



FORT SILL LEGAL ASSISTANCE



ADOPTION EXPENSE REIMBURSEMENT

Summary

Eligible Service members serving on active duty may be reimbursed a maximum of \$2,000 per Child for qualifying expenses related to the adoption of Children under age 18, up to a maximum of \$5,000 per calendar year for multiple adoptions.

Eligibility

Service members serving on continuous active duty for at least 180 days are eligible for reimbursement of qualifying adoption expenses.

Benefit Highlights

Additional eligibility requirements

- Service members are not entitled to reimbursement if they leave active duty before the adoption is final; however, they remain eligible if the claim for reimbursement has been properly submitted to the Defense Finance and Accounting Center (DFAS)-Cleveland Center prior to discharge from active duty. Members may request a voluntary extension of assignment beyond their normal expiration of term of service to complete the adoption process. Adoption expenses may be paid to married or single Service members.
- If both adoptive parents are Service members, only one parent may be reimbursed for expenses related to the adoption of the same Child
- Service members must submit a reimbursement request to the DFAS-Cleveland Center not later than two year after completion of an adoption
- If deployment responsibilities impact the Service member's ability to comply with the 2-year deadline, DFAS can make exceptions. In these cases, the verifying official who signs the DD Form 2675 will submit a letter stating that the Service member's deployment impacted the Service member's ability to comply with the 2-year deadline.

Qualifying adoptions

- Children under the age of 18 and
- The adoption must be arranged by a qualified adoption agency:
 - A state or local agency that has responsibility under state or local law for Child placement through adoption, or
 - A nonprofit, voluntary adoption agency that is authorized by state or local law to place Children for adoption, or
 - Any other source authorized by a state to provide adoption placement, if the adoption is supervised by a court under state or local law.

OR

- Private and stepchild adoptions must be finalized in a U.S. court.

Notes

- This program may cover inter-country adoptions. Adoptions arranged by a foreign adoption agency will not qualify for reimbursement unless a qualified

(United States) state or Federal agency is the prime agency and the foreign agency works under the control of the US agency.

- This program covers adoptions of Children with special needs.

Qualifying Expenses

Reasonable and necessary expenses for the legal adoption of a Child less than 18 years of age, including:

- Public and private agency fees including fees charged by an agency in a foreign country
- Placement fees, including fees charged adoptive parents for counseling
- Legal fees, including court costs, for services that not available from military legal assistance or notary offices
- Medical expenses, including:
 - Hospital expenses of the biological mother of the Child to be adopted
 - Hospital expenses of a newborn infant to be adopted
 - Medical care given to the adopted Child before the adoption
 - Physical examinations of the biological mother of the Child to be adopted
 - Temporary foster care charges when payment of such charges is required to be made before the adoptive Child's placement
 - **Note:** Determination of military medical benefits is based on registration of the adoptive Child in DEERS.

Non-qualifying Expenses

- Travel expenses incurred by an adopting parent
- Basic needs (clothing, toys, bedding, etc.)
- Expenses incurred for an adoption arranged in violation of Federal, state, or local law.

Reimbursement Claim Procedures

Service members must submit requests for reimbursement for qualifying adoption expenses using DD Form 2675 "Reimbursement Request for Adoption Expenses." A separate form must be submitted for each qualifying Child. The form can also be obtained from the Service member's servicing personnel activity.

- The completed reimbursement request and substantiating documentation must be submitted while on active duty, not later than 2 years after the finalization of the adoption and prior to separation from active duty, to the Service member's servicing personnel activity which will review the request package for completeness and then forward it to the Service member's commanding officer or verifying official to certify the Service member's eligibility.
- Substantiating documentation includes:
 - Electronic Funds Transfer information (routing and account number)
 - Copy of the final adoption decree, certificate or court order granting the adoption (translated to English at cost to the Service member for foreign adoptions)
 - Documentation to show that the adoption was handled by a qualified adoption agency or other source authorized by a State or local law to

- provide adoption placement (foreign adoptions must show that the adoption was handled by a qualified adoption agency)
 - Documentation to substantiate reasonable and necessary expenses, in accordance with Section 1052 of Title 10, U.S.C., paid by the member
- The personnel activity will submit the certified, completed request for reimbursement via ASKDFAS, to the DFAS-Cleveland Center for review, certification, and payment of the adoption expense reimbursement.
- Applications must be submitted via the Service members command (when manually signed) or by the Service member (when digitally signed) to:
 - DFAS preferred method for receiving adoption reimbursement claims and questions is via ASKDFAS:
 - <https://corpweb1.dfas.mil/askDFAS/ticketInput.action?subCategoryID=21444>
- It takes approximately 4-6 weeks for a determination to be made. For claims that are approved, payment will be issued via direct deposit. If a claim is denied or additional information is necessary, the Service member will be notified in writing.
- If documents submitted in support of an application for reimbursement do not suitably establish eligibility for reimbursement or justify claimed expenses, DFAS will retain the application and advise of additional documentation needed.
- All requested documentation must be submitted to DFAS within 90 calendar days of DFAS request.
- Any exceptions to this process due to deployment or other extenuating circumstances must be coordinated with and approved by DFAS.
- The DFAS-CL site will pay documented, reasonable, and necessary adoption expenses, up to \$2,000 per adoptive Child. Not more than \$5,000 shall be paid per calendar year to any Service member.
- **Note:** DFAS will withhold taxes on the reimbursement and inform the Service member that such benefit is taxable and will issue a separate Form W-2, "Statement of Wages and Income," issued for the amount of the adoption reimbursement paid.

Updated November 2022

This Information Paper provides only basic information and is not intended to serve as a substitute for personal consultation with a Legal Assistance Attorney. To schedule an appointment with a Legal Assistance Attorney, please contact the Legal Assistance Office at (580) 442-5058. The Fort Sill Legal Assistance Office is located on the 4th Floor of Building 4700 (Welcome Center) at 4700 Mow-Way Road, Fort Sill, Oklahoma 73503.