

Caution: DRAFT FORM

This is an advance proof copy of an IRS tax form. It is subject to change and OMB approval before it is officially released. You can check the scheduled release date on our web site (www.irs.gov).

If you have any comments on this draft form, you can submit them to us on our web site. Include the word DRAFT in your response. You may make comments anonymously, or you may include your name and e-mail address or phone number. We will be unable to respond to all comments due to the high volume we receive. However, we will carefully consider each suggestion. So that we can properly consider your comments, please send them to us within 30 days from the date the draft was posted.

Qualified Adoption Expenses

▶ Attach to Form 1040 or 1040NR.
 ▶ See separate instructions.

Your social security number

Before you begin: See **Definitions** on page 1 of the instructions.

Part I Information About Your Eligible Child or Children—You must complete this part. See page 2 of the instructions for details, including what to do if you need more space.

1	(a) Child's name First Last		(b) Child's year of birth	Check if child was—			(f) Child's identifying number
				(c) born before 1991 and disabled	(d) a child with special needs	(e) a foreign child	
Child 1				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Child 2				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Caution. If the child was a foreign child, see **Special rules** in the instructions for line 1, column (e), that begin on page 2, before you complete Part II or Part III. If you received **employer-provided adoption benefits**, complete Part III on the back next.

Part II Adoption Credit

	Child 1	Child 2	
2 Maximum adoption credit per child	\$11,650	00	\$11,650 00
3 Did you file Form 8839 for a prior year for the same child? <input type="checkbox"/> No. Enter -0-. <input type="checkbox"/> Yes. See page 4 of the instructions for the amount to enter.			
4 Subtract line 3 from line 2			
5 Qualified adoption expenses (see page 4 of the instructions)			
Caution. Your qualified adoption expenses may not be equal to the adoption expenses you paid in 2008.			
6 Enter the smaller of line 4 or line 5			
7 Add the amounts on line 6. If zero, skip lines 8 through 11 and enter -0- on line 12			7
8 Modified adjusted gross income (see page 4 of the instructions)			8
9 Is line 8 more than \$174,730? <input type="checkbox"/> No. Skip lines 9 and 10, and enter -0- on line 11. <input type="checkbox"/> Yes. Subtract \$174,730 from line 8			9
10 Divide line 9 by \$40,000. Enter the result as a decimal (rounded to at least three places). Do not enter more than 1.000			10 × .
11 Multiply line 7 by line 10			11
12 Subtract line 11 from line 7			12
13 Credit carryforward from prior years (line 23 of your Credit Carryforward Worksheet on page 5 of the 2007 Form 8839 instructions)			13
14 Add lines 12 and 13			14
15 Enter the amount from Form 1040, line 46, or Form 1040NR, line 43			15
16 1040 filers: Enter the total of any amounts from Form 1040, lines 47 through 50, and line 52; line 12 of the Line 11 Worksheet in Pub. 972 (see page 4 of the instructions); Form 8396, line 13; Form 5695, line 20; and Form 8859, line 7. 1040NR filers: Enter the total of any amounts from Form 1040NR, lines 44, 45, and 47; line 12 of the Line 11 Worksheet in Pub. 972 (see page 4 of the instructions); Form 8396, line 13; Form 5695, line 20; and Form 8859, line 7.			16
17 Subtract line 16 from line 15			17
18 Adoption credit. Enter the smaller of line 14 or line 17 here and include on Form 1040, line 53, or Form 1040NR, line 48. Check box c on that line. If line 17 is smaller than line 14, you may have a credit carryforward (see page 4 of the instructions)			18

Part III Employer-Provided Adoption Benefits

		Child 1		Child 2		
19	Maximum exclusion per child	19	\$11,650	00	\$11,650	00
20	Did you receive employer-provided adoption benefits for a prior year for the same child? <input type="checkbox"/> No. Enter -0-. <input type="checkbox"/> Yes. See page 5 of the instructions for the amount to enter.	20				
21	Subtract line 20 from line 19	21				
22	Employer-provided adoption benefits you received in 2008. This amount should be shown in box 12 of your 2008 Form(s) W-2 with code T	22				
23	Add the amounts on line 22					23
24	Enter the smaller of line 21 or line 22. But if the child was a child with special needs and the adoption became final in 2008, enter the amount from line 21	24				
25	Add the amounts on line 24. If zero, skip lines 26 through 29, enter -0- on line 30, and go to line 31			25		
26	Modified adjusted gross income (from the worksheet on page 6 of the instructions)	26				
27	Is line 26 more than \$174,730? <input type="checkbox"/> No. Skip lines 27 and 28, and enter -0- on line 29. <input type="checkbox"/> Yes. Subtract \$174,730 from line 26	27				
28	Divide line 27 by \$40,000. Enter the result as a decimal (rounded to at least three places). Do not enter more than 1.000			28	×	
29	Multiply line 25 by line 28			29		
30	Excluded benefits. Subtract line 29 from line 25					30
31	Taxable benefits. Is line 30 more than line 23? <input type="checkbox"/> No. Subtract line 30 from line 23. Also, include this amount, if more than zero, on line 7 of Form 1040 or line 8 of Form 1040NR. On the dotted line next to line 7 of Form 1040 or line 8 of Form 1040NR, enter "AB." <input type="checkbox"/> Yes. Subtract line 23 from line 30. Enter the result as a negative number. Reduce the total you would enter on line 7 of Form 1040 or line 8 of Form 1040NR by the amount on Form 8839, line 31. Enter the result on line 7 of Form 1040 or line 8 of Form 1040NR. Enter "SNE" on the dotted line next to the entry line.					31

You may be able to claim the adoption credit in Part II on the front of this form if any of the following apply.



- You paid adoption expenses in 2007, those expenses were not fully reimbursed by your employer or otherwise, and the adoption was not final by the end of 2007.
- The total adoption expenses you paid in 2008 were not fully reimbursed by your employer or otherwise, and the adoption became final in 2008 or earlier.
- You adopted a child with special needs and the adoption became final in 2008.