

Adoption Options: Where Do I Start?

The prospect of adopting a child can be both exciting and overwhelming. There are many different types of adoption and choices to be made in pursuing an adoption. Your options for adoption will depend on the needs and interests of an adoptable child or youth as well as what is important to your family. These factors may include your flexibility around the characteristics of the child you wish to adopt, your feelings about contact with birth family members, your resources, and how long you are willing to wait for your child.

This factsheet is an introduction to the many pathways to building your family through adoption. It will give you a basic understanding of the different types of adoption and guide you to relevant resources. It begins by describing the different types of adoption and goes on to discuss State laws governing adoption, choosing an agency or adoption services provider, completing the home study, being matched with a child, completing the necessary legal documents, and—finally—bringing your child home to be part of your family. Knowing your options in adoption can help you make thoughtful decisions about what type of adoption would work best for you.

WHAT'S INSIDE

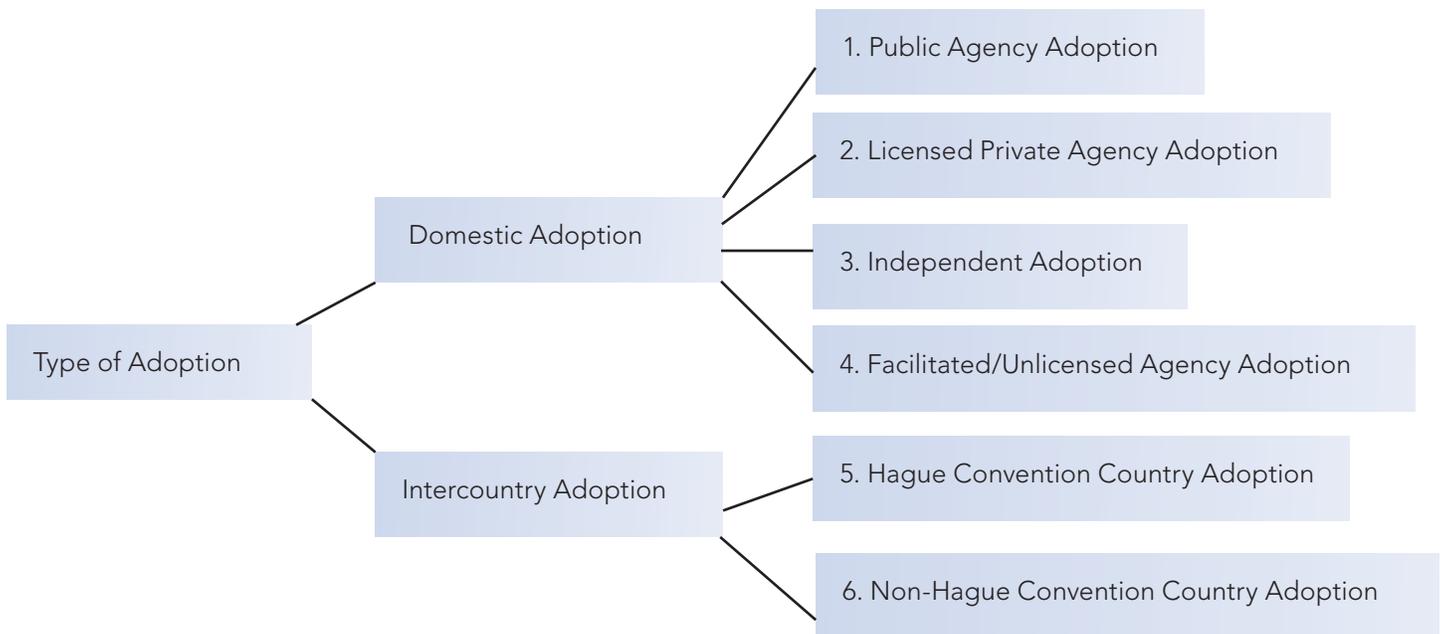
- Step 1: Explore adoption options
- Step 2: Understand the laws
- Step 3: Select an adoption services provider
- Step 4: Complete a home study
- Step 5: Engage in the placement process
- Step 6: File necessary legal documents
- Step 7: Parent your child
- Additional resources



Step 1: Explore Adoption Options

One of the first decisions many prospective adoptive parents make is whether to adopt a child born in the United States (domestic adoption) or born in another country (intercountry adoption). This decision tree (below) illustrates the different types of domestic and intercountry adoption. You can refer back to it as you read about each adoption type and consider what might work best for your family.

Map of Adoption Options



Domestic Adoption

There are four main types of agencies or services providers you may work with in a domestic adoption: a public agency, a licensed private agency, an attorney (“independent adoption”), or an adoption facilitator (if allowed by laws in your State) or unlicensed agency. Public and licensed private agencies are required to meet State standards and have more oversight to ensure quality services. Unlicensed agencies and facilitators often do not have the same State oversight; consequently, there may be more financial, emotional, and legal risk for adoptive and birth families using unlicensed services. Many public and private adoption agencies offer free orientation sessions to provide an overview of their services.

1. Public Agency Adoption

There are thousands of children and youth in foster care waiting for adoptive families. Children in foster care have been removed from their families for a variety of reasons, including abuse or neglect, and they may have experienced trauma as a result. These children range in age from infants to teenagers. Children ages 8 and up—especially older youth—children of color, sibling groups, and children with disabilities often wait longer than other children for adoptive families.

Public agencies—and private agencies contracted by public agencies—locate and prepare adoptive families to adopt children from foster care. In public agency adoptions, adoption matches are generally arranged by the agency through a meeting of several social workers and supervisors and/or by a placement committee, based on the needs of the child and the ability of the family to meet those needs.

If you decide to pursue adoption from foster care, you are not limited to adopting just from your immediate area although you might want to begin there. You may also want to view online adoption exchanges, which are organizations that connect families with children in foster care waiting to be adopted (find listings at <http://www.adoptea.org/memberlist.html#map>). Adoption exchanges provide photolistings with pictures and brief descriptions of children in foster care within particular States or regions.

Some prospective adoptive parents start out as foster parents. Reuniting children with birth families is almost always the first goal in child welfare, and foster parents must work with agency social workers to support a child's safe return home. When children cannot be safely returned to their biological parents, the child welfare agency begins to look for permanent resources for the child. In most cases, especially if no relatives are able to offer permanent care, the foster parents caring for the child will be offered the opportunity to adopt. It is important to note that infants are very rarely available for adoption from the foster care system, and the adoption process may be shorter or longer than private adoption, depending on the particular case details. Regardless, being a foster parent can be difficult emotionally because the opportunity to adopt is not guaranteed.

Resources on Public Agency Adoption

- Information Gateway's list of State photolistings at https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=19
- AdoptUSKids.org (a national website featuring children available for adoption from foster care across the United States) at <http://adoptuskids.org/meet-the-children/search>
- Listing of State adoption exchanges at https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=18
- Information Gateway's "Special Needs" Adoption: What Does It Mean? at <https://www.childwelfare.gov/pubs/factsheets/specialneeds/>
- Information Gateway's *Adoption Assistance for Children Adopted From Foster Care* at <https://www.childwelfare.gov/pubs/f-subsid/>
- Information Gateway's *Parenting a Child Who Has Experienced Abuse or Neglect* at <https://www.childwelfare.gov/pubs/parenting-CAN/>

2. Licensed Private Agency Adoption

In a licensed private agency adoption, birth parents relinquish their parental rights to an agency, and adoptive parents work with an agency to adopt. Agencies are required to adhere to licensing and procedural standards.

Many prospective parents work with licensed private agencies in order to adopt healthy infants. Waiting times for infant adoptions vary tremendously and can be several years or more. In the United States, agency criteria for prospective adoptive parents are often more restrictive for infant adoptions than for adoptions of older children because fewer infants are available. These types of adoptions may also be more expensive than public agency adoptions.

Many agencies encourage birth parents to choose a prospective adoptive family for their child based on profiles that prospective families create to share information about themselves. Birth parents and prospective parents may have several opportunities to get to know each other face to face or even have regular contact over time. Social workers may make decisions about which families' profiles are shared with expectant parents considering adoption, or agency staff may make the match of a child and prospective adoptive parent.

Birth parents' consent to adoption is not final until after the birth. While State laws differ about the timing of birth parents' consent and the conditions and timing of birth parents' right to revoke that consent, there is always the possibility that birth parent(s) will change their minds about their choice to make an adoption plan when their baby is born. For information about consent laws in your State, read Information Gateway's *Consent to Adoption* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/consent/>.

The National Foster Care & Adoption Directory lists public and licensed private adoption agencies and State adoption program managers for every State, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands at <https://www.childwelfare.gov/nfcad/>.

3. Independent Adoption

In an independent adoption, attorneys assist prospective adoptive parents and birth parents with the adoption process, which usually involves the adoption of an infant. Families adopting independently identify the expectant parents (or pregnant woman) without an agency's help. In some cases, the attorney may identify expectant parents who are seeking an adoptive family. Each family's situation is different; it is impossible to predict the length of time you may wait for a child.

Infants usually are placed with the adoptive parents directly from the hospital after birth. As with private agency adoptions, State laws differ about the timing of the birth parents' consent and the conditions and timing of the birth parents' right to revoke that consent, but there is always the possibility that birth parents will change their minds when the baby is born. The birth parents are the child's legal parents until they consent to the surrender of their parental rights.

If you decide to choose independent adoption, you will interact with the expectant parents or their attorney. Birth parents typically provide a written consent for the adoption that must be approved by the court. Attorneys who facilitate independent adoptions must adhere to the standards of the American Bar Association and any applicable State and Federal laws. Some attorneys who specialize in adoption are members of the American Academy of Adoption Attorneys (<http://www.adoptionattorneys.org>), a professional membership organization with standards of ethical practice.

Resources on Licensed/Private Agency and Independent Adoption

- Information Gateway's *Consent to Adoption* offers information on State laws regarding consent and revocation of consent at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/consent/>.
- *Regulation of Private Domestic Adoption Expenses* includes State laws on permissible expenses at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/expenses/>.

4. Facilitated/Unlicensed Agency Adoption

Adoptive placements by facilitators and unlicensed agencies offer the least amount of supervision and oversight. A facilitator is any person who links prospective adoptive parents with expectant birth mothers for a fee. Facilitators may or may not be regulated in their State and may have varying degrees of expertise in adoption practice. Families who work with facilitators often have little recourse if the plan does not work out as they had hoped. Some States prohibit adoptions by paid facilitators. Check the adoption program or policy in your State.

Resource on Facilitated/Unlicensed Agency Adoption

- For more information on facilitated adoption, read Information Gateway's *Use of Advertising and Facilitators in Adoptive Placements* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/advertising/>.

Openness in Adoption

Some degree of openness—that is, contact between a child’s birth and adoptive families—has become common in recent years. Contact may be occasional or frequent, in person or remote, and may vary over time. Research shows that contact between birth and adoptive families is generally beneficial for all parties. Children learn about their birth families in a gradual, more comfortable way, and they observe their birth and adoptive families interacting with each other. Birth parents know that their children have a loving home, and adoptive parents are not burdened with secrets to keep from their children. Thus, one of the variables you must consider in adopting is how much contact you and your child will have with his or her birth family. Find out more about the various forms of openness in adoption:

- Information Gateway’s *Openness in Adoption: Building Relationships Between Adoptive and Birth Families* at <https://www.childwelfare.gov/pubs/f-openadopt>
- The Adoption Institute’s *Openness in Adoption: From Stigma and Secrecy to Knowledge and Connections* at <http://adoptioninstitute.org/publications/openness-in-adoption-from-secrecy-and-stigma-to-knowledge-and-connections>
- Information Gateway’s *Postadoption Contact Agreements Between Birth and Adoptive Families* [State laws] at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/cooperative>

Intercountry Adoption

Intercountry adoption differs in several significant ways from domestic adoption. Information Gateway offers a factsheet for prospective parents that describes the unique circumstances of intercountry adoption: *Intercountry Adoption: Where Do I Start?* at <https://www.childwelfare.gov/pubs/f-inter/>. Children eligible for intercountry adoption may have lost their birth parents to death or abandonment, or the birth parents must prove that they are incapable of caring for the children. In many cases, children adopted through intercountry adoption have been living in orphanages or institutional settings, which may have implications for brain development and for social and emotional development. There is generally less information about a child’s birth and family history in intercountry adoption than in domestic adoption. Intercountry adoption can also be more expensive than adoption from foster care, and there are issues of cultural and language differences to be considered.

The placement process for intercountry adoption varies depending on the agency you choose and the child’s country of origin. In some cases, as a child becomes available for adoption, he or she is matched by an adoption service provider with prospective parents who can meet that child’s needs. In other cases, families may choose a child either before or during a visit to the country. Families often have the opportunity to review whatever information is available about a child before accepting a placement. However, in many cases very little is known about the child’s medical or other history. Find a list of pediatricians who specialize in helping parents evaluate information from intercountry adoption referrals at <http://www2.aap.org/sections/adoption/directory/map-adoption.cfm>.

Since the United States ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption in April 2008, a number of requirements have changed for adoptions of children from countries that are also party to the Hague Convention. The Hague Convention was enacted to safeguard children and families involved in intercountry adoption. It includes requirements for adoption service providers (agencies), home studies, parent training, and more. Prospective parents who decide to pursue an intercountry adoption need to decide early

in the process whether they will adopt from a Hague Convention country or a country that is not a party to the Hague Convention, since many requirements will differ. The two types of intercountry adoption are described below.

Resources on Intercountry Adoptions

- Information Gateway's factsheet *Intercountry Adoption: Where Do I Start?* offers more detailed information on intercountry adoption at <https://www.childwelfare.gov/pubs/f-inter/>.
- Information Gateway's factsheet *Intercountry Adoption From Hague and Non-Hague Convention Countries* allows you to compare the two types of intercountry adoption at <https://www.childwelfare.gov/pubs/factsheets/hague/>.
- The U.S. Department of State offers information on the two types of adoption at <http://travel.state.gov/content/adoptionsabroad/en/hague-convention/hague-vs-non-hague-adoption-process.html>.

5. Hague Convention Country Adoption

Parents who adopt from a Hague Convention country must use the services of a provider that is specifically approved or accredited to provide Hague Convention adoption services. Parents will need to identify the desired country before obtaining a home study. Children adopted from Hague Convention countries must be determined to be "adoptable" by their country of origin and must meet the definition of a Hague Convention adoptee. Before entering the United States, the child must obtain an immigrant visa.

To find out if the country you are considering adopting from is a party to the Hague Convention, visit the Department of State website at <http://travel.state.gov/content/adoptionsabroad/en/hague-convention/convention-countries.html>.

6. Non-Hague Convention Country Adoption

Parents adopting from a non-Hague country may obtain a home study before choosing the country from which they will adopt as long as the home study meets State and Federal requirements. The adoption provider (agency) must also be licensed in their home State. The child identified for adoption must meet the U.S. Citizenship and Immigration Services (USCIS) definition of "orphan" and will need to obtain a visa before being allowed to enter the United States. (See the USCIS definition of "orphan" at <http://www.uscis.gov/tools/glossary/orphan>.)

Adoption by Type of Family

Your own family circumstances impact the type of adoption you choose to pursue. Find resources for specific types of adoptive families—including single parents, families formed by second-parent adoption, families with stepparents, transracial/transcultural families, kinship or relative families, military families, foster families, and LGBT (lesbian, gay, bisexual, and transgender) families—on the Information Gateway website at <https://www.childwelfare.gov/topics/adoption/adoptive/adoption-by-family-type>.

Step 2: Understand the Laws

State laws and regulations govern U.S. adoptions. These laws govern who can adopt and be adopted, confidentiality of records, inheritance rights, postadoption contact agreements, adoption expenses, and more; these laws also vary from State to State. Learning about the adoption laws in your State, or any States involved with your adoption, can smooth the process and help you avoid frustrating situations.

Resources on Understanding the Laws

The State Statutes Search on the Information Gateway website provides a brief overview and summaries of State laws on a variety of adoption topics, including who may adopt, timeframes for consent and revocation of consent to adoption, termination of parental rights laws, and more at <https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>.

Other resources include the following:

- Family and Youth Law Center at <http://www.familyyouthlaw.org>
- American Academy of Adoption Attorneys at <http://www.adoptionattorneys.org/aaaa/home>
- American Bar Association at <http://www.americanbar.org/aba.html>
- U.S. Department of State's web section on intercountry adoption at <http://travel.state.gov/content/adoptionsabroad/en.html>

Step 3: Select an Adoption Services Provider

Once you have decided what type of adoption to pursue, you will then need to choose an adoption services provider or, in some cases, an attorney.

If you decide to adopt from foster care, your public child welfare agency can provide information, guidance, and training. They can work with you to identify children who are waiting for homes. You can also look at AdoptUSKids' photolistings of children around the country in foster care and available for adoption at <http://www.adoptuskids.org/meet-the-children/search>.

If you decide to adopt through a private agency, you will probably want to attend orientation sessions and visit several agencies before deciding on one. Some States contract with private agencies to perform foster and adoptive services for children in foster care. You can check with your public child welfare agency to identify potential adoption agencies in your area. All private providers of adoption services follow the same rules and standards set by the public child welfare agency; however, the service provision can vary based on individual agencies.

The following steps can help you assess the reputation of licensed, private adoption agencies (and many of these steps can also apply for selecting an adoption attorney):

- Contact the State Licensing Specialist in the State where the agency is located (find that person on the National Foster Care and Adoption Directory Search at <https://www.childwelfare.gov/nfcad/>). The State Licensing Specialist will be able to tell you if the agency is in good standing, if there have been any complaints lodged against the agency, and how long the agency has held the license.
- Contact the State's Attorney General's Office (<http://www.naag.org/naag/attorneys-general/whos-my-ag.php>) to see if any legal action has been taken against the agency. Ask whether there is pending litigation against the agency or whether the agency has an established complaint file.
- Request at least three references. Ask the agency to provide you with the names and contact information of families whose adoptions were completed at least 3 years ago. You may also want to speak with families whose adoptions were similar to the type of adoption you are considering. You may ask those adoptive parents how the agency handled the adoption process and if they had any problems or concerns with agency.
- Join an adoptive parent support group in your area and talk with other parents about their experience(s) with local agencies.

Resources on Selecting an Adoption Services Provider or Attorney

- Information Gateway's National Foster Care and Adoption Directory Search at <https://www.childwelfare.gov/nfcad/>
- Adoption Advocate's article on "Choosing an Adoption Agency" at <https://www.adoptioncouncil.org/files/large/99b593431281c3a>.
- American Academy of Adoption Attorneys' tips and directory at <http://www.adoptionattorneys.org/aaaa-page/adopting-parents/adopting-parents>

Step 4: Complete a Home Study

No matter which type of adoption you choose to pursue, all prospective adoptive parents must have a home study or family study. A home study involves education, preparation, and gathering information about the prospective adoptive parents. This process can take from 2 to 10 months to complete, depending on agency waiting lists and training requirements. States vary regarding home study requirements, so you should check with your State Adoption Program to learn the specific regulations in your State (see https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspROL&rolType=Custom&RS_ID=14 for a list). Intercountry adoption may carry special home study requirements, depending on the country and agency involved.

Resources on Home Studies

- The Information Gateway factsheet *The Adoption Home Study Process* provides more information about what is generally included in a home study at <https://www.childwelfare.gov/pubs/f-homstu/>.
- *Home Study Requirements for Prospective Parents in Domestic Adoption* provides information on State laws and policies at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/homestudyreqs-adoption>.
- The National Foster Care & Adoption Directory lists public adoption agencies in each State and territory at <https://www.childwelfare.gov/nfcad>.

Step 5: Engage in the Placement Process

Once your home study is completed, you are ready to begin the placement process—the time when a specific child is identified. Depending on the type of adoption you are pursuing, the characteristics of the child or children you are seeking, and a variety of other factors, this process and the time involved in waiting for your child can vary greatly.

- If you are pursuing a public agency adoption, you may review information about a number of children who are waiting for families. Your agency may have adoption events, a photolisting service, TV or video segments describing waiting children, or other ways to let you know about available children waiting for families. You can also view waiting children and register as a resource family at the national photolisting website at <http://www.adoptuskids.org/meet-the-children/search>. You will often have the opportunity for preplacement visits to get to know a child before he or she moves into your home. Your family may also be able to serve as a resource, foster, or concurrent planning family, working with the agency to support the child's return to his or her birth family as well as being considered as a potential permanent family for the child if reunification does not occur.
- If you are pursuing adoption through a licensed private agency that does not involve a child in foster care, the expectant parents may select your family from among several prospective adoptive families.
- If you are pursuing an independent adoption, an attorney or facilitator may help you identify expectant parents, or you may locate them on your own if allowed by State law.
- If you are pursuing intercountry adoption, you may review information about your prospective child and may have the opportunity to meet your child in his or her placement setting (foster home or orphanage). This varies greatly from country to country; some countries allow you to select a child in advance or while visiting the country, and other countries match children with parents.

Resources on Engaging in the Placement Process

- Information Gateway's *Obtaining Background Information on Your Prospective Adopted Child* provides suggestions for obtaining a child's medical, social, and educational history at <https://www.childwelfare.gov/pubs/f-background>.
- *Foster Parents Considering Adoption*, also from Information Gateway, outlines considerations in this type of adoption at <https://www.childwelfare.gov/pubs/f-fospar>.
- AdoptUSKids offers this web section on Receiving an Adoption Placement at <http://www.adoptuskids.org/for-families/how-to-adopt/receiving-an-adoptive-placement>.

Step 6: File Necessary Legal Documents

All domestic adoptions need to be finalized in court. The process varies from State to State. Generally, a child must have lived with the adoptive family for at least 6 months before the adoption can be legally finalized. During this time, a social worker may visit several times to ensure the child is well cared for and to write up the required court reports. After this period, the agency (or attorney in an independent adoption) will submit a written recommendation of approval of the adoption to the court. You or your attorney can then file with the court to complete the adoption.

For intercountry adoptions, the actual adoption procedure is just one of a series of required legal processes. In addition to the laws of your State, you must also follow the laws of the child's country of origin and U.S. Citizenship and Immigration Services requirements (see <http://www.uscis.gov/adoption>). If you adopt from a country that participates in the Hague Convention, the process carries further requirements to safeguard the parties involved. The process to finalize the adoption depends on the type of intercountry adoption, the type of visa the child has, and the laws in your State.

Resources on Filing Necessary Legal Documents

- The National Foster Care & Adoption Directory provides an attorney referral service for each State at <https://www.childwelfare.gov/nfcad/>.
- Several Information Gateway factsheets provide more information about the finalization of intercountry adoptions:
 - *Intercountry Adoption: Where Do I Start?* at <https://www.childwelfare.gov/pubs/f-inter/>
 - *Intercountry Adoption From Hague and Non-Hague Convention Countries* at <https://www.childwelfare.gov/pubs/factsheets/hague/>
 - *State Recognition of Intercountry Adoptions Finalized Abroad* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/intercountry>

Step 7: Parent Your Child

The final, and most important, step in the adoption process is to be a loving and supportive parent to your adopted child. Like all families, you and your child will experience joys and sorrows, ups and downs. Your family, like many families, may need support adjusting to life with your new child, and your child may need special help at times, too.

Adoption is a lifelong process, and you and your child may have new questions or needs for services and supports at different developmental stages. Questions may arise about the adoption process, the birth family, and the child's life before adoption. Adolescence is a key developmental period, and young teens often reprocess the stories of their adoption, seeking more information about their history and birth family. While the majority of adopted children and their families adjust well after adoption, children and families can often benefit from postadoption services. Many families seek postadoption services 8–10 years after the adoption. These services range from resources and referrals to intensive support services and peer support groups and can be a critical component of maintaining successful adoptions.

Children adopted from another country, especially older children, will require sensitivity to their change in culture, including (possibly) language, food, customs, societal expectations, etc. You may want to contact your agency about finding a support group for families with children from your child's home country.

All children will need time to adjust to new people, surroundings, schools, family rules, and more. You should feel free to take advantage of postadoption services offered by your agency, as well as support groups for adoptive parents and for children who have been adopted.

Resources on Being a Parent

- Read more in the Parenting After Adoption section of the Information Gateway website at <https://www.childwelfare.gov/topics/adoption/adopt-parenting>.
- Find adoption support groups in the National Foster Care and Adoption Directory at <https://www.childwelfare.gov/nfcad/>.
- Information Gateway offers a variety of factsheets on specific topics:
 - *Finding and Using Postadoption Services* at <https://www.childwelfare.gov/pubs/f-postadoption/>
 - *Helping Your Foster Child Transition to Your Adopted Child* at <https://www.childwelfare.gov/pubs/f-transition/>
 - *Parenting a Child Who Has Been Sexually Abused: A Guide for Foster and Adoptive Parents* at <https://www.childwelfare.gov/pubs/f-abused>
 - *Parenting a Child Who Has Experienced Abuse or Neglect* at <https://www.childwelfare.gov/pubs/parenting-CAN/>
 - *Parenting a Child Who Has Experienced Trauma* at <https://www.childwelfare.gov/pubs/factsheets/child-trauma/>
 - *Parenting Your Adopted Preschooler* at <https://www.childwelfare.gov/pubs/factsheets/preschool/>
 - *Parenting Your Adopted School-Age Child* at <https://www.childwelfare.gov/pubs/factsheets/parent-school-age/>
 - *Parenting Your Adopted Teenager* at <https://www.childwelfare.gov/pubs/factsheets/parent-teenager/>
 - *Selecting and Working With a Therapist Skilled in Adoption* at <https://www.childwelfare.gov/pubs/f-therapist>
 - *Stepparent Adoption* at <https://www.childwelfare.gov/pubs/f-step/>

Additional Resources

- Adoptive Families magazine and website at <https://www.adoptivefamilies.com/>
- AdoptUSKids at <http://adoptuskids.org>
- Information Gateway factsheets (not cited above):
 - *Adopting as a Single Parent* at <https://www.childwelfare.gov/pubs/single-parent>
 - *Costs of Adopting* at <https://www.childwelfare.gov/pubs/s-cost>
 - *Employer-Provided Adoption Benefits* at <https://www.childwelfare.gov/pubs/f-benefi>
 - *Frequently Asked Questions From Lesbian, Gay, Bisexual, and Transgender (LGBT) Prospective Foster and Adoptive Parents* at <https://www.childwelfare.gov/pubs/factsheets/faq-lgbt>
 - *Impact of Adoption on Adoptive Parents* at <https://www.childwelfare.gov/pubs/factsheets/impact-parent>
 - *Military Families Considering Adoption* at <https://www.childwelfare.gov/pubs/f-milita>
 - *Who May Adopt, Be Adopted, or Place a Child for Adoption [State laws]* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/parties/>

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