

# Hague Child Abduction Convention Issue Briefs

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These issue briefs were written under grant 93-MC-CX-0002 from the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, to the American Bar Association Fund for Justice and Education. The official grant title is "Obstacles to the Recovery and Return of Parentally Abducted Children: Training, Technical Assistance, and Product Resources." The project is directed by Dr. Linda Girdner at the ABA Center on Children and the Law.

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Hague Child Abduction Convention Issue Briefs

This series of issue briefs highlight some of the important issues lawyers should consider when representing parents seeking return of their children from the United States pursuant to the Hague Child Abduction Convention. They were written by Patricia M. Hoff, Legal Director, Obstacles to the Recovery and Return of Parentally Abducted Children Project, ABA Center on Children and the Law, for dissemination to attorneys who participate in the International Child Abduction Attorney Network (ICAAAN).

The briefs address the following questions:

What are the elements of the case for return of a child under the Hague Convention on the Civil Aspects of International Child Abduction? What should be included in the return petition? (See pages 1-8.)

What defenses may be raised to a petition for return of a child under the Hague Convention on the Civil Aspects of International Child Abduction? (See pages 9-15.)

Should a return petition under the Hague Convention on the Civil Aspects of International Child Abduction be filed in state or federal court? (See pages 16-20.)

What assistance can the United States Central Authority provide when a case for return or access is brought in this country under the Hague Convention on the Civil Aspects of

International Child Abduction? (See pages 21-25).

The briefs should serve as a starting point for directed research. They are not intended as, and do not constitute, legal advice.

## HAGUE CHILD ABDUCTION CONVENTION ISSUE BRIEF #1

### ISSUE

**INTRODUCTION** What are the elements of the case for return of a child under the Hague Convention on the Civil Aspects of International Child Abduction? What should be included in the return petition?

If you can establish by a preponderance of the evidence that your client's child has been wrongfully removed or retained within the meaning of the Hague Child Abduction Convention, the state or federal court hearing the matter is under a treaty obligation to order the child returned forthwith if less than a year has elapsed between the date of the wrongful removal or retention and the commencement of the proceeding. The duty to return is absolute unless the respondent establishes one of the limited exceptions set forth in the Convention. (These are the subject of another issue brief.) Even then, the court retains discretion to order the child's return.

In your initial screening of the case, scrutinize whether the alleged removal or retention would be wrongful under the Convention. If so, the Convention probably is your client's best chance for getting the child returned quickly.

A removal or retention is wrongful under Article 3 of the Convention, if:

- (a) it is in breach of custody rights attributed to a person, institution, or other body, either jointly or alone, under the law of the state in which the child was habitually resident immediately before the removal or retention; and
- (b) at the time of the removal or retention, those custody rights were actually exercised or would have been but for the removal or retention.

A basic understanding of the Convention terms italicized above is a prerequisite to drafting a thorough and effective petition for return.

What are custody rights?

Custody rights are defined to include "rights relating to the care of the person of the child, and in particular, the right to determine the child's place of residence." Whether the person asserting "custody rights" actually holds such rights is determined by the law of the child's country of habitual residence. Custody rights may arise by operation of law, court order, or agreement of the parties.

Violation of a custody order is not a prerequisite for seeking a child's return under the Convention. Thus, a parent whose child is removed or retained by the other parent, without consent and prior to the entry of a custody order (e.g., during the marriage), may invoke the Convention for the child's return, as well as the parent who has a custody order.

There may be circumstances that permit a noncustodial parent with visitation ("access") rights to seek return of the child under the Convention, instead of invoking the lesser remedies available for breach of access rights under Article 21. Courts in an number of countries have found that the right of a parent with court-decreed visitation rights to be consulted before the child is taken out of the country amounts to custody rights under the Convention. The rationale in such circumstances is that the noncustodial parent has a right to determine the child's place of residence. The same result has been reached when the custodial parent is required by court order to obtain advance consent of the court before removing the child from the country.

What is the child's country of "habitual residence" and why does it matter?

The Convention only applies if the child was habitually resident in a Contracting State immediately before the alleged breach of custody or access rights. Assuming the Convention applies to the particular child, then the law of the child's country of habitual residence governs whether the person seeking return was exercising custody rights, the breach of which would be actionable.

Thus, the return petition should identify the child's country of habitual residence and assert that the child was habitually resident in that country immediately before the alleged wrongful removal or retention. Further, the petition must allege that the removal or retention was in breach of custody rights that petitioner has under the law of the child's habitual residence.

The Convention does not define habitual residence.

However, it is a long-recognized concept in the Hague Conference, which treats it as a question of fact, thus distinguishing it from "domicile." Professor Elisa Perez-Vera, official reporter for the Hague Convention, explained that habitual residence is meant to refer to the center of the child's life.

Habitual residence must be determined by the facts and circumstances of each particular case. It is a fluid concept. There is no fixed period of time that a child must live in a country for it to be considered the child's habitual residence. In this respect, habitual residence differs from the "home state" concept in the UCCJA and PKPA, which is based on the child's presence in the forum for at least six months before commencement of the proceeding. Depending upon the facts of the case, habitual residence could be established in a very short time. Yet it should be noted that continuous periods of residence of at least a year have nearly uniformly been held to constitute habitual residence, regardless of a parent's intent.

As petitioner's attorney, you should review the substantial body of cases interpreting habitual residence. One of the most frequently quoted -- and followed -- interpretations of habitual residence in Convention case law is found in the English decision, *In re Bates*:

There must be a degree of settled purpose. The purpose may be one or there may be several. It may be specific or general. All that the law requires is that there is a settled purpose. That is not to say that the propositus intends to stay where he is indefinitely. Indeed, his purpose while settled may be for a limited period. Education, business or professional employment, health, family or merely love of the place spring to mind as common reasons for a choice of regular abode, and there may well be many others. All that is necessary is that the purpose of living where one does has a sufficient degree of continuity to be properly described as settled.

In framing the pleading, anticipate defenses the respondent may raise with regard to habitual residence. For instance, respondent may assert that the country from which the child was

removed was not his/her country of habitual residence, or that petitioner did not have rights of custody under the law of the habitual residence.

What constitutes the "actual exercise" of custody rights?

Petition for Return

PROVISIONAL REMEDIES As part of the prima facie case for return, the petitioner must allege that he or she was actually exercising custody rights conferred by the law of the country in which the child was habitually resident immediately before the removal or retention, or would have done so but for the wrongful conduct. While the bare allegation may suffice, it is helpful for the court to have facts supporting the allegation.. If petitioner was exercising custody pursuant to a court order, the petition should cite the applicable provisions of the order. Copies of relevant documents may be appended to the return petition and are admissible (see below).

The Sixth Circuit Court of Appeals produced a useful interpretation of what actually exercised means in *Friedrich v. Friedrich*, 78 F.3d 1060, 1064, 1065 (6th Cir. 1996):

...The only acceptable solution, in the absence of a ruling from a court in the country of habitual residence, is to liberally find "exercise" whenever a parent with de jure custody rights keeps, or seeks to keep, any sort of regular contact with his or her child...

We therefore hold that, if a person has valid custody rights to a child under the law of the country of the child's habitual residence, that person cannot fail to "exercise" those rights under the Hague Convention short of acts that constitute clear and unequivocal abandonment of the child.

Under Article 13(a), the alleged abductor has the burden of proving the non-exercise of custody rights by the petitioner as an exception to the return obligation. This defense must be established by a preponderance of the evidence. 42 U.S.C. 11603(e)(2)(B).

The petition for return should allege that:

The child is under the age of 16 (Article 4);  
The child was habitually resident in a contracting state [identify] immediately before the breach of custody rights (Article 4);  
The petitioner has custody rights within the meaning of Articles 3 and 5(a);  
At the time of the removal or retention, the petitioner was actually exercising custody rights, either jointly or alone, or would have done so but for the removal or retention (Article 3(b));  
The respondent wrongfully removed the child from the child's country of habitual residence on [specify date]

and has wrongfully retained the child in [state],  
U.S.A., since [specify date] in violation of Article 3;  
The Convention is in effect between the child's country  
of habitual residence [identify country] and the United  
States;

This court [identify state or federal court] has  
jurisdiction under 42 U.S.C. 11603(a), and the child is  
located within the jurisdiction of the court;  
Notice was given to respondent in accordance with law  
governing notice in interstate child custody proceedings.

If less than one year has elapsed between the wrongful removal or retention and commence-  
ment of the proceeding, the petition should so allege, as this eliminates one possible defense  
based on the child becoming settled in its new environment.

In the prayer for relief, the petitioner should request the court to order:

The child's prompt return (or other appropriate  
placement of the child) in accordance with Article 12;  
The respondent to pay attorneys' fees and costs  
pursuant to 42 U.S.C. 11607.

Certain situations may necessitate interim remedial measures before the court can hear the  
Hague return case. Under 42 U.S.C. 11604, petitioner may request the court to order provisional  
remedies to protect the well-being of the child or to prevent the child from being abducted or  
concealed again before final disposition of the case.

The request for provisional remedies may be made in the return petition, or in a separate plead-  
ing filed immediately prior to filing the petition for return.

Examples of the kind of relief petitioner may seek pending the outcome of the Hague case  
include orders:

prohibiting the respondent from removing the child from  
the jurisdiction;  
directing respondent to post a bond;  
requiring respondent to surrender passports to the court;  
directing law enforcement officers to remove the child  
from the alleged abductor before the hearing on the  
Hague petition, provided this is allowed under state law.

## ADMISSIBILITY OF DOCUMENTS

Counsel may append to the return petition any  
documents or other information relating to the request for  
return. This may include an application for return that was  
filed with a Central Authority, and any documents or other  
materials attached thereto. Under 42 U.S.C. 11605, no  
authentication is needed for the information to be admissible  
in court.

## HAGUE CHILD ABDUCTION CONVENTION ISSUE BRIEF #2

### ISSUE

### INTRODUCTION

### DEFENSES TO RETURN

What defenses may be raised to a petition for return of a child under the Hague Convention on the Civil Aspects of International Child Abduction?

Crafting a petition for return of a child under the Hague Child Abduction Convention requires an understanding not only of the elements of the cause of action for return, but also of the defenses available to the respondent.

The rule of the Hague Convention is that courts hearing return cases are obligated to order a child returned forthwith if petitioner establishes, by a preponderance of the evidence, that the child has been wrongfully removed or retained within the meaning of the Convention and less than a year has elapsed between the date of the wrongful removal or retention and the commencement of the proceedings. (The elements of the cause of action for return are the subject of a separate issue brief.)

The exceptions to the rule, found in the Convention, are few. Even if a defense is established, the court may order a child returned. As counsel for petitioner, you must familiarize yourself with the exceptions, and anticipate them in your pleadings and oral advocacy. They are summarized below.

Article 12: Child settled  
in new environment  
after a year

The court is not obligated to order the return of a child when return proceedings are commenced a year or more after the alleged removal or retention and it is demonstrated that the child is settled in its new environment. Its determination of whether the child is settled in its new environment depends upon the particular facts of the case. The respondent must establish this defense by a preponderance of the evidence. 42 U.S.C. 11603(e)(2)(B).

The best way to avoid this defense is by filing for return as soon after the removal or retention as possible, and certainly within a year. A delay of a year or more could cost petitioner return of the child.

Article 13(a):

Nonexercise of custody rights/ acquiescence or consent

The court may deny a return petition if the person seeking the child's return was not actually exercising custody rights at the time of the removal or retention, or had consented to or acquiesced in the removal or retention. What it means to actually exercise custody is discussed in the issue brief about the petitioner's case for return.

Whether the applicant consented to or acquiesced in the removal or retention requires a detailed analysis of the facts. The Sixth Circuit Court of Appeals' decision in *Friedrich v. Friedrich*, 78 F. 3d 1060, 1070 (6th Cir. 1996) addressed the question of what constitutes acquiescence.

The court said:

"Although we must decide the matter without guidance from previous appellate court decisions, we believe that acquiescence under the Convention requires either: an act of statement with the requisite formality, such as testimony in a judicial proceeding [fn omitted], a convincing written renunciation of rights [fn omitted], or a consistent attitude of acquiescence over a significant period of time."

Questions about consent tend to arise when temporary removals turn into de facto permanent changes in custody. For instance, one parent may consent to the other parent taking the child on a temporary visit to that parent's home country. If the parent decides not to return, the left-behind parent will claim she or he did not consent to the permanent change of residence. Evidence or return airline tickets, school registrations, employment, etc., will help the court ferret out the true intentions of the parents.

The respondent must establish an Article 13(a) defense by a preponderance of the evidence. 42 U.S.C. 11603(e)(2)(B).

Article 13(b): grave  
risk of harm/  
intolerable situation

A court may refuse to order the return of a child where the respondent proves, by clear and convincing evidence (42 U.S.C. 11603(2)(A)), that there is a grave risk that return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.

It is a common defense strategy to try to persuade the court that return would not be in the child's best interests. The respondent may offer expert testimony and other evidence. Judges should be reminded that a Hague Convention case is not a substantive custody case, and a determination of the child's best interests is outside the scope of the Convention. Rather, the issue before the court is whether the removal or retention of the child was wrongful within the meaning of the Convention, and if so, whether a Convention-based defense would preclude an order for return. When a child is ordered returned, courts in the country of habitual residence

then make substantive custody and visitation decisions. Counsel for petitioner should urge the court not to allow the respondent to try the underlying custody case under the guise of proving a defense. A return decision is not a decision on the merits of custody; indeed, the court may not consider the underlying custody claims until it is determined that the child is not to be returned.

There is ample case authority for the proposition that courts should interpret grave risk restrictively.

A well-reasoned analysis of what constitutes grave risk is articulated in *Friedrich v. Friedrich*, 78 F.3d 1060, 1068 (6th Cir. 1996). The court held:

We believe that a grave risk of harm for purposes of the convention can exist in only two situations. First, there is a grave risk of harm when return of the child puts the child in imminent danger prior to the resolution of the custody dispute - e.g., returning the child to a zone of war, famine, or disease. Second, there is a grave risk of harm in cases of serious abuse or neglect, or extraordinary emotional dependence, when the court in the country of habitual residence, for whatever reason, may be incapable or unwilling to give the child adequate protection.

According to the *Friedrich* court, evidence that a child will suffer adjustment problems if returned to the country of habitual residence is not enough to establish a grave risk of psychological harm that would defeat the Convention's return remedy. The court's rationale is persuasive: the abducting parent should not be permitted to profit from the very situation he or she created by wrongfully removing or retaining the child in the first place.

Mature child objects to return

Article 20

Removal not from the child's country of habitual residence/petitioner did not have custody rights under law of habitual residence

The court may deny return if a child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of his or her views. This defense must be proved by a preponderance of the evidence. 42 U.S.C. 11603(e)(2)(B).

Like the others, the mature child' defense is discretionary. This is particularly important because of the potential for brainwashing of the child by the alleged abductor or older sibling. A child's objection to being returned should be given little weight if the court believes that the child's preference is the product of such undue influence.

Article 20 states: "The return of the child under the provisions of Article 12 may be refused if this would not be permitted by the fundamental principles of the requested State relating to the protection of human rights and fundamental freedoms."

This defense, like the others, is to be restrictively applied. According to the State Department Legal Analysis of the Convention, it may be invoked "on the rare occasion that return of a child would utterly shock the conscience of the court or offend all notions of due process." It is not to be used as a vehicle for litigating custody on the merits or for passing judgment on the political system of the country from which the child was removed. There is very little case law interpreting this provision.

The meaning and importance of habitual residence to the operation of the Convention is discussed in the issue brief about the petitioner's case for return. Suffice it to say here that if respondent proves by a preponderance of the evidence that the child was not removed from his/her country of habitual residence, or that petitioner did not have custody rights under the law of the country of habitual residence, then the court may dismiss the petition, effectively denying return.

## HAGUE CHILD ABDUCTION CONVENTION ISSUE BRIEF #3

ISSUE Should a return petition under the Hague Convention on the Civil Aspects of International Child Abduction be filed in state or federal court?

The International Child Abduction Remedies Act (ICARA), 42 U.S.C. 11603(a), establishes concurrent jurisdiction in state and federal courts for actions arising under the Convention. The choice of court is at the election of the petitioner.

The following questions are designed to help the petitioner's attorney decide whether to file in state or in federal court.

Which court can hear the matter sooner?

All courts are compelled by Article 11 to "act expeditiously in proceedings for return of children." As a practical matter, there may be a clear time advantage in filing in state rather than federal court, or vice versa. Dockets -- Check with the clerks of both courts to find out the earliest date the return petition will be heard. This may depend upon the form of action used to invoke the Convention.

Form of action -- ICARA provides that a civil action for return of a child is commenced by filing a return petition in a court of competent jurisdiction in the place where the child is located. 42 U.S.C. 11603(b). Just how the civil action should be framed is left to local law and practice. For actions in state court, look to state and local practice and procedure. For actions in federal court, consult the Federal Rules of Civil Procedure.

If one of the courts recognizes a summary procedure for obtaining the child's return, this may justify filing the return petition in that court. For example, there is federal court precedent for treating a Hague return petition as a petition for a writ of habeas corpus, which is designed for virtually immediate relief.

Courts may be persuaded to treat a return petition expeditiously in accordance with Article 11 regardless of the specific procedure used to invoke the Convention. The attorney's job is to teach the court about the Convention, with an emphasis on the need for prompt judicial action.

To assist in this regard, counsel can request the U.S. Central Authority in the Department of State to send the court its form letter on the background, purpose and requirements of the Convention.

Counsel should request a copy of the letter for the case file. A copy should also be sent to opposing counsel, either by the State Department or by petitioner's counsel. In all likelihood, opposing counsel will share the letter with the respondent. Once the respondent appreciates the treaty obligation to order a child returned, the chances improve of securing a voluntary resolution of the conflict short of litigation. Does either the federal or state court have prior experience with Hague cases?

If neither the state or federal judge has handled a Hague case, is one more likely than the other to treat the case as a substantive custody matter?

Does the respondent have strong local influence that causes the foreign-petitioner to believe the local court will be biased against him or her?

Does the attorney have experience litigating in federal court?

## SUMMARY

One of the greatest challenges most petitioner's attorneys have in Hague cases is to teach the presiding judge about the treaty and ICARA, and how the return action differs from a custody case. A court with previous Hague experience presumably has already been educated about the Convention. This can be advantageous to petitioner because time saved educating the court can result in faster rulings. However, experience, alone, should not be the deciding factor. Counsel should be satisfied that the court's decisions reflect an understanding of the return obligation and the need for narrowly construing defenses. A bad decision is a good reason to choose the other court.

Some family law practitioners prefer bringing Hague cases in federal court on the theory that federal judges are less inclined than their state court counterparts to delve into the merits of the underlying custody case. The historical reluctance of federal judges to become enmeshed in domestic relations matters supports this view. Moreover, federal judges have more experience interpreting and applying treaty law than do state judges.

Others who prefer litigating in the more familiar environment of state court may be confident that state court judges, once briefed on the Hague Convention, will confine their consideration to the limited issues raised by the Convention: Was the removal or retention wrongful, and if so, are there any defenses to return?

This is another instance where the U.S. Central Authority's form letter about the Convention may be beneficial. It emphasizes that courts are empowered by the Hague convention or ICARA to determine only rights under the Convention and not the merits of any underlying child custody claims. Article 19 and 42 U.S.C. 11601(b)(4).

Petitioner's attorney should interview the client about the respondent's political ties and law enforcement connections in the local forum. Proceeding in federal court may neutralize any advantages the home town litigant may be perceived to have in a local court over the foreign client.

The nature of the attorney's law practice may dictate whether the Hague petition is filed in state or federal court.

One consideration is whether the attorney is already admitted to practice before the federal court. Counsel who are not already admitted should consider whether requesting admission for purposes of the Hague case will in any way delay the return proceeding. Since Hague cases are time sensitive, such delay should be avoided unless there are strong countervailing reasons for choosing federal court.

An attorney whose practice is primarily in the family law area may have little or no experience litigating in federal court. This would be good reason to file in state court. On the other hand, an attorney whose practice includes federal and state court litigation would probably be equally at ease proceeding in state or federal court.

Federal and state courts are empowered to hear Hague Convention return cases. To decide where to bring the return action, consider:

1. Which court can hear the matter sooner?
2. Does either court have experience with Hague cases?
3. If neither the state or federal judge has handled a Hague case, is one more likely than the other to treat the case as a substantive custody matter?
4. Does the respondent (i.e., the person who has allegedly wrongfully removed or retained the child) have strong local influence that causes petitioner to believe the local court will be biased against him or her?
5. Does the attorney have experience litigating in federal court?

## HAGUE CHILD ABDUCTION CONVENTION ISSUE BRIEF #4

ISSUE INTRODUCTION What assistance can the United States Central Authority provide when a case is brought in this country under the Hague Convention on the Civil Aspects of International Child Abduction?

If you are a newcomer to litigation under the Hague Child Abduction Convention, you should familiarize yourself with the services available from the U.S. Central Authority that may be helpful in preparing and pursuing a return or access case in state or federal court in this country. Your attention is directed to Articles 7-12 and 21 of the Convention, and implementing regulations in Title 22 of the U.S. Code of Federal Regulations (22 C.F.R.) Part 94, "International Child Abduction."

## BACKGROUND

Each country that becomes party to the Hague Convention on the Civil Aspects of International Child Abduction agrees to establish at least one Central Authority (CA) (Article 6). Central Authorities are directed to cooperate with one another to secure the prompt return of children and to achieve the other objects of the Convention. They may do so directly or through intermediaries. The specific obligations of the CA are set forth in Article 7.

## U.S. CENTRAL AUTHORITY

Important telephone  
numbers

## FACILITATING LEGAL PROCEEDINGS LOCATING THE ABDUCTED CHILD

The Department of State's Office of Children's Issues is the designated Central Authority for the United States. Through a unique arrangement with the State Department, the National Center on Missing and Exploited Children (NCMEC) in Arlington, Virginia has responsibility for "incoming cases" (i.e., cases involving children who are alleged to have been wrongfully brought to, or retained in, this country).

The telephone numbers for the U.S. Central Authority in the State Department are (202)736 7000. Raymond Clore is the director. NCMEC can be reached at (800)843-5678. Nancy Hammer is director of the International Division at NCMEC.

Neither the State Department nor NCMEC may play a direct role as legal representative in any return or access proceeding. However, the CA actively facilitates proceedings for return or access in a variety of ways.

The CA assists applicants in obtaining legal representation. Indeed, you may have been contacted by NCMEC (or the American Bar Association Center on Children and the Law) and asked to represent the petitioner-parent.

The CA will provide attorneys with a complete packet of information on the operation of the Convention in the U.S. Request one.

At the request of the applicant of his/her attorney, the CA will send a letter to the court in which a Hague petition has been brought explaining the operation of the Convention. This form letter is strictly informational and takes no position on the merits of the pending return petition. However, as an official State Department communication, it can be influential with a judge who may be unfamiliar with the Hague Convention. Lawyers should routinely request the CA to send the letter to the court as early in the proceeding as possible.

Upon request, the CA will seek a report on the status of court action if the court has not ruled on the return petition by the end of six weeks.

Upon request, the CA will seek from foreign Central Authorities information relating to the social background of the child. As a liaison to its foreign counterpart, the U.S. CA may be able to obtain other information counsel may need for the Convention proceeding in the U.S.

Upon request, the CA will seek from foreign Central Authorities a statement as to the wrongfulness of the taking of the child under the laws of the country of the child's habitual residence.

At the request of counsel, the CA can assist in locating, or confirming the location of, a child who has been wrongfully removed to, or retained in, the United States. The inquiry should be directed to NCMEC, which has an array of resources for locating children abducted to this country. The task nevertheless may be formidable if there are few clues to go on.

#### VOLUNTARY RETURN PROTECTING THE CHILD'S WELFARE

If the left-behind parent knows where the child and abductor-parent are and perceives little risk of another abduction, the parent, or parent's attorney, may ask the CA to endeavor to obtain the child's "voluntary" return. The CA will contact the alleged abductor-parent directly by letter to encourage a voluntary return. When informed of the Hague return remedy, as well as the likely imposition of attorneys' fees if the court orders the child's return, the abductor may choose voluntary return over formal legal proceedings and the associated costs.

At counsel's request, CA will request the appropriate state social service agencies to ascertain the welfare of the child. The CA may consult with those agencies about the possible need for interim arrangements to protect the child or to prevent the child's removal from the state. Normally it then would be up to the attorney to petition the court for the necessary protective measures. Because of the possibility that an official inquiry about the child may cause the abductor to flee, "welfare" inquiries should not be requested routinely.

#### TRANSLATIONS

The CA will not translate return applications they receive into English, but they may help lawyers identify translators who may do so at the applicant's expense.

#### TRANSPORTATION HOME FOR THE ABDUCTED CHILD

#### RESOURCES

While the CA is not responsible for the transportation expenses of the child or the applicant, the CA may help with arrangements to secure the safe return of the child. The

foreign Central Authority in the child's country of habitual residence may also be able to help. Assistance also may be available from the foreign parent's embassy or consulate in the United States. This could include repatriation loans to finance the cost of return.

International Parental Child Abduction, U.S. Department of State, Bureau of Consular Affairs. Available free of charge. To request, call: (202)736-7000; fax: (202)647-2835; write: U.S. Central Authority, Hague Child Abduction Convention, Office of Children's Issues, CA/OCS/CI, Room 4811, Department of State, Washington, D.C. 20520-4818; or visit the web site: <http://travel.state.gov>.

Bruch, Carol S., The Central Authority's Role Under the Hague Child Abduction Convention: A Friend in Deed, Vol. 28, No. 1, *Fam.L.Qtr.*, Spring 1994 at p.35 et seq.

Girdner, L.; Chiancone, J., "Survey of Central Authorities Under the Hague Convention," developed as part of a larger study entitled *Issues in Resolving Cases of International Child Abduction*, conducted by the ABA Center on Children and the Law under grant number 93-MC-CX-0007 from the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, to the ABA Fund for Justice and Education. This is available by calling (202)662-1720.