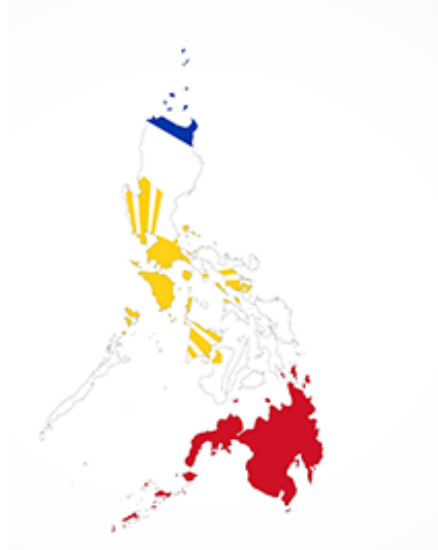


Philippines Eligibility Requirements



In addition to the U.S. requirements, the Philippines obliges prospective adoptive parents to meet the following requirements in order to adopt a child from the Philippines:

Residency: Requirements for U.S. Citizens Residing in the Philippines U.S. citizens interested in completing a full and final adoption of a Filipino child while living in the Philippines must be residents of the Philippines for at least three years prior to the filing of the adoption petition and maintain such residence until the adoption is finalized. U.S. citizens living in the Philippines do not need to possess a certificate of legal capacity to adopt, which is normally required by Philippine courts in domestic adoptions. Prospective adoptive parents can instead obtain a letter from the American Citizens Services section of U.S. Embassy Manila that states that the U.S. government does not issue certificates of legal capacity to adopt. To request this letter, please contact U.S. Embassy Manila's American Citizen Services section at: acsinfomanila@state.gov.

Prospective adoptive parents who meet the residency requirements should a) file a petition for adoption with the Philippine court to begin the adoption process; and b) submit the letter from the American Citizen Services section in lieu of the certificate of legal capacity.

The Philippine government may waive these requirements if a) the prospective adoptive parent(s) are former Filipino citizens who seeks to adopt a relative within the fourth degree of consanguinity, as defined by Philippine law; or b) the prospective adoptive parent seeks to adopt the legitimate child of his/her Filipino spouse.

Requirements for U.S. Citizens Residing outside of the Philippines

The three year residency requirement does not apply when U.S. prospective adoptive parents do not reside in the Philippines. In those cases, the prospective adoptive parents will pursue the Hague

Adoption Convention process and gain legal custody of the child prior to the child receiving an immigrant visa. The prospective adoptive parents will finalize the adoption in the United States.

- **Age of Adopting Parents:** Based on the Inter-Country Adoption Law of the Philippines (Republic Act No. 8043), the prospective adoptive parent must be at least 27 years of age and at least 16 years older than the child at the time of application, unless the adoptive parent is the biological parent of the child to be adopted or the spouse of such parent. The maximum age gap between the prospective adoptive parent and the child to be adopted must not exceed 45 years.
- **Marriage:** If prospective adoptive parents are married, they must have been married for at least three years. They must file jointly for adoption. Applicants who have lived together in a common law relationship for several years must have been married for at least one year, although ICAB will take into account the stability of the relationship prior to the marriage. Single applicants are eligible to adopt children between six and 15 years old in the Waiting Child Program. For prospective adoptive parents with a history of divorce, ICAB will consider prospective adoptive parents who have a history of two or fewer divorces and assess the stability of the current marriage to evaluate the suitability of a placement. Philippine law does not recognize same-sex marriage, but does not expressly forbid gay, bi-sexual, or transgendered individuals from applying to adopt individually.
- **Income:** Prospective adoptive parents must have a minimum annual income of \$40,000 USD.
- **Other:** Prospective adoptive parents must not have ever been convicted of a crime involving moral turpitude. They must be in a position to provide proper care and support and necessary moral values to all of their children, including the child to be adopted. The Philippine government will ascertain the prospective adoptive parents' ability to provide necessary moral values from references from community or religious groups (priests, pastors, etc.), or from people who know the prospective adoptive parents and can testify that they have the capacity to care for the child.

Prospective adoptive parents must have at least a high school diploma.

Obesity is an unacceptable medical condition for prospective adoptive parents. ICAB previously defined obesity as a BMI of 35 or above. A more recent addition to the list of unacceptable health conditions is "metabolic syndrome," which is defined as a medical disorder that, when occurring together with a high BMI, increases a person's risk of developing cardiovascular disease and diabetes. A prospective adoptive parent's BMI is still taken into consideration along with other health and lifestyle factors.

<https://travel.state.gov/content/travel/en/Intercountry-Adoption/Intercountry-Adoption-Country-Information/Philippines.html>