

Senate Judiciary Hearing
November 18, 2015
Adoption Story of the Families of:
Jonathan & Christine Hutchins and Gregory & Jennifer Smithers

Thank you for the opportunity to speak and give the testimony of my family's international adoption story. I am honored to have been invited by Senator Leahy.

Before I begin, I would like to introduce my husband, Jonathan Hutchins, and our son, James. I would also like to introduce my husband's sister, Jennifer Smithers, her husband, Greg Smithers, and their daughter Grace. We were together throughout this entire process, as they adopted James' twin sister, Grace.

Our adoption story began in April 2014. I had just come out of a meeting with a colleague, with tears in my eyes, saying 'I will never be a mother.' After nearly 10 years of infertility trials, it seemed my husband and I would not ever have the child we dreamed of. When I sat down at my computer after that meeting, I opened my email and saw a message from a friend of the family. I opened the email to see pictures of these beautiful babies, just about 15 days old.

Our friend Ruth Search, a missionary in Sierra Leone with her own Non-Government Organization, Mariatu's Hope, had been contacted by a father whose wife had just died from malaria only days after giving birth to James and Grace. Part of Ruth's program supports families by providing infant formula when needed, but requires the family to continue to care for their child. The father, who desperately needed help feeding the twins, said he thought his sister-in-law would be able to care for the babies.

The next day he came back to Ruth's with the babies in arm, riding on a back of a motorcycle! He handed the two infants babies to Ruth and said – "please, take my children, my sister-in-law cannot care for them and I cannot afford to raise them. I want them to live." He is a very poor fisherman, paid in fish, and he is also supporting an 8 year old daughter. Sierra Leone has one of the highest infant mortality rates in the world, and 1 in 5 children do not live to age 5.

In Sierra Leone, it is seen as a weakness to give up a child – usually, a family unable to care for a child would leave the child for dead, rather than try to find the child a home. We feel that James and Grace's father, Papa Alusine, did a huge act of love in wanting life for his children.

Our friend Ruth had never helped an adoption before, though she and her husband adopted their daughter 7 years ago so they knew some of the process. She sought out a lawyer in Sierra Leone and then reached out to my family through my mother-in-law. She knew that Jonathan and I had been struggling to have a family, and that Jen and Greg also had had difficulties. My mother-in-law said 'Yes – contact them'!

The email asked if one couple wanted to explore the adoption of both twins, or if each couple wanted to adopt. Papa Alusine's requirement was that the babies grow up knowing they are sister and brother – but not necessarily adopted together. We are very close to Jen and Greg –

and live only 10 minutes away. Within a few hours we decided to take a leap of faith and pursue this together. In the meantime, the babies lived with Ruth and her family in Sierra Leone with hired nannies in a very safe environment. They were never in an orphanage, which was comforting to us.

Our first step was to immediately get our home studies done, and for Ruth to take care of the paperwork on the Sierra Leone side – making sure that the six-month fostering that we were required to do was approved.

A few months after we started the process, the Ebola epidemic hit West Africa. Ruth and her family wanted to leave to keep themselves safe. We tried to do the adoption by proxy, but that was not allowed. We tried many different avenues so that there was not unnecessary travel to Sierra Leone where Ebola was taking a terrible toll.

As a last option, our friend decided to try to petition the US Embassy for a visitor visa for the babies to come to the United States to stay with us and be safe during the epidemic. Then we would return to Sierra Leone with the babies once it was safer to finalize the adoptions. The visa petitions were accepted and on September 23, 2014, James and Grace arrived in NYC into their mommies' and daddies' arms for the first time!

During this entire time, we were dealing with paperwork with USCIS, filing first the I-600 and then learning that we should have filed the I-600A. We were going back and forth with our USCIS officer to figure out what evidence they needed to approve our petitions, and not to mention the countless calls to Senator Leahy's office to help us navigate through the windy road that is international adoption.

As we promised to do, we went to Sierra Leone in April of this year to finalize the adoption. On May 4th – James became James Hutchins, Grace became Grace Smithers, and we officially became parents.

While in Sierra Leone, we had to wait during each step of the process. It took over 2 weeks to get a court date, then we had to wait until the judge wrote the order, and our attorney registered it with the country registrar—another 2.5 weeks. Once we had the order, we then had to email it to our husbands who had left 2 weeks prior. They had to snail mail it to USCIS in Missouri, and then we had to wait – again. The only reason we had approval when we did is because we had established a good working relationship with our USCIS officer, and because Senator Leahy's office had made calls on our behalf. Then we realized the paperwork had to be approved by the USCIS National Benefits Center, then the State Department National Visa Center – and then finally the US Embassy/Department of State. We were finally on our way home on June 25, 2015 – 2 months and 6 days after we started our trip to finalize our adoptions and make our children US Citizens.

In some respects we feel that our case went quickly through USCIS after the adoption was final – we provided the documents we needed to prove orphan status. There could have been an investigation done by the Embassy after they received the paperwork to verify orphan status. Why can't this be done up front prior to the adoption – to make sure that children are orphaned

before the emotional pain and time takes its toll and you fall in love with a child that you call your own? We understand that there are many checks and balances in the process, we want to make sure our children were legitimately orphaned – but, why can't this be done prior to an adoption?

In addition to the emotional struggles, international adoptions can be very expensive. For many, there are few, if any, employer paid benefits to assist with this process, and now with the Universal Accreditation Act, private international adoptions are no longer possible. People must now have an adoption agency to go through the immigration process, further adding to the expense.

We were very fortunate – we were able to stay with our friends while in Sierra Leone, in a very Westernized home. The house however, was enclosed with a 10-foot cement wall with razor wire and glass at that top to prevent home break-ins, and the compound was closed off by a steel door. This is where we spent most of our time. Because of the Ebola epidemic, we were unable to leave and visit the country. In many ways, we felt like prisoners.

If we were to summarize the challenges of international adoption they would be:

1. Take away the mystification. Everyone should be able to establish a relationship with their USCIS officer.
2. US immigration can take an incredibly long amount of time—we were told it could be 75 business days. Once the adoption is complete, it should be a quick process – maybe a temporary visa to get the family home in the United States and finalize here? Or could US immigration do their investigations for all children prior to the adoptions when a child is identified? Sierra Leone is a non-Hague convention country. With Hague countries, the visa applications are filed prior to adoptions – and therefore orphan status is determined prior to the emotional attachment to the child.

We know of another family that has adopted a child in a non-Hague country. They have bonded with the child, they have spent months in country, and have returned home because they have exhausted their financial resources waiting for orphan status to be approved by USCIS. They now have no idea if they will ever see this child again. What is the in best interest of this child who is only 1.5 years old and is confused about her new mom and dad who have had to leave her?

3. The costs can be very prohibitive and do not allow many families to adopt a child in need of a forever home.
4. We understand that our process is an exception for international adoptions. Our children came to live with us when they were 5 and half months old. We were able to care for our children as our own before most adoptive parents are even notified that a child is waiting for them. Often, children in international adoptions are waiting in orphanages for 4+ years. This just does not seem to be in the best interest of the children.

It is by the Grace of God that we were able to finalize our adoptions – our faith pulled us out of many situations where we thought we were hitting dead ends. Would we do this again for our children? Knowing the outcome, yes – our children are thriving! James seems to have skipped the walking stage and went right to running and jumping. His words are coming quickly – and when he starts to talk, he is going to have so much to say. He has a fascination of tractors and loves the outdoors – just like a good Vermont farm boy! Grace loves running and galloping, especially outdoors, and she enjoys dogs and horses. She is repeating many words, and right now she watching and copying everything that Mommy and Daddy do, including putting on deodorant and using the potty! Both of them have a love of music and dancing. James and Grace will have a chance at a life beyond what their birth father could ever imagine for them, their opportunities in life are endless! James and Grace are now our children, and we could not be more proud to say they are ours. However, the emotional and financial tolls we lived through were challenging.

In closing, we would like to thank Senator Leahy, and members of the Judiciary Committee for your time and attention to this issue. Thank you.