

final. *Id.*

The UAA requires that home studies prepared by petitioners for orphan visas must now satisfy the same standards for the manner of preparation and content as are mandated for Convention visas under 8 C.F.R. § 204.311 and 22 C.F.R. §96.47,¹⁶ Preparers must interview each prospective adopter and any adult member of the adopter's household and conduct a home visit. The home study must contain an assessment of each adopter's suitability to parent based on the applicant's background, family and medical history, physical, mental, and emotional health, social environment, motivation for adoption, ability to undertake an intercountry adoption, and the characteristics of children for whom the adopter would be qualified to care. Evaluations by doctors, mental health professionals, or substance abuse counselors may be requested and included if the preparer identifies areas beyond the preparer's expertise that should be addressed. The study must also include assessment of the adopter's financial circumstances, the adopter's current living accommodations, and the living accommodations where the child will reside. Available child abuse registries must be checked regarding each adopter and any adult member of the adopter's household for any state or foreign country in which the individual has resided from the age of 18. The home study preparer must inquire about any history on the part of the adopter or an adult household member regarding arrests or convictions for any crime, as well as any history of substance abuse, sexual or child abuse, or domestic violence, even if it resulted in no arrests or convictions; and include this information in the report, as well as any evidence of rehabilitation. Previous rejection for adoption or unfavorable home studies regarding any prospective adopter or adult household member must be attached. The home study must also summarize any counseling that has been given to prepare the adopter for international adoption and plans for post-placement counseling. Any specific requirements of countries of origin from which the applicant seeks to adopt must also be addressed. If the applicant seek to adopt a special needs child, assessment of the prospective adopter's willingness, preparation, and ability to provide proper care must be included. Finally, if the findings are favorable, the home study must

¹⁶ See USCIS, *The Universal Accreditation Act of 2012*, at <https://www.uscis.gov/adoption/universal-accreditation-act-2012>, which provides:

All home studies, including home study updates and amendments, must comply with the Hague Adoption Convention home study requirements in 8 CFR 204.311, which differ from the home study requirements in effect for orphan cases before July 14, 2014, in 8 CFR 204.3(e).

For greater detail regarding guidance provided to USCIS employees to implement the UAA's requirements for similar suitability determinations in assessing home studies in orphan and Convention visa petitions, see USCIS Policy Memorandum PM-602-0165, Nov. 9, 2018, *Guidance on Determining Suitability of Prospective Adoptive Parents for Intercountry Adoption*, at <https://www.uscis.gov/sites/default/files/USCIS/Laws/Memoranda/2018/2018-11-09-PM-602-0165-Suitability-of-Prospective-Adoptive-Parents-for-Intercountry-Adoption.pdf>.