitted).
 - a. Dossier is sent to Public Ministry for conclusions

- b. Public Ministry affirms the dossier (approximately 2-4 weeks later).
Conclusions are presented.
8. Consent to Adopt
 - a. A notary will oversee the “consent to adopt” which is the orphanage’s consent of a particular child to be adopted by a particular family.
 - b. There is a period of 3 months for non-retraction BEFORE the family can file for the placement in view of adoption and the adoption judgment.
 - c. At the end of 90 days, the notary will produce a “Certificate of Non-Retractation”
9. Waiver (only for families with biological children)
 - a. Family dossier with requested documents on the child to be adopted are sent to Ministry of Justice for signature
 - b. The waiver may be able to be applied for after the abandonment judgment and *possibly during* the 3 month period of non-retraction of the consent to adopt.
 - c. *We do not have a precedented timeline for this.*
 - d. *The officially translated dossier has not been requested before, but it is possible the translated dossier would be required for the waiver.*
10. Placement in view of adoption is requested by Mte. Kolyardo.
 - a. It is signed by judge (not a hearing; a document signed with a 15 day time of no appeal following signature).
11. Adoption Proceedings
 - a. Mte. Kolyardo will submit request for adoption on behalf of prospective adoptive parents.
 - b. There are approximately 3-4 hearings with a minimum of 2 weeks between each one: Dossier is called for a hearing, Dossier is sent to Public Ministry for conclusions, Judges deliberate, Final adoption judgment is issued.
 - c. A 30-day delay must be observed for a time of appeal
 - d. After 30 days, the Certificate of No Appeal (CONA) and typed judgement may be received
 - i. Please note that in order for the printer order and CONA to be picked up, all clerks and/or judges must be present in office on the same day. This often requires patience as we wait for their scheduling to allow for this.
12. Birth Certificate with child’s new name and Certificate of Nationality will be requested by Mte. Kolyardo from the city hall (2-4 weeks)
13. Passport (Congolese) MUST obtain before visa can be issued.
 - a. Congolo may request to see adoptive parents in person. If they agree to issue a passport without meeting parents, approximate timeframe 2-4 weeks.

- i. Note: The most recent adoptions took nearly 6 months for passports. We have a plan in place for approaching this differently for upcoming adoptions, but much of the wait was related to supply shortage in the country. FAC and Mwana will work to advise families on the best course of action at the time they reach this phase.
14. Remise d'enfant (authorization from Social Affairs)
 - a. FAC works together with Mwana to assemble the request for this document.
 - b. Note: the remise is not at this point required for the I-600 process or interview, but that may change. It may be required to leave the country (will be requested at the airport).

USCIS and Embassy Process:

These steps are a collaborative effort of Frank Adoption Center, Dempsey Law, and the team of Foreign Supervised Providers in Congo (i.e. Mwana and Mte. Kolyardo)

15. I-600 assembly and submission
 - a. FAC works together with Mwana and Mte. Kolyardo to assemble all required documentation on the child and adoption process.
 - b. All Congolese documents will be sent by FAC to contracted translators.
 - i. A list of required documents will be shared with the family at that time and the family will continue to be updated as documents are collected and translated.
 - c. Kelly Dempsey will file the I-600.
 - i. Review of I-600 applications can take 2-4 months.
 - ii. National Visa Center will send you a case receipt with important file number for filing DS260 (immigrant visa) so please hold on to this email.
 - iii. National Visa Center will review your file and issue an approval of the I-600
 - iv. Once your I-600 is approved, you will be invited to file the DS260 online and your case will be forwarded to the US embassy in Congo.
16. The US Embassy will perform an I-604 investigation to verify all submitted documentation and validity of your case. These are performed on every adoption case/visa application at every embassy worldwide.
 - a. Your POA (assigned by FAC) will be invited to the embassy to deliver originals -- this marks the beginning of the investigation phase
 - b. The Investigation is at the discretion of the embassy officials and may include: field investigations, witness interviews at the embassy, or additional testing. We cannot predict the course of the investigation as it

varies from case to case. The embassy will work to complete these investigations within 90 days.

- c. Medical Clearance must be obtained.
 - i. Child's medical—now only accepted in Kinshasa, DRC. Medicals cannot be done before the Congolese passport is issued.
 - ii. The embassy will notify families when their child is eligible for these medical appointments and FAC will coordinate with Mwana for their completion.
 - iii. The child will have to clear a visa medical examination and the results submitted to the US embassy. This exam will consist of at least 2 visits that are 48-72 hours apart but could require additional treatment depending on their health and vaccination records.

17. VISA

- a. Visa Interview
 - i. The visa interview may occur simultaneously with this document drop-off or afterward. The families do not need to appear in person, but the child must be present for the visa interview.
- b. After visa issuance, TRAVEL HOME!!!

18. Post Adoption

- a. FAC and Mwana support healthy adjustment to the child in a new home and country. FAC and Mwana endeavor to assure the Congolese entities (governmental and judicial systems) of the care the adopted child is receiving in his/her new home. Therefore, adoptive families are required to sign a commitment post placement services and provide reports to FAC to be shared with Mwana and appropriate Congolese entities. Failure to comply can jeopardize the future of adoptions in Congo. Post-placement reports are to be completed by a licensed social worker and are required at 1 month; 6 months; 1 year and 2 years post-adoption.
- b. Families should receive both your child's Social Security Card and Certificate of Citizenship in the mail 6+ weeks after arrival home. FAC will provide you with a welcome home packet with further information.