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## Taiwan

February 26, 2013

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### Notice: Taiwan implements a Pre-Adoption Immigration Review requirement for all adoptions by U.S. citizens of children residing in Taiwan

The Department of State shares the follow [web alert](#) posted by U.S. Citizenship and Immigration Services on February 26, 2013.

#### **Taiwan implements a Pre-Adoption Immigration Review requirement for all adoptions by U.S. citizens of children residing in Taiwan**

In January, the Taiwan Child Welfare Bureau issued an administrative order that requires all adoption cases filed on behalf of U.S. prospective adoptive parents with the Taiwan courts to undergo the U.S. PAIR process. The order applies to all currently licensed Taiwan adoption services providers (ASP), and any ASPs which may be licensed in the future. The administrative order instructs Taiwan ASPs to include a letter issued by the American Institute in Taiwan (AIT) located in Taipei, confirming that USCIS successfully completed the PAIR process with each court filing initiated after April 1, 2013. The new requirement will not affect pending adoption cases filed with Taiwan courts before April 1, 2013.

To enable prospective parents adopting from Taiwan to comply with Taiwan's new requirement, USCIS issued a [policy memorandum](#), effective immediately, that allows prospective adoptive parents to file a Form I-600, Petition to Classify Orphan as an Immediate Relative, before Taiwan courts finalize an adoption in Taiwan. These new procedures allow USCIS to assess the child's eligibility for U.S. immigration benefits and make a preliminary determination before Taiwan courts finalize the adoption decree.

After USCIS issues a preliminary determination of the child's immigration eligibility, AIT will issue a letter to prospective adoptive parents confirming completion of the PAIR process. Prospective adoptive parents, through their ASPs, must include the letter from AIT when filing a case with the Taiwan courts. To begin the PAIR process, petitioners adopting children from Taiwan should file the Form I-600 petition and supporting documents with the USCIS National Benefits Center (NBC) before filing an adoption case with the Taiwan courts. Please refer to [the Form I-600 instructions](#) for filing instructions for the NBC. USCIS overseas offices and the AIT will continue to accept Form I-600 petitions, but such petitions will be forwarded to the NBC for PAIR review.

Prospective adoptive parents filing their Form I-600 petition should include all available required documentation when filing a Form I-600 petition, except the adoption decree or grant of legal custody. In addition, the following PAIR-specific documentation must be submitted when the child's country of origin is Taiwan:

1. Evidence of availability for intercountry adoption generated by the Taiwan island-wide database;
2. Signed adoption agreement between birth parents and prospective adoptive parents for use in Taiwan District Family Courts; and
3. Power of attorney appointing the Taiwan ASP to represent the prospective adoptive parents.

The Taiwan District Family Court will make its own determination regarding the child's adoptability. After completing the adoption and receiving the adoption decree from the Taiwan District Family Court, U.S. adoptive parents will submit their adoption decree and all necessary documents to AIT for final Form I-600 petition approval and immigrant visa processing.

You may refer to [adoption.state.gov](https://adoption.state.gov) for additional information about adopting from Taiwan.