**Section 333.4 Illinois Pre-Adoptive Requirements**

a) When a foreign-born child is brought to the United States for adoption in Illinois, the following pre-adoption requirements must be met:

1) The placing agency must be authorized by the Department to place in Illinois.

2) Documentation that the child is legally free for adoption prior to entry into the United States must be submitted.

3) A medical report on the child, by authorized medical personnel in the country of the child's origin must be provided when such personnel are available.

4) Verification of foster home licensing of the adoptive family must be provided.

5) A valid home study conducted by a licensed child welfare agency, that is in compliance with guidelines established by the Immigration and Naturalization Services of the United States (8 CFR Section 204.4(d)(2)(i) must be submitted. A home study is considered valid if it contains:

A) A factual evaluation of the financial, physical, mental and moral capabilities of the prospective parent or parents to rear and educate the child properly.

B) A detailed description of the living accommodations where the prospective parent or parents currently reside.

C) A detailed description of the living accommodations in the United States where the child will reside, if known.

D) A statement or attachment recommending the proposed international adoption signed by an official of the child welfare agency which has conducted the home study.

6) The placing agency located in a non-Compact state, or a family desiring to adopt through an authorized placement party in a non-Compact state or a foreign country, shall place a $5,000 bond as protection that a "foreign-born child accepted for care or supervision not become a public charge upon the State of Illinois." The bond shall be required until the date of the finalization of the adoption.

7) In lieu of the $5,000 bond the placement agency may sign a binding agreement with the Department of Children and Family Services to assume full liability for all placements should, for any reason, the adoption be disrupted or not be completed, inclusive of financial and planning responsibility until the child is either returned to the country of its origin or re-placed with a new adoptive family in the United States and that adoption is finalized.

8) Compliance with Interstate Compact on the Placement of Children requirements, when applicable.

b) When a child is adopted in a foreign country and a final, complete and valid Order of Adoption is issued, as determined by both the U.S. Department of State and the U.S. Department of Justice, there are no Illinois pre-adoption requirements. The family, however, must comply with Federal requirements (8 CFR Section 204.2(d)(2)(ii)).