

2018 was finalized in the United States.¹²⁶

Similarly, the need for readoption is rare. Prior to the U.S. ratification and implementation of the Hague Convention, many adoptive parents of foreign born children readopted their children when they were back in their home states to ensure recognition of the adoption, to obtain a domestic birth certificate or to similar document, or to facilitate a name change. The need or desire for readoption in Oklahoma is diminished both by the federal law requirement that any foreign adoption certified by the U.S. Secretary of State through a Hague Adoption Certificate is entitled to recognition as a valid final adoption for purposes of all federal, state, and local law within the United States. 42 U.S.C. § 14931. Oklahoma law similarly requires Oklahoma courts to recognize a foreign decree, judgment or order of adoption issued by a court or other governmental authority with appropriate jurisdiction in a foreign country and to afford the parties the same rights and responsibilities as if the order had been issued by an Oklahoma court. Okla. Stat. Tit. 10 § 7502-1.4(A).

To obtain a name change, Oklahoma law provides that a parent who adopted a child in a foreign nation may present the foreign order or proof that the child has U.S. citizenship to an Oklahoma court with a petition for a name change, and the Oklahoma court must order the State Registrar to prepare a supplementary certificate of birth for the child, “unless good cause is shown why the certificate should not be issued.” Okla. Stat. Tit. 10 §§ 7502-1.4(B); 7505-6.6.

Nevertheless, Oklahoma statutes specifically recognize the jurisdiction of Oklahoma courts to proceed with an adoption of a foreign-born minor child if no final adoption order was issued by a foreign court with jurisdiction and if one or both petitioners for adoption are citizens of Oklahoma and the child is residing in Oklahoma at the time the petition for adoption is filed. Okla. Stat. Tit. 10 § 7502-1.4(C). Oklahoma law also permits adoptive parents of children adopted in a foreign nation to petition to readopt the minor child under Oklahoma law, if one or both of the petitioners are citizens of Oklahoma and the minor is residing in Oklahoma at the time the petition for adoption is filed. Okla. Stat. Tit. 10 § 7502-1.4(D).

The Oklahoma Adoption Code applies to such proceedings, but there are several provisions in Okla. Stat. Tit. 10 § 7502-1.4(E) to specifically address some of the challenges presented by the international context of the proceedings.

- The court may waive the requirement of notice to and consent from a birth parent if the petitioner files with the petition for adoption a copy of the termination of parental rights granted by a judicial, administrative, or executive body of the country of origin, or document(s) or documents from the foreign nation’s governmental body stating that the

¹²⁶ U.S. Department of State *Fiscal Year 2018 Annual Report on Intercountry Adoptions* (March 2019) at <https://travel.state.gov/content/dam/NEWadoptionassets/pdfs/Tab%201%20Annual%20Report%20on%20Intercountry%20Adoptions.pdf>. The reporting period for FY 2018 is from October 1, 2017 through September 30, 2018.