

## **216-RICR-10-10-1.15 Certificates of Foreign Birth**

### **A.**

The State Registrar shall, upon request, prepare and register a certificate in Rhode Island for a person born in a foreign country who is not a citizen of the United States and who was adopted through a court of competent jurisdiction in Rhode Island. 1. The certificate shall be established upon receipt of a report of adoption from the court decreeing the adoption, proof of the date and place of the child's birth, and a request from the court, the adopting parents, or the adopted person if eighteen (18) years of age or over that a certificate be prepared. 2. The certificate shall be labeled "certificate of foreign birth" and shall show the actual country of birth. 3. After registration of the birth certificate in the new name of the adopted person, the State Registrar shall seal and file the report of adoption which shall not be subject to inspection except upon order of a court of competent jurisdiction or as provided by regulation.

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The certificate shall be established upon receipt of a report of adoption from the court decreeing the adoption, proof of the date and place of the child's birth, and a request from the court, the adopting parents, or the adopted person if eighteen (18) years of age or over that a certificate be prepared.

#### **2.**

The certificate shall be labeled "certificate of foreign birth" and shall show the actual

country of birth.

**3.**

After registration of the birth certificate in the new name of the adopted person, the State Registrar shall seal and file the report of adoption which shall not be subject to inspection except upon order of a court of competent jurisdiction or as provided by regulation.

**B.**

If the child was born in a foreign country but was a citizen of the United States at the time of birth, the adoptive parent(s) must use the procedures for obtaining a revised birth certificate for their child through the U.S. Department of State. A "certificate of foreign birth" application will not be appropriate for this situation.

**C.**

A new certificate of birth following foreign adoption shall be exempt from judicial proceeding when the child automatically acquired United States citizenship following a foreign adoption and received the subsequent certificate of citizenship under the Child Citizenship Act, 8 U.S.C. § 1431-33.1. A Rhode Island resident who is a United States citizen and adopts a foreign born child who automatically acquires citizenship in accordance with the "Child Citizenship Act" must submit a written request to the State Registrar for a "Certificate of Foreign Birth." The following documents must be shown to be in order to obtain the certificate: a. A certified English translation of certificate of citizenship or IR-3 designation or proof of IR-3 designation; b. A certified English translation of foreign birth certificate; c. Original documents certified by United States Embassy abroad (certification of foreign adoption and certified English translation); d. Permanent United States Identification card or passport; and e. Social Security card.

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A Rhode Island resident who is a United States citizen and adopts a foreign born child who automatically acquires citizenship in accordance with the "Child Citizenship Act" must submit a written request to the State Registrar for a "Certificate of Foreign Birth." The following documents must be shown to be in order to obtain the certificate:

- a. A certified English translation of certificate of citizenship or IR-3 designation or proof of IR-3 designation;
- b. A certified English translation of foreign birth certificate;
- c. Original documents certified by United States Embassy abroad (certification of foreign adoption and certified English translation);
- d. Permanent United States Identification card or passport; and
- e. Social Security card.

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A certified English translation of certificate of citizenship or IR-3 designation or proof of IR-3 designation;

**b.**

A certified English translation of foreign birth certificate;

**c.**

Original documents certified by United States Embassy abroad (certification of foreign adoption and certified English translation);

**d.**

Permanent United States Identification card or passport; and

**e.**

Social Security card.