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## International Parental Child Abduction Poland

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**DISCLAIMER:** *The information in this flyer relating to the legal requirements of specific foreign countries is provided for general information only. Questions involving interpretation of specific foreign laws should be addressed to foreign legal counsel.*

The Hague Convention on the Civil Aspects of International Child Abduction came into force between the United States and Poland on November 1, 1992. Therefore, Hague Convention provisions for return would apply to children abducted or retained after November 1, 1992. Parents and legal guardians of children taken to Poland prior to November 1, 1992 may still submit applications for access to the child under the Hague Convention.

Please Note: Do not wait to get a custody order to begin the application process. Submit your completed, signed, application as soon as possible.

Application requirements of the Polish Central Authority are listed below. The Polish Central Authority requires all documentation submitted to be accompanied by complete Polish translations. Translations do not have to be "official" or certified, but applicants should ensure that the translations are both accurate and complete. Please note that an application will not be filed in the Polish court until all the information requested below has been received in Poland. A complete Hague application should include the following:

- 1) The U.S. Central Authority application form. The application, along with instructions for completing it, can be downloaded from our website at [www.travel.state.gov/childabduction](http://www.travel.state.gov/childabduction).
- 2) The Polish Central Authority will provide pro bono (no fee) legal assistance during Hague proceedings before the appropriate court in Poland. The individual representing you will do so only for the purposes of the Hague matter, not for custody or divorce proceedings. If you wish to avail yourself of this service, Polish law requires you to sign a statement (similar to a power of attorney) in accordance with Article 28 of the Convention before your case may be submitted to the court for consideration. This signed statement, like all other documentation submitted, must be translated into Polish. A sample English text, which you may wish to use, is included on page four of this flyer.
- 3) A copy of either the court order in effect when the child was taken to Poland or the state law which establishes the applicant's right to custody. A Polish translation of the applicable section of the court order or the law must be included.
- 4) A certified copy of the child's birth certificate and of the parents' marriage certificate if the parents were married at the time of the abduction. If copies are not immediately available, do not delay your application by waiting for them. Include in your application a statement that you are currently securing a copy of that particular document and that you will forward it as soon as possible, and then do so.
- 5) Photos of the child and the taking parent. These photos will not be returned to you.
- 6) Two sets (one original and one complete photocopy) of all documents and photos, one in English

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and one in Polish.

Please remember:

-- All documents must be translated into Polish before the Polish Central Authority can present them to the relevant court. However, the Convention states (Article 23) that certification of the translation is not required by the Convention. This means that if you or someone you know speaks Polish, you may translate the documents yourself, instead of paying a translation service. Please make sure the translations are accurate and complete. If the translation process will delay your submission, you may submit English documents first, then follow them with Polish translations. Keep in mind that while the U.S. Central Authority will forward the English documents to the Polish Central Authority, your case will not be presented to the Polish court until the translations are received.

-- The Polish Central Authority is unable to conduct country-wide searches for children. It is essential to provide as much information as possible regarding the location of the child, including the street address and name of the city if possible. If this information is not available, you should provide whatever information you have regarding the abductor's relatives and friends in Poland, including names, addresses, and telephone numbers.

-- The practice of the Polish Central Authority is to approach the taking parent, notify him/her of the proceedings, and ask if he/she will voluntarily return to the United States. If you are concerned the taking parent will flee or hide the child if notified of the proceedings, you should note this and state the reason for this concern in section VIII of the application or on a separate page.

Please note that the documentation listed above should be submitted to:

A. The United States Central Authority  
Office of Children's Issues  
SA-29  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520-2818  
Fax: (202) 736-9133

OR

B) The Polish Central Authority  
Ministerwo Sprawiedliwosci  
Departament Wspolpracy  
Miedzynarodowej  
1 Prawa Europejskiego  
Wydzial Prawa Miedzynarodowego  
Al. Ujazdowskie 11, 00-950 Warszawa  
Polska  
Telephone/Fax: 011 [48] (22) 628-09-49

OR

C) Through a private attorney in Poland

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Please do not hesitate to contact the U.S. Central Authority with any questions.

[Article 28 Statement]

Dear Sir or Madam:

Please accept this letter as written authorization, as may be required by Article 28 of the Hague Convention on the Civil Aspects of International Child Abduction, empowering the Central Authority of Poland or their designated representative to act on my behalf on my Hague Convention application for my child/ren [name(s)].

Sincerely,

[Signature]

[Print full name]

[Address]

[Date]