

Helping  
to bring unity  
to your  
**family.**



Working to bring families together.

Practical facts  
to stepparent  
**ADOPTION**

Information to help you handle your child's painful reality in life.

## FORWARD

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We want to express our sincere thanks for requesting our stepparent adoption booklet. We hope you'll find it helpful and informative.



Making your adoption as simple as possible.

*The difference is Clear.*

- > Experienced Adoption Department.
- > Company based on attention to detail.
- > Over 40,000 satisfied customers.
- > You're not left doing your Adoption alone.
- > **FREE** life changing book. [Click here for details](#)

### EXPERIENCE COUNTS:

ReliableAdoption.com is the industry leader in affordable Stepparent Adoption document preparation. Our professional and inexpensive service will enable you to complete your stepparent adoption documents without incurring the high cost of an adoption attorney. **While other online adoptions companies were purchasing forms from us to "get into the business"**, ReliableAdoption has been the innovator and the company with the experience to handle your adoption needs. **The most experienced and the lowest cost. Only \$325.00.**

*"We received our forms! That was fast. We fought with another adoption online company for a month and never received forms. They advertise a great program, but you actually deliver! Thanks."  
Schultz, Arizona*

We know how important this is to you and your child. We make the process simple so you can concentrate on your family. The documents are the actual documents for your state and county and are customized to your specific situation, taking into consideration the child, the absent parent and other factors in your case.



**GUARANTEE OF COURT APPROVAL  
OR YOUR MONEY BACK**

### COMMITMENT TO EXCELLENCE:

ReliableAdoption.com is the most respected, experienced and reliable service of its kind. Our customer support staff is available to help and assist you through the process, and deliver the professional care your adoption case deserves.

- > Thousands saved in legal fees
- > Simple and fast service
- > Up to date and 100% accurate Adoption Court forms
- > Phone and email help available from our experienced legal professionals
- > Customer Service department dedicated to serving your needs
- > Unlimited changes to your forms at no additional cost

# TABLE OF CONTENTS

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<b>Forward</b>	<b>2</b>
<b>Testimonials</b>	<b>4</b>
<b>How Reliable Adoption Works</b>	<b>6</b>
<b>Requirements for Adoption</b>	<b>7</b>
<b>Information on Presumed (Putative) Fathers</b>	<b>8</b>
<b>Inheritance rights of Adopted Children</b>	<b>9</b>
Alabama through Wyoming	<b>9-31</b>
<b>Consent of Parents and Adoptee in Adoption</b>	<b>32</b>
<b>Who is required to consent and when is a consent not required from the absent parent</b>	<b>33</b>
Alabama through Wyoming	<b>33-80</b>
<b>A New Beginning</b>	<b>81</b>
<b>Adoption Questionnaire</b>	<b>82-89</b>

## Testimonials

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ReliableAdoption makes it simple and convenient to prepare high quality legal documents from the comfort of your home or office. We've helped thousands of satisfied customers with our fast and simple 3-step process. See what our customers have to say about our adoption services:

"Good afternoon, on May 6th, 2008, we had our hearing and it is with great excitement that we share with you that the Judge signed our decree. You were so helpful throughout the process and even when the Judge requested something out of the ordinary for our case, you had the documents I needed to me in a matter of 24 hours. Thank you." **Rader, Texas**

"Everything is Perfect!!!!!! Your customer service is awesome. Thank you." **Reesman, California**

"Just wanted you to know our adoption was final March 26, 2008. Everything went off without a hitch. Thanks for offering a good clean service for a reasonable price. I came to you because I was told by the attorney I visited the going rate is \$1000 down and average \$3000 total if no complications. Astounding price for a simple adoption." **Wentland, Ohio**

"Just wanted to let you know that I was completely successful in getting my adoption. Before getting my forms from you, an attorney quoted me \$1500 to get started. I was able to complete this without a hitch. Great customer service" **Goodhart, Georgia**

"Saw the Judge this morning. She signed the documents. Everything went fine, and am glad this is all behind us now. Couldn't have done this without your help. Your continued support throughout the process is the only way I could have completed this adoption. You render a valuable service over there. Thanks." **DeVries, Tennessee**

"I just wanted to let you guys know your service was exceptional. What a great service and you have my recommendation to everyone I know. The Judge and bailiff at the court house were also impressed when I told them what service we used after the Judge asked if my ex or myself where an attorney" **Short, Illinois**

"My adoption is final!!!! Just a quick note to let you know that your service was awesome. I filed the same day I submitted my order. Your customer service staff was always available to help. I would recommend you to my friends Thanks again." **Taft, Florida**

"I went to my hearing yesterday and my adoption is final. Your service was always expedient, and helpful. You have a very professional company, and when having different options, I am so glad I chose your company" **Foltz, Utah**

## Introduction

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The first question regarding your stepparent adoption is probably whether you truly can do a stepparent adoption on your own without an attorney. The answer is Yes. We have helped people across the country complete their stepparent adoptions on their own without an attorney.

There are many different circumstances, which lead to a child becoming a stepchild. Most people think a divorce of the child's natural parents, and then a remarriage is the only reason a child becomes a stepchild. Although this is certainly the most frequent circumstance, we know from years of experience that there are hundreds of unique circumstances which make a child a "stepchild". We have had customers who were rape victims who decided to keep the child, to customers who were impregnated by artificial insemination.

However, your child became a stepchild, you can be certain that he or she knows that they are a stepchild.

When your child's natural parent has abandoned their responsibilities for the child, that reality is painful for both you and your child. This pain may be exacerbated by many factors, including your child's last name being different from all other members of their family unit. This becomes more pronounced when you and your husband have children born to you both. The stepchild may feel both the pain of being abandoned by his or her natural parent, and also the pain of having a different status in the family unit, that of being a "stepchild", to the only father or mother he or she has ever known.

A stepparent adoption process brings unity and security to your child. We know how important it is for you to have the ability to complete a stepparent adoption without incurring the extremely high attorney's fees that are usually associated with adoption. We are proud of the service we provide, and passionate about you receiving the highest quality service available. We know that we provide the most up-to-date documents available, and hope we can serve you.

Choosing ReliableAdoption.com to help you complete your stepparent adoption is the first step to unifying your family, and will be a wonderful gift to the child and to the stepparent. We look forward to helping you through this process.

# How ReliableAdoption works

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ReliableAdoption.com is America's #1 online stepparent adoption center. Our adoption experts have helped people just like you complete their stepparent adoption without having to incur the time and expense associated with an attorney. We have probably helped someone who lives close to you, and we want you to be the next family we help complete their stepparent adoption.

Our simple 3-step process makes it easy to prepare attorney-quality adoption documents from the comfort of your home or office. Simply answer the questions in our online questionnaire and submit your order to us. Our document specialist will review your answers for consistency and completeness. Then we customize your documents. All of this is done while guiding you through the adoption process, step-by-step.

You'll receive your documents ready to just sign and file with the court. If you know the whereabouts of the absent parent, and that parent is willing to sign, we will also include the documents for the absent parent to sign.

## ReliableAdoption.com simple 3-step process



The first step will be to choose your state. You will choose the state where you presently reside. You will want to ready the information we have listed for stepparent adoptions in your state. Once you are ready to begin, you will simply click the "Click Here" button located at the upper right corner of the web page. This will take you to the login page of the questionnaire.



Fill out the questionnaire to the best of your ability. You may not know much of the information on the absent parent, so just put in as much information as you have. When completed, submit your order, and a professional in our adoption production department will prepare your adoption documents. We will contact you if we have questions.



The documents will be sent to you ready to sign and file with the court. You will need to review the documents and email us with any desired changes. When ready, you will sign your documents and file them with the court to start your adoption case.

## Requirements for Adoption

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The most common form of adoption in the United States is a stepparent adoption. Over 50% of all adoptions are stepparent adoption. In these situations, the adopting stepparent assumes financial and legal responsibility for his/her spouse's child or children and releases the noncustodial parent of parental responsibilities, including child support. The procedure is generally the same for any adoption, but steps are sometimes waived or streamlined in stepparent adoptions. This makes the processes easier than other types of adoptions. In many cases, a streamlined home study is allowed, or the home study requirement is waived.

In a stepparent adoption, the petitioner needs to be married to the adoptee's parent. The adoptee's other legal parent will need to sign a consent to the adoption, or have their parental rights terminated. In consenting to an adoption, the noncustodial parent relinquishes all parental rights and responsibilities, including child support. Most stepparent adoptions have the other parent's parental rights terminated on the grounds of abandonment, but there are also many other grounds available for the termination of the parent's rights.

Some State adoption laws specify special circumstances under which the noncustodial parent's consent is not required. Other States have made special provisions in their adoption laws to allow stepparent adoptions to occur, even over the objections of the noncustodial parent, in cases where the noncustodial parent has failed to maintain communication with the child for a specified period of time.

Stepparent adoptions are governed by State law. State laws on stepparent adoptions vary from state-to-state. Most States have a streamlined process for adoptions by stepparents whereby the judge hearing the adoption petition has the ability to dispense with the requirement in State laws for an adoption home study. Some states require a criminal background check even if a home study is not required. If your state requires a criminal background check, the documents we provide you will include everything you need to complete this background check. The background check is very simple and usually requires mailing in a form with a check for \$10-\$15. The forms we provide you for your state will address the specific requirements for a background check.

## Information on Presumed (Putative) Fathers

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A putative father is the alleged to be, or claims to be the father of a child born out-of-wedlock. Historically, fathers of nonmarital children have not enjoyed the same rights with regards to their children as if they were married to the child's mother at the time of birth.

To get an idea of how a person can be presumed to be the father of the child, the following is a description of what 21 States have adopted as their guidelines:

- He and the child's mother are or have been married to each other, and the child is born during the marriage or within 300 days after the marriage has ended.
- Before the birth of the child, he and the child's mother attempted to marry, and the marriage is or could be declared invalid, and the child is born during the marriage or within 300 days after the marriage is terminated.
- With his consent, he is listed as the father on the child's birth certificate.
- He has acknowledged his paternity in writing.
- He is obligated to support the child, either by voluntary agreement or court order.
- While the child is a minor, he has resided with the child and openly claimed the child as his biological child.

Contact us if you need the specific laws for the presumption of a father in your state. We will be happy to provide this to you.

### Putative Father Registry

Many States have provisions for a father to voluntarily acknowledge paternity. Approximately 23 States have established putative father registries for this purpose. In 12 States, the District of Columbia, and the Virgin Islands, there are provisions for voluntary acknowledgment of paternity through forms that are filed with social services departments, registrars of vital statistics, or other similar entities. Acknowledgment of paternity provides the father with the right to receive notice of court proceedings regarding the child, including petitions for adoption or actions to terminate parental rights. In 10 States with putative father registries, filing with the registry is the sole means for establishing this right of notice. An acknowledged father may also seek visitation with the child and usually will be required to provide financial support to the child.

If the whereabouts of a putative father are unknown, there may be a clearance letter required from the Putative Father Registry. Our documents will provide for this requirement.

## Inheritance rights of the adopted child

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Adoption by a stepparent generally has no effect on a child's legal right to inherit from either birth parent or other family members. See below for a complete list of how inheritance is handled for your child. Look for your state below, and more information on inheritance of an adopted child:



### Alabama

#### **Birth Parents in Relation to Adopted Person**

**Citation: Ala. Code § 43-8-48**

For purposes of intestate succession, an adopted person is the child of an adopting parent and not of the birth parents, except that adoption of a child by the spouse of a natural parent has no effect on the right of the child to inherit from or through either birth parent.

#### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ala. Code §§ 43-8-48; 26-10A-29**

For purposes of intestate succession, an adopted person is the child of an adopting parent and not of the birth parents, except that adoption of a child by the spouse of a natural parent has no effect on the right of the child to inherit from or through either birth parent.

After adoption, the adopted person shall be treated as the natural child of the adopting parents and shall have all rights and be subject to all of the duties arising from that relation, including the right of inheritance.



### Alaska

#### **Birth Parents in Relation to Adopted Person**

**Citation: Alaska Stat. §§ 25.23.130; 13.12.114**

A final decree of adoption relieves the birth parents of the adopted person of all parental rights and responsibilities, and, except as provided below, terminates all legal relationships between the adopted person and the birth parents and other relatives of the adopted person, so that the adopted person thereafter is a stranger to the former relatives for all purposes including inheritance, unless the decree of adoption specifically provides for continuation of inheritance rights.

A decree terminating parental rights on the grounds set out in § 25.23.180(c)(3) [that the parent committed sexual assault or sexual abuse of a minor that resulted in the conception of a child] voids all legal relationships between the child and the birth parent for all purposes, except that inheritance rights between a child and a birth parent are not voided by the decree terminating parental rights unless the decree specifically provides for the termination of inheritance rights.

If a parent of a child dies without the relationship of parent and child having been previously terminated and a spouse of the living parent thereafter adopts the child, the child's right of inheritance from or through the deceased parent is unaffected by the adoption.

An adopted individual is the child of the individual's adopting parent or parents and not of the individual's natural parents, but adoption of a child by the spouse of either natural parent does not affect:

The relationship between the child and that natural parent  
The right of the child or a descendant of the child to inherit from or through the other natural parent

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Alaska Stat. § 25.23.130**

A final decree of adoption creates the relationship of parent and child between petitioner and the adopted person, as if the adopted person were a legitimate blood descendant of the petitioner, for all purposes including inheritance.



**Arizona**

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. §§ 8-117; 14-2114**

The relationship of birth parent and adopted person is completely severed upon entry of the adoption decree, and all legal consequences of the relationship cease to exist, including the right of inheritance.

Adoption of a child by the spouse of either birth parent has no effect on the relationship between the child and that birth parent or on the right of the child or a descendant of the child to inherit from or through the other birth parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 8-117**

The adopted person is entitled to inherit from and through the adoptive parent and the adoptive parent is entitled to the same from the adopted person, as though the child were born to the adoptive parents.



## Arkansas

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 9-9-215**

The adoption decree relieves the birth parents of the adopted individual of all parental rights and responsibilities, and terminates all legal relationships between the adopted individual and his or her birth relatives, including his or her birth parents, so that the adopted individual thereafter is a stranger to his or her former relatives for all purposes including inheritance.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 9-9-215**

The adoption decree creates the relationship of parent and child between the adoptive parent and the adopted individual, as if the adopted individual were a legitimate blood descendant of the petitioner, for all purposes including inheritance.



## California

### **Birth Parents in Relation to Adopted Person**

**Citation: Prob. Code § 6451**

A natural parent may not inherit from or through a child on the basis of the parent-child relationship if someone, other than the spouse or surviving spouse of the natural parent, has adopted the child.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Prob. Code § 6450**

An adoption severs the relationship of parent and child between an adopted person and a birth parent of the adopted person unless both of the following requirements are satisfied:

The birth parent and the adopted person lived together at any time as parent and child, or the birth parent was married to or cohabiting with the other birth parent at the time the person was conceived and died before the person's birth.

The adoption was by the spouse of either of the birth parents or after the death of either of the birth parents.

Neither a birth parent nor a relative of a birth parent, except for a wholeblood brother or sister of the adopted person or the issue of that brother or sister, inherits from or through the adopted person on the basis of a parent and child relationship between the adopted person and the birth parent that satisfies the requirements listed above, unless the adoption is by the spouse or surviving spouse of that parent.



## Colorado

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 15-11-103(6)-(7)**

A birth child may inherit from a natural parent if there is no surviving heir under § 15-11-103(1)-(5), and if the birth child files a claim for inheritance with the court having jurisdiction within 90 days of the parent's death. For purposes of this subsection, the term "birth child" means a child who was born to, but adopted away from, his or her natural parent.

If the birth child dies without a surviving heir, the birth parents have 90 days to file a claim for inheritance.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 15-11-114**

For purposes of intestate succession by, through, or from a person, an adopted individual is the child of his or her adopting parent or parents and not of his or her birth parents, except for inheritance rights as specified in § 15-11-103(6) and (7).



## Connecticut

### **Birth Parents in Relation to Adopted Person**

**Citation: Gen. Stat. § 45a-731(6), (8)**

The birth parent or parents and their relatives shall have no rights of inheritance from or through the adopted person, nor shall the adopted person have any rights of inheritance from or through the birth parent.

When one of the birth parents of a minor child has died and the surviving parent has remarried subsequent to such parent's death, adoption of the child by the surviving parent's spouse shall not affect the rights of the child to inherit from or through the deceased parent and the deceased parent's relatives.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Gen. Stat. § 45a-731(1)-(3)**

The adopting parent and the adopted person shall have rights of inheritance from and through each other. Such rights extend to adopted relatives and the heirs of the adopted person.



## Delaware

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann Code Tit. 13, § 920**

Upon the issuance of an adoption decree, the adopted child shall lose all rights of inheritance from his or her natural parents and their relatives. The rights of the natural parent or relatives to inherit from the child shall also cease.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code Tit. 13 § 920**

Upon the issuance of the adoption decree, the adopted child shall acquire the right to inherit from his or her adoptive parent or parents and from the collateral or lineal relatives of such adoptive parent or parents, and the adoptive parents and the relatives of the adoptive parents shall at the same time acquire the right to inherit from the adopted child.



## Florida

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 63.172**

The adoption decree terminates all legal relationships between the adopted person and the adopted person's relatives, except that rights of inheritance shall be as provided in the Florida Probate Code.

If one or both parents of a child die without the relationship of parent and child having been previously terminated and a spouse of the living parent or a close relative of the child adopts the child, the child's right of inheritance from or through the deceased parent is unaffected by the adoption. For purposes of this subsection, a close relative of a child is the child's brother, sister, grandparent, aunt, or uncle.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 732.108**

For the purpose of intestate succession by or from an adopted person, the adopted person is a lineal descendant of the adopting parent and is one of the natural kindred of all members of the adopting parent's family, and is not a lineal descendant of his or her natural parents, nor is he or she one of the kindred of any member of the natural parent's family or any prior adoptive parent's family, except that:

Adoption of a child by the spouse of a natural parent has no effect on the relationship between the child and the natural parent or the natural parent's family.

Adoption of a child by a natural parent's spouse who married the natural parent after the death of the other natural parent has no effect on the relationship between the child and the family of the deceased natural parent.

Adoption of a child by a close relative has no effect on the relationship between the child and the families of the deceased natural parents.



## Georgia

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 19-8-19**

An adoption decree terminates all legal relationships between the adopted person and his or her birth relatives, including rights of inheritance.

If a parent of a child dies without the relationship of parent and child having been previously terminated by court order or unrevoked surrender of parental rights to the child, the child's right of inheritance from or through the deceased parent shall not be affected by the adoption.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 19-8-19**

A decree of adoption creates the relationship of parent and child between the adoptive parent(s) and the adopted person. The adopted person shall enjoy every right and privilege of a birth child of the adoptive parent, including the right to inherit under the laws of descent and distribution in the absence of a will, and to inherit under the provisions of any instrument of testamentary gift, bequest, devise, or legacy, whether executed before or after the adoption is decreed, unless expressly excluded. The adopted person shall take by inheritance from relatives of the adoptive parent, and shall also inherit as a "child" of the adoptive parent under a class gift made by the will of a third person.



## Hawaii

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 578-16**

The former legal parent or parents of an adopted individual and any other former legal kindred shall not be considered to be related to the individual as provided in the Uniform Probate Code except as provided in this section.

All legal duties and rights between the adopted person and his or her former legal parent or parents shall cease from the time of the adoption unless the adopted person is adopted by the spouse of a legal parent. In such case, the rights of inheritance between the adopted person and the legal parent and the legal relatives of the parent shall continue.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. §§ 578-16; 560:2-114**



## Idaho

### **Birth Parents in Relation to Adopted Person**

**Citation: Idaho Code § 16-1509**

Unless the decree of adoption otherwise provides, the natural parents of an adopted person are relieved of all parental duties toward the adopted person, including the right of inheritance unless specifically provided by will.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Idaho Code § 16-1508**

An adopted person and adopting parent shall sustain toward each other the legal relation of parent and child, and shall have all the rights and duties of that relation, including the right to inherit.



## Illinois

### **Birth Parents in Relation to Adopted Person**

**Citation: Cons. Stat. Tit. 755, § 5/2-4(b), (d)**

The natural parent and relatives shall take from the adopted person and the adopted person's kindred the property that the adopted person has taken from or through the natural parent or relatives by gift, will, or under intestate laws.

For purposes of inheritance from or through a natural parent, an adopted child is not a child of a natural parent, nor is the child a descendant of a natural parent or of any lineal or collateral kindred of a natural parent, unless one or more of the following conditions apply:

The child is adopted by a descendant or a spouse of a descendant of a great-grandparent of the child, in which case the adopted child is a child of both natural parents.

A natural parent of the adopted child died before the child was adopted, in which case the adopted child is a child of that deceased parent and an heir of the lineal and collateral kindred of that deceased parent.

The contrary intent is demonstrated by the terms of the instrument by clear and convincing evidence.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Cons. Stat. Tit. 755, § 5/2-4(a), (b)**

An adopted child is a descendant of the adopting parent for purposes of inheritance from the adopting parent and from the lineal and collateral kindred of the adopting parent and for the purpose of determining the property rights of any person under any instrument, unless the adopted child is adopted after age 18 and never resided with the adopting parent before age 18, in which case the adopted child is a child of the adopting parent but is not a descendant of the adopting parent for the purposes of inheriting from the lineal or collateral kindred of the adopting parent.

An adopting parent and the lineal and collateral kindred of the adopting parent shall inherit property from an adopted child to the exclusion of the natural parent and the lineal and collateral kindred of the natural parent in the same manner as though the adopted child were a natural child of the adopting parent.



**Indiana**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 29-1-2-8**

For all purposes of intestate succession, an adopted child shall cease to be treated as a child of the natural parents.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 29-1-2-8**

For all purposes of intestate succession, an adopted child shall be treated as a natural child of the child's adopting parents.



**Iowa**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 633.223**

A lawful adoption extinguishes the right of intestate succession of an adopted person from and through the adopted person's birth parents and vice versa.

An adoption of a person by the spouse or surviving spouse of a birth parent has no effect on the relationship for inheritance purposes between the adopted person and that birth parent or birth parent's heirs. An adoption of a person by the spouse or surviving spouse of a birth parent after the death of the other birth parent has no effect on the relationship for inheritance purposes between the adopted person and the deceased birth parent's heirs.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 633.223**

The adopted person inherits from and through the adoptive parents and vice versa.



## Kansas

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 59-2118**

Upon adoption, all the rights of birth parents to the adopted person, including their right to inherit from or through the person, shall cease.

An adoption shall not terminate the right of the child to inherit from or through the birth parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 59-2118**

When adopted, a person shall be entitled to the same personal and property rights as a birth child of the adoptive parent.



## Kentucky

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 199.520**

Upon granting an adoption, all legal relationships between the adopted child and the birth parents shall be terminated, except the relationship of a birth parent who is the spouse of an adoptive parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 199.520**

Upon entry of the adoption decree, the adopted person shall be deemed the child of the adoptive parents for purposes of inheritance.



## Louisiana

### **Birth Parents in Relation to Adopted Person**

**Citation: Ch. Code Art. 1240; 1256(C)**

Upon adoption, the birth parent and relatives of the adopted person are relieved of all of their legal duties and divested of all of their legal rights with regard to the adopted person, including the right of inheritance from the adopted person.

The right of the child to inherit from his or her parents and other birth relatives is unaffected by the adoption.

If the adoptive parent is married to a birth parent of the adopted child, the relationship of that birth parent and his or her blood relatives to the adopted child shall remain unaltered and unaffected by the adoption.

## **Adoptive Parents in Relation to Adopted Person**

This issue is not addressed in the statutes reviewed.



### **Maine**

## **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 18-A, §§ 9-105; 2-109**

An adopted person retains the right to inherit from the adopted person's birth parents if the adoption decree so provides, as specified in § 2-109. If a natural parent wishes an adopted child to inherit from the natural parents and their respective kin, the adoption decree must provide for that status.

Adoption of a child by the spouse of a natural parent has no effect on the relationship between the child and either natural parent.

## **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 18-A, § 9-105**

An adopted person has all the same rights, including inheritance rights, that a child born to the adoptive parents would have.



### **Maryland**

## **Birth Parents in Relation to Adopted Person**

**Citation: Fam. Law § 5-308; Est. & Trusts § 1-207**

After an order of adoption has been entered, each of the adopted person's living birth parents is relieved of all parental duties and obligations to the adopted person and divested of all parental rights as to the adopted person.

Upon adoption, a child no longer shall be considered a child of either natural parent, except that upon adoption by the spouse of a natural parent, the child shall still be considered the child of that natural parent.

## **Adoptive Parents in Relation to Adopted Person**

**Citation: Fam. Law § 5-308; Est. & Trusts § 1-207**

After an order for adoption has been entered, the adopted person is considered the child of the adoptive parent for all intents and purposes, and is entitled to all of the rights and privileges of and is subject to all of the obligations of offspring born to the adoptive parent.

An adopted child shall be treated as a natural child of his adopting parent or parents.



## Massachusetts

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Laws Ch. 210, § 7**

Upon adoption, a person shall lose his right to inherit from his or her natural parents or family, except when one of the natural parents of a minor child has died and the surviving parent has remarried. The adoption of such child by the natural parent's spouse shall not affect the rights of the child to inherit from or through the deceased parent or kindred.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Laws Ch. 210, § 7**

An adopted person shall be entitled to the same share of the adopting parent's estate as he or she would have taken if born to such parent.

If the adopted person dies intestate, his or her property shall be distributed among the persons who would have been his or her kindred as if he or she had been born to the adopting parent.



## Michigan

### **Birth Parents in Relation to Adopted Person**

**Citation: Comp. Laws §§ 710.60; 700.2114**

After entry of the adoption decree, an adopted child is no longer an heir at law of the natural parent.

An adopted individual is the child of his or her adoptive parent or parents and not of his or her natural parents, but adoption of a child by the spouse of either natural parent has no effect on either the relationship between the child and that natural parent or the right of the child or a descendant of the child to inherit from or through the other natural parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Comp. Laws § 710.60**

After entry of the adoption decree, the adopted person becomes an heir at law the adopting parent.



## Minnesota

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 259.59**

The child shall not owe the birth parents or their relatives any legal duty nor shall the child inherit from the birth parents or their family.

The birth parents shall have no rights over the child's property.

The adoption of a child by a stepparent shall not in any way change the status of the relationship between the child and the child's birth parent who is the spouse of the petitioning stepparent.

If a parent dies and a child is subsequently adopted by a stepparent who is the spouse of a surviving parent, any rights of inheritance of the child or the child's issue from or through the deceased parent of the child that exist at the time of the death of that parent shall not be affected by the adoption.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 259.59**

By virtue of the adoption, the adopted person shall inherit from the adoptive parents or their relatives as though the adopted person were the natural child of the parents.

In case of the adopted person's death intestate, the adoptive parents and their relatives shall inherit the adopted person's estate.



**Mississippi**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 93-17-13**

The natural parents and their relatives shall not inherit by or through the adopted child, except for a natural parent who is the spouse of the adopting parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 93-17-13**

The adopted child shall inherit from and through the adopting parents and their relatives by the laws of descent and distribution of the State of Mississippi, and likewise the adopting parents and relatives shall inherit from the adopted child.



**Missouri**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. §§ 453.090; 474.060**

When a child is adopted, all legal relationships and all rights and duties between such child and his or her natural parents shall cease.

If, for purposes of intestate succession, a relationship of parent and child must be established to determine succession by, through, or from a person, an adopted person is the child of an adopting parent and not of the natural parents, except that adoption of a child by the spouse of a natural parent has no effect on the relationship between the child and such natural parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 453.090**

When a child is adopted, he or she shall be capable of inheriting from his or her parent or parents by adoption as fully as though born to them. The parent or parents by adoption shall be capable of inheriting from their adopted child as fully as though such child had been born to them.



### **Montana**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 72-2-124**

An adopted individual is the child of an adopting parent or parents and not of the natural parents. Adoption of a child by the spouse of either natural parent has no effect on:

The relationship between the child and that natural parent

The right of the child or a descendant of the child to inherit from or through the other natural parent

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 72-2-124**

For purposes of intestate succession, a parent-child relationship exists between an adopted person and an adopting parent.



### **Nebraska**

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 43-111**

After an adoption decree has been entered, the natural parents of the adopted child shall be relieved of all parental duties toward and all responsibilities for such child and have no rights over or to such adopted child's property by descent and distribution.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 30-2309**

For purposes of intestate succession, a parent-child relationship exists between an adopted person and an adopting parent.



## Nevada

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 127.160**

After an adoption decree is entered, the natural parents of an adopted child shall be relieved of all parental responsibilities for such child, and they shall not exercise or have any rights over an adopted child's property. The child shall not owe his or her natural parents or their relatives any legal duty, nor shall he or she inherit from his or her natural parents or family.

The adoption of a child by his or her stepparent shall not in any way change the status of the relationship between the child and his or her natural parent who is the spouse of the petitioning stepparent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 127.160**

By virtue of an adoption, an adopted person shall inherit from his or her adoptive parents or their relatives as though he or she were the legitimate child of such parents. If an adopted person dies intestate, the adoptive parents and their relatives shall inherit his or her estate.



## New Hampshire

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 170-B:25**

Upon the issuance of a final decree of adoption, all reciprocal rights of inheritance between the adopted person and the adopted person's birth parents and their respective collateral or lineal relatives shall contemporaneously cease.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 170-B:25**

Upon the issuance of a final decree of adoption, all reciprocal rights of inheritance between the adopted person and the adoptive parents and their respective collateral or lineal relatives shall contemporaneously begin.



## New Jersey

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 9:3-50**

The entry of a judgment of adoption shall:

Terminate all rights of inheritance under intestacy from or through the parent unless that parent is the spouse of the petitioner or that parent or other relative had died prior to the judgment of adoption

Terminate all rights of inheritance under intestacy from or through the child that existed prior to the adoption

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 9:3-50**

The entry of a judgment of adoption shall establish the same relationships, rights, and responsibilities between the child and the adopting parent as if the child were born to the adopting parent. An adopted child shall have the same rights of inheritance as if born to the adopting parent.



### **New Mexico**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 45-2-114**

For purposes of intestate succession by, through, or from a person, an adopted individual is not the child of his natural parents.

Adoption of a child by the spouse of either natural parent has no effect on the relationship between the child and that natural parent or the right of the child or a descendant of the child to inherit from or through that natural parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 32A-5-37**

The adopted person and adopting parent shall have all rights and be subject to all of the duties of the parent-child relationship upon adoption, including the right of inheritance from and through each other.



### **New York**

### **Birth Parents in Relation to Adopted Person**

**Citation: Dom. Rel. Law § 117**

The rights of an adoptive child to inheritance and succession from and through his birth parents shall terminate upon the making of the adoption decree; the rights of the birth parents over such adoptive child or to his property by descent or succession will also cease.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Dom. Rel. Law § 117**

The adoptive parent and the adopted child shall sustain toward each other the legal relation of parent and child and shall have all the rights and be subject to all the duties of that relation, including the rights of inheritance from and through each other.



## North Carolina

### **Birth Parents in Relation to Adopted Person**

**Citation: Gen. Stat. § 48-1-106**

After the entry of a decree of adoption, the birth parents are relieved of all legal duties and obligations due from them to the adopted person and are divested of all rights with respect to the adopted person.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Gen. Stat. § 48-1-106**

From the date of the signing of the decree, the adopted person is entitled to inherit real and personal property by, through, and from the adoptive parents in accordance with the statutes on intestate succession.



## North Dakota

### **Birth Parents in Relation to Adopted Person**

**Citation: Cent. Code § 14-15-14**

A final decree of adoption terminates all legal relationships between the adopted individual and the individual's birth relatives, including the birth parents, so that the adopted individual thereafter is a stranger to his or her former relatives for all purposes, including inheritance.

If a parent of a child dies without the relationship of parent and child having been previously terminated and a spouse of the living parent thereafter adopts the child, the child's right of inheritance from or through the deceased parent is unaffected by the adoption.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Cent. Code § 14-15-14**

A final decree of adoption creates the relationship of parent and child between petitioner and the adopted individual, as if the adopted individual were a legitimate blood descendant of the petitioner, for all purposes including inheritance.



## Ohio

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Code § 3107.15**

The final adoption decree terminates all legal relationships between the adopted person and the adopted person's birth parents and relatives, for all purposes including inheritance.

If a parent of a child dies without the relationship of parent and child having been previously terminated and a spouse of the living parent thereafter adopts the child, the child's rights from or through the deceased parent for all purposes, including inheritance, are not restricted or curtailed by the adoption.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Code § 3107.15**

The adoption decree creates the relationship of parent and child between petitioner and the adopted person, as if the adopted person were a legitimate blood descendant of the petitioner, for all purposes including inheritance.



**Oklahoma**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 10, § 7505-6.5**

After a final decree of adoption, the birth parents of the adopted child shall be relieved of all parental responsibilities for said child and shall have no rights over the adopted child or to the property of the child by descent and distribution.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 10, § 7505-6.5**

From the date of the final decree of adoption, the child shall be entitled to inherit real and personal property from and through the adoptive parents in accordance with the statutes of descent and distribution. The adoptive parents shall likewise be entitled to inherit real and personal property from and through the child.



**Oregon**

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 112.175**

An adopted person shall cease to be treated as the child of the person's natural parents for all purposes of intestate succession, except:

If a natural parent of a person marries or remarries and the person is adopted by the stepparent, the adopted person shall continue also to be treated, for all purposes of intestate succession, as the child of the natural parent who is the spouse of the adoptive parent.

If a natural parent of a person dies, the other natural parent remarries and the person is adopted by the stepparent, the adopted person shall continue also to be treated, for all purposes of intestate succession by any person through the deceased natural parent, as the child of the deceased natural parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Stat. § 112.175**

An adopted person and the adoptive parents and their relatives shall take by intestate succession from each other as though the adopted person were the natural child of the adoptive parents.



## Pennsylvania

### **Birth Parents in Relation to Adopted Person**

**Citation: Cons. Stat. Tit. 20, § 2108**

An adopted person shall not be considered as continuing to be the child of his or her natural parents except in distributing the estate of a natural kin, other than the natural parent, who has maintained a family relationship with the adopted person.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Cons. Stat. Tit. 20, § 2108**

For purposes of inheritance by, from, and through an adopted person, he or she shall be considered the issue of his or her adopting parent or parents.



## Rhode Island

### **Birth Parents in Relation to Adopted Person**

**Citation: Gen. Laws § 15-7-17**

The birth parents of the adopted child shall be deprived of all legal rights respecting the child, and the child shall be freed from all obligations of maintenance and obedience respecting his or her natural parents; except it will not deprive an adopted child of the right to inherit from and through his or her natural parents in the same manner as other natural children.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Gen. Laws § 15-7-16**

A child lawfully adopted shall be deemed the child of the adoptive parents for the purpose of inheritance by the child and his or her descendants from the parents and by the adoptive parents and their lineal and collateral relatives from the child.



## South Carolina

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code §§ 20-7-1576; 20-7-1770**

An order terminating the relationship between parent and child divests the parent and the child of all legal rights, powers, privileges, immunities, duties, and obligations with respect to each other, except the right of the child to inherit from the parent. A right of inheritance is terminated only by a final order of adoption.

After a final decree of adoption is entered, the birth parents of the adopted person are relieved of all parental responsibilities and have no rights over the adopted person.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code §§ 20-7-1770; 62-2-109**

After the final decree of adoption is entered, the relationship of parent and child and all the rights, duties, and other legal consequences of the natural relationship of parent and child exist between the adopted person, the adoptive parent, and the kindred of the adoptive parent.

The adoption of a child by an adoptive parent does not in any way change the legal relationship between the child and either birth parent of the child whose parental responsibilities and rights are not expressly affected by the final decree.



### **South Dakota**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Laws § 29A-2-114**

For purposes of intestate succession, an adopted individual is no longer considered the child of that individual's birth parents, except that:

Adoption of a child by the spouse of a birth parent has no effect on the relationship between the child and the birth parent whose spouse has adopted the child or the right of the child or a descendant of the child to inherit from or through the other birth parent.

Adoption of a child by a birth grandparent or a descendant of a birth grandparent has no effect on the right of the child or a descendant of the child to inherit from or through either birth parent.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Laws § 29A-2-114**

For purposes of intestate succession, an adopted individual is the child of that individual's adopting parent or parents.



### **Tennessee**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 36-1-121**

An adopted child shall not inherit real or personal property from his or her birth parents or their relatives when the relationship between them has been terminated by final order of adoption, nor shall the birth parents or their relatives inherit from the adopted child.

**Adoptive Parents in Relation to Adopted Person**  
**Citation: Ann. Code § 36-1-121**

The adopted child and the child's descendants shall be capable of inheriting and otherwise receiving title to real and personal property from the adoptive parents and their descendants.

The adoptive parents and their family shall have a right of inheritance but only as to property of the adopted child acquired after the child's adoption.



**Texas**

**Birth Parents in Relation to Adopted Person**  
**Citation: Prob. Code § 40; Fam. Code § 162.507**

The natural parents of an adopted child shall not inherit from or through said child, but said child shall inherit from and through its natural parents.

A person who was adopted as an adult may not inherit from or through the adult's birth parent, nor may the birth parent inherit from or through the adopted adult.

**Adoptive Parents in Relation to Adopted Person**  
**Citation: Prob. Code § 40**

An adopted child may, under the laws of descent and distribution, inherit from and through the adopting parents and their relatives, and the adopting parents and their family may inherit from and through such adopted child.



**Utah**

**Birth Parents in Relation to Adopted Person**  
**Citation: Ann. Code § 75-2-114**

For purposes of intestate succession by, through, or from a person, an adopted individual is not the child of the birth parents, but adoption of a child by the spouse of either natural parent has no effect on:

The relationship between the child and that natural parent

The right of the child or a descendant of the child to inherit from or through the other natural parent

**Adoptive Parents in Relation to Adopted Person**  
**Citation: Ann. Code § 75-2-114**

For purposes of intestate succession by, through, or from a person, an adopted individual is the child of the adopting parents.



## Vermont

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 15A, § 1-105**

All parental rights and duties of the birth parent of the adopted person terminate, including the right of inheritance and intestate succession from or through the adopted person, upon final decree of adoption.

The child's right to inherit from the birth parents also terminates.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. Tit. 15A, § 1-104**

The adoptive parent and the adopted person have the legal relation of parent and child and have all the rights and duties of that relationship, including the right of inheritance from or through each other.



## Virginia

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 64.1-5.1**

For the purpose of determining rights in or to property, an adopted person is not the child of the natural parents.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 64.1-5.1**

For the purpose of determining rights in or to property, an adopted person is the child of the adopting parents.



## West Virginia

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 48-22-703**

Upon the entry of the final adoption decree, the birth parents shall be divested of all legal rights, including the right of inheritance from or through the adopted child.

Such child shall not inherit from any person entitled to parental rights prior to the adoption.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 48-22-703**

From and after the entry of the order of adoption, a legally adopted child shall inherit from and through the parents by adoption.

If the adopted person dies intestate, all property, including real and personal, of such adopted person shall pass to the adopting parents.



### **Washington**

### **Birth Parents in Relation to Adopted Person**

**Citation: Rev. Code § 11.04.085**

A lawfully adopted child shall not be considered an heir of his or her natural parents.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Rev. Code § 26.33.260**

An adopted person shall be, to all intents and purposes, and for all legal incidents, the child, legal heir, and lawful issue of the adoptive parent, entitled to all rights and privileges, including the right of inheritance.



### **Washington DC**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Code § 16-312**

All rights and duties, including those of inheritance between the adopted person and his or her natural parents, cease upon the final adoption decree.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Code § 16-312**

A final decree of adoption establishes the relationship of parent and child between adopter and adopted person for all purposes, including mutual rights of inheritance.



### **Wisconsin**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 854.20**

A legally adopted person ceases to be treated as a child of the person's birth parents for the purposes of intestate succession, except:

If a birth parent marries or remarries and the child is adopted by the stepparent, for all purposes the child is treated as the child of the birth parent whose spouse adopted the child.

If a birth parent of a marital child dies and the other birth parent remarries and the child is adopted by the stepparent, the child is treated as the child of the deceased birth parent for purposes of inheritance.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 854.20**

A legally adopted person is treated as a birth child of the person's adoptive parents for purposes of intestate succession by, through, and from the adopted person.



## **Wyoming**

### **Birth Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 2-4-107**

An adopted person is the child of an adopting parent and of both the natural parents for inheritance purposes only.

### **Adoptive Parents in Relation to Adopted Person**

**Citation: Ann. Stat. § 2-4-107**

An adopted person is the child of an adopting parent and of both the natural parents for inheritance purposes only.

An adopted person shall inherit from all other relatives of an adoptive parent as though he or she was the natural child of the adoptive parent, and the relatives shall inherit from the adoptive person's estate as if they were his or her relatives.

## Consent of Parents and Adoptee

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In the next chapter, we will give you information on when the consent of the Absent Parent may not be required, but this chapter will deal with the consent of the Absent Parent.

### **Consent of the Absent Natural Parent (usually an absent father)**

In a stepparent adoption, the Court will look for the consent of the absent natural parent to be included in the documents that are filed with the Court. If the absent parent is willing to sign a consent document, this will make the process much easier for you and will provide a greater level of assurance that the adoption will be approved. You should make every effort possible to obtain the consent of the other parent. Keep in mind that if the other parent is in continual contact with the child, and does not consent to the adoption and termination of his/her parental rights, you will not be able to complete an adoption.

If the absent parent has abandoned the child, or if other grounds exist for the termination of this parents parental rights, then you can complete a stepparent without the consent of the other natural parent. Most of the adoptions we complete have scenarios where the absent parent has abandoned the child and his/her whereabouts are unknown. The adoption can usually still be completed in this type of situation. Look to the next chapter for more information on grounds for the termination of parental rights.

Our documents will include the consent form for the absent parent to sign, and if the absent parent has abandoned the child and can't sign due to his/her whereabouts being unknown, our documents will be prepared to reflect this reality.

### **Consent of the Petitioner's Spouse (usually an child's mother)**

In most stepparent adoptions, the natural mother will either join in the petition for adoption and show her consent as a joint petitioner, or the natural mother will need to sign a consent, consenting to the adoption of her minor child by her spouse, the stepparent. Our documents will provide all documents necessary for the petitioner's spouse to sign.

### **Consent of the Petitioner's Spouse (usually an child's mother)**

All states require the adoptee to sign a consent if they are over a certain age. The age that a child must sign a consent to the adoption ranges from age 10 to age 14. If your child will be required to sign a written consent to the adoption, this consent will be provided for you in the documents.

## Who is required to consent and when is a consent not required from the absent parent (usually the father)

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This chapter will discuss who is required to consent to an adoption, and will give information on when the consent of the absent parent can be excused. The only way to complete a stepparent adoption without the consent of the other biological parent is when grounds apply from your state which allow for the termination of a parents rights without that parents consent.

Look at the laws cited below under your state to see when consents are required, and when under what circumstances consents are not required.



### Alabama

#### Who Must Consent to an Adoption

**Citation: Ala. Code §§ 26-10A-7; 26-10A-8**

Consent shall be required of the following:

- The mother
- The presumed father, regardless of paternity, if:
  - He and the child's mother are or have been married to each other and the child was born during the marriage or within 300 days after the marriage was terminated.
  - Before the child's birth, he and the child's mother attempted to marry each other.
  - After the child's birth, he and the child's mother married or attempted to marry each other, and with his knowledge or consent, he was named as the child's father on the child's birth certificate, he is obligated to support the child, or he received the child into his home and openly held out the child as his own child.
- The agency to which the child has been relinquished or holds permanent custody and has placed the adoptee for adoption
- The putative father, if made known by the mother or is otherwise made known to the court, provided he complies with § 26-10C-1 and responds to notice within 30 days

Prior to a minor parent giving consent, a guardian *ad litem* must be appointed to represent the interests of a minor parent whose consent is required.

#### Age When Consent of Adoptee is Considered or Required

**Citation: Ala. Code § 26-10A-7**

A child age 14 or older must consent to the adoption, except where the court finds that the child does not have the mental capacity to consent.

#### When Parental Consent is not Needed

**Citation: Ala. Code §§ 26-10A-9; 26-10A-10**

A required consent or relinquishment may be implied by any of the following acts of a parent:

- Abandonment of the child, including, but is not limited to, the failure of the father, with reasonable knowledge of the pregnancy, to offer financial and/or emotional support for a period of 6 months prior to the birth
- Leaving the child without provision for his or her identification for a period of 30 days
- Knowingly leaving the adoptee with others without provision for support and without communication, or not otherwise maintaining a significant parental relationship with the child for a period of 6 months
- Receiving notice of the adoption proceedings and failing to answer or otherwise respond to the petition within 30 days
- Failing to comply with § 26-10C-1

The consent or relinquishment of the following persons shall not be required for an adoption:

- A parent whose rights with reference to the child have been terminated
- A parent who has been adjudged incompetent or mentally incapable of consenting or relinquishing and whose mental disability is likely to continue for so long a period that it would be detrimental to the child to delay adoption until restoration of the parent's competency or capacity
- A parent who has relinquished his or her minor child to the department of human resources or a licensed child-placing agency for an adoption
- A deceased parent or one who is presumed to be deceased
- An alleged father who has signed a written statement denying paternity
- The natural father where the natural mother indicates the natural father is unknown, unless the natural father is otherwise made known to the court



**Alaska**

### **Who Must Consent to an Adoption**

**Citation: Alaska Stat. § 25.23.040**

A petition to adopt a minor may be granted only if written consent to a particular adoption has been executed by:

- The mother of the minor
- The father of the minor, if the father was married to the mother at the time the minor was conceived or at any time after conception, the minor is the father's child by adoption, or the father has otherwise legitimated the minor
- Any person lawfully entitled to custody of the minor or empowered to consent
- The court having jurisdiction to determine custody of the minor, if the legal guardian or custodian of the person of the minor is not empowered to consent to the adoption
- The spouse of the minor to be adopted

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Alaska Stat. § 25.23.040**

A child age 10 or older must consent to the adoption, unless, in the child's best interest, the court dispenses with consent.

### **When Parental Consent is not Needed**

#### **Citation: Alaska Stat. § 25.23.050**

Consent to adoption is not required of:

- A parent who has abandoned a child for a period of at least 6 months
- A parent of a child in the custody of another, if the parent for a period of at least 1 year has failed significantly without justifiable cause, including but not limited to indigency:
  - To communicate meaningfully with the child
  - To provide for the care and support of the child as required by law or judicial decree
- The father, if the father's consent is not required by § 25.23.040(a)(2)
- A parent who has relinquished the right to consent
- A parent whose parental rights have been terminated by order of the court
- A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent
- A parent of the adopted person if the person is age 19 or older
- A guardian or custodian who has failed to respond in writing to a request for consent for a period of 60 days or who, after examination of the guardian's or custodian's written reasons for withholding consent, is found by the court to be withholding consent unreasonably
- The spouse of the person to be adopted, if the requirement of consent to the adoption is waived by the court by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances constituting an unreasonable withholding of consent



### **Arizona**

### **Who Must Consent to an Adoption**

#### **Citation: Rev. Stat. § 8-106(A), (C)**

The court shall not grant an adoption of a child unless consent to adopt has been obtained and filed with the court from the following:

- The birth or adoptive mother
- The father, if he:
  - Was married to the mother at the time of conception
  - Is the adoptive father
  - Has otherwise established paternity
- Any guardian of the child or agency that has been given the child to place for adoption
- The guardian of an adult parent, if one has been appointed

Minority of the parent does not affect competency to consent.

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Rev. Stat. § 8-106(A)**

A child age 12 or older must consent to the adoption in open court.

### **When Parental Consent is not Needed**

#### **Citation: Rev. Stat. § 8-106(B), (J)**

It is not necessary for a person to obtain consent to adopt from the following:

- An adult parent for whom a guardian is currently appointed
- A parent whose parental rights have been terminated by court order
- A parent who has previously consented to an agency's or the division's placement of the child for adoption

A potential father who fails to file a paternity action and who does not comply with all applicable service requirements within 30 days after completion of service of notice waives his right to be notified of any judicial hearing regarding the child's adoption or the termination of parental rights, and his consent to the adoption or termination is not required.



## Arkansas

### Who Must Consent to an Adoption

#### Citation: Ann. Code § 9-9-206

A petition to adopt a minor may be granted only if written consent to a particular adoption has been executed by:

- The mother
- The father, if he was married to the mother at the time the minor was conceived or at any time thereafter, the minor is his child by adoption, he has custody of the minor at the time the petition is filed, he has a written order granting him legal custody of the minor at the time the petition for adoption is filed, or he proves that a significant custodial, personal, or financial relationship existed with the minor before the petition for adoption is filed
- Any person lawfully entitled to custody of the minor or empowered to consent
- The court having jurisdiction to determine custody of the minor, if the legal guardian or custodian of the person of the minor is not empowered to consent to the adoption
- The spouse of the minor to be adopted

### Age When Consent of Adoptee is Considered or Required

#### Citation: Ann. Code § 9-9-206

A child age 10 or older must consent to the adoption, unless, in the child's best interest, the court dispenses with consent.

### When Parental Consent is not Needed

#### Citation: Ann. Code § 9-9-207

Consent to adoption is not required of:

- A parent who has deserted a child without affording means of identification or who has abandoned a child
- A parent of a child in the custody of another, if the parent has failed significantly without justifiable cause to communicate with the child or to provide for the care and support of the child for at least 1 year
- The father of a minor if the father's consent is not required by § 9-9-206(a)(2)
- A parent who has relinquished the right to consent or whose rights have been terminated
- A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent
- Any parent of the adopted person if the person is an adult

- Any legal guardian or custodian of the adopted person, other than a parent, who has failed to respond in writing to a request for consent for a period of 60 days or who is found by the court to be withholding his or her consent unreasonably
- The spouse of the adopted person, if the failure of the spouse to consent is excused by the court by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances constituting an unreasonable withholding of consent
- A putative father of a minor who signed an acknowledgment of paternity or is listed on the Putative Father Registry but who failed to establish a significant custodial, personal, or financial relationship with the juvenile prior to the time the petition for adoption is filed



## California

### Who Must Consent to an Adoption

**Citation: Fam. Code §§ 8603; 8604; 8605**

Consent is required from the following persons:

- The birth parents, if living
- The parent having custody if the other parent:
  - Fails to communicate with and support the child
  - Fails to respond to notice of adoption
- The spouse of the adopting parent, if the adopting parent is married

### Age When Consent of Adoptee is Considered or Required

**Citation: Fam. Code § 8602**

A child age 12 or older must consent to the adoption.

### When Parental Consent is not Needed

**Citation: Fam. Code §§ 8604; 8606**

The consent of a presumed father is not required for the child's adoption unless he became a presumed father before the mother's relinquishment or before consent becomes irrevocable or before the mother's parental rights have been terminated.

The consent of a noncustodial parent is not required if the parent for a period of 1 year willfully fails to communicate with and to pay for the care, support, and education of the child when able to do so.

The consent of a birth parent is not necessary when the birth parent has:

- Been judicially deprived of the custody and control of the child
- Voluntarily surrendered the right to the custody and control of the child
- Deserted the child without provision for identification of the child
- Relinquished the child for adoption as provided in § 8700
- Relinquished the child for adoption to a licensed or authorized child-placing agency in another jurisdiction



## Colorado

### Who Must Consent to an Adoption

**Citation: Rev. Stat. § 19-5-207**

When a child is placed for adoption by the county department of social services, a licensed child placement agency, or an individual, such department, agency, or individual shall file, with the petition to adopt, its written and verified consent to such adoption.

### Age When Consent of Adoptee is Considered or Required

**Citation: Rev. Stat. §§ 19-5-103; 19-5-203**

Written consent to any proposed adoption shall be obtained from the person to be adopted if such person is age 12 or older. Children must undergo counseling.

### When Parental Consent is not Needed

**Citation: Rev. Stat. §§ 19-5-203; 19-3-604**

Consent is not required when:

- The parent's rights have been terminated due to the parent's unfitness, as outlined in § 19-3-604.
- The parent has failed to provide support or has abandoned the child for 1 year.



## Connecticut

### Who Must Consent to an Adoption

**Citation: Gen. Stat. §§ 45a-724; 45a-715**

The following persons may give a child in adoption:

A statutory parent

Any parent of a minor child who agrees in writing with his or her spouse that the spouse shall adopt or join in the adoption of the child if that parent is:

- The surviving parent if the other parent has died
- The mother of a child born out of wedlock, provided that if there is a putative father who has been notified and the rights of the putative father have been terminated
- A former single person who adopted a child and thereafter married
- The sole guardian of the child, if the parental rights, if any, of any person other than the parties to such agreement have been terminated

Any parent of a minor child who agrees in writing with the other person who shares parental responsibility for the child that the other person shall adopt or join in the adoption of the child, if the parental rights, if any, of any other person other than the parties to such agreement have been terminated

For any minor child who is free for adoption, the child's guardian who agrees in writing with a relative that the relative shall adopt the child

A parent who is a minor shall have the right to consent to termination of parental rights, and such consent shall not be voidable by reason of such minority. A guardian *ad litem* shall be appointed by the court to assure that such minor parent is giving an informed and voluntary consent.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Gen. Stat. § 45a-724**

A child age 12 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Gen. Stat. § 45a-717(g)**

Consent of the parents is not needed if parental rights have been involuntarily terminated because the parent has:

Abandoned the child by failing to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the child

Subjected the child to sexual molestation and exploitation, severe physical abuse, or a pattern of abuse

Failed to establish an ongoing parent-child relationship with the child

Been found by the court to have neglected the child in a prior proceeding, or whose child has been in the custody of the commissioner for at least 15 months and has failed to achieve such degree of personal rehabilitation as would encourage the belief that, within a reasonable time, considering the age and needs of the child, such parent could assume a responsible position in the life of the child

Had his or her parental rights in regard to another child previously terminated

Killed through a deliberate, nonaccidental act another child of the parent or has requested, commanded, importuned, attempted, conspired, or solicited such killing or has committed an assault, through a deliberate, nonaccidental act that resulted in serious bodily injury of another child of the parent

Been convicted as an adult or a delinquent by a court of competent jurisdiction of sexual assault resulting in the conception of a child



**Delaware**

### **Who Must Consent to an Adoption**

**Citation: Ann. Code Tit. 13 §§ 908**

The consent to the adoption shall be granted by the Department or by the licensed or authorized agency in whom the parental rights are vested.

In the case of an adoption by a stepparent or blood relative, the consent to the adoption shall be granted by the mother of the child and the biological father and any presumed father of the child.

If the individual with the right to consent is under age 18, this fact shall not be a bar to the giving of consent nor render the consent invalid.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code Tit. 13 § 907**

A child age 14 or older must provide written consent unless the court finds it in the child's best interest to waive consent.

### **When Parental Consent is not Needed**

**Citation: Ann. Code Tit. 13 § 1103(a)**

The parent's consent is not required when his or her parental rights have been involuntarily terminated for one or more grounds, including:

Abandonment of the child  
Inability to discharge parental duties due to mental incompetence or extended or repeated incarceration  
Conviction of a felony in which a child has been harmed or endangered  
A history of neglect or chronic abuse of the child or other children



## Florida

### **Who Must Consent to an Adoption**

#### **Citation: Ann. Stat. § 63.062**

A petition to terminate parental rights pending adoption may be granted only if written consent has been executed by:

The mother of the minor

The father of the minor, if:

- The minor was conceived or born while the father was married to the mother.
- The minor is his child by adoption.
- The minor has been established by court proceeding to be his child.
- He has filed an affidavit of paternity.
- In the case of an unmarried biological father, he has acknowledged in writing, signed in the presence of a competent witness, that he is the father of the minor, and has filed such acknowledgment with the Office of Vital Statistics of the Department of Health within the required timeframes. Any person lawfully entitled to custody of the minor, if required by the court The court having jurisdiction to determine custody of the minor, if the person having physical custody of the minor does not have authority to consent to the adoption

If parental rights to the minor have previously been terminated, the adoption entity with which the minor has been placed for subsequent adoption may provide consent to the adoption. In such case, no other consent is required.

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Ann. Stat. § 63.062(1)(c)**

A child age 12 or older must consent, unless the court determines it is in the child's best interest to dispense with consent.

### **When Parental Consent is not Needed**

#### **Citation: Ann. Stat. § 63.064**

The court may waive the consent of the following individuals to an adoption:

A parent who has deserted a child without means of identification or who has abandoned a child

A parent whose parental rights have been terminated by order of a court of competent jurisdiction

A parent who has been judicially declared incompetent and for whom restoration of competency is medically improbable

A legal guardian or lawful custodian of the person to be adopted, other than a parent, who has failed to respond in writing to a request for consent for a period of 60 days or who, after examination of his or her written reasons for withholding consent, is found by the court to be withholding his or her consent unreasonably

The spouse of the person to be adopted, if the failure of the spouse to consent to

the adoption is excused by reason of prolonged and unexplained absence, unavailability, incapacity, or circumstances that are found by the court to constitute unreasonable withholding of consent



## Georgia

### **Who Must Consent to an Adoption**

#### **Citation: Ann. Code § 19-8-4(a)**

A child who has any living parent or guardian may be adopted through the department or any child-placing agency only if each such parent and each such guardian:

- Has voluntarily and in writing surrendered all of his or her rights to the child to the department or to a child-placing agency and the department or agency thereafter consents to the adoption

- Has had all of his or her rights to the child terminated by order of a court of competent jurisdiction, the child has been committed by the court to the department or to a child-placing agency for placement for adoption, and the department or agency thereafter consents to the adoption

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Ann. Code § 19-8-4(b)**

In the case of a child age 14 or older, the written consent of the child to his adoption must be given and acknowledged in the presence of the court.

### **When Parental Consent is not Needed**

#### **Citation: Ann. Code § 19-8-10**

Surrender or termination of rights of a parent shall not be required as a prerequisite to the filing of a petition for adoption of a child of that parent when the court determines by clear and convincing evidence that the parent:

- Has abandoned the child

- Cannot be found after a diligent search has been made

- Is insane or otherwise incapacitated from surrendering such rights

- Has failed to exercise proper parental care or control due to misconduct or inability

Surrender of rights of a parent shall not be required as a prerequisite to the filing of a petition for adoption of a child of that parent if that parent, for a period of 1 year or longer immediately prior to the filing of the petition for adoption, without justifiable cause, has significantly failed:

- To communicate or to make a bona fide attempt to communicate with that child in a meaningful, supportive, parental manner

- To provide for the care and support of that child as required by law or judicial decree, and the court is of the opinion that the adoption is for the best interests of that child



## Hawaii

### **Who Must Consent to an Adoption**

#### **Citation: Rev. Stat. § 578-2(a)**

Written consent to a proposed adoption must be executed by:

- The mother of the child

- A legal father

- An adjudicated father whose relationship to the child has been determined by a court

- A presumed father

- A concerned natural father who is not the legal, adjudicated, or presumed father but who has demonstrated a reasonable degree of interest, concern, or responsibility as to the welfare of a child

- Any person or agency having legal custody of the child or legally empowered to consent

- The court having jurisdiction of the custody of the child, if the legal guardian or legal custodian of the person of the child is not empowered to consent to adoption

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Rev. Stat. § 578-2(a)(8)**

A child age 10 older must consent, unless the court, in the child's best interest, dispenses with the need for the child to consent.

### **When Parental Consent is not Needed**

#### **Citation: Rev. Stat. § 578-2**

Consent is not required from the following:

- A parent who has deserted a child without affording means of identification for a period of 90 days

- A parent who has voluntarily surrendered the care and custody of the child to another for a period of 2 years

- A parent, whose child is in the custody of another, who has failed for a period of at least 1 year to communicate with the child or provide for the care and support of the child when able to do so

- A natural father who was not married to the child's mother at the time of the child's conception or birth and has not established paternity

- A parent whose parental rights have been judicially terminated

- A parent judicially declared mentally ill, mentally retarded, or incapacitated from giving consent

- Any legal guardian or custodian who is found by the court to be withholding consent unreasonably



## Idaho

### Who Must Consent to an Adoption

**Citation: Ann. Stat. § 16-1504**

Consent to adoption is required from:

Both parents or the surviving parent of a child who was conceived or born within a marriage, unless the child is age 18 or older

The mother of a child born outside of marriage

Any biological parent who has been adjudicated to be the child's biological father by a court of competent jurisdiction prior to the mother's execution of consent

An unmarried biological father who has established paternity of the child

Any legally appointed custodian or guardian of the adoptee

The guardian or conservator of an incapacitated adult, if one has been appointed

The adopted person's spouse, if any

The father of an illegitimate child who has adopted the child by acknowledgment

### Age When Consent of Adoptee is Considered or Required

**Citation: Ann. Stat. § 16-1504**

A child age 12 or older must consent to the adoption, unless he or she lacks the mental capacity to consent.

### When Parental Consent is not Needed

**Citation: Ann. Stat. § 16-1504(&)**

No consent shall be required of, nor notice given to, any person whose parental relationship to such child has been terminated.



## Illinois

### Who Must Consent to an Adoption

**Citation: Cons. Stat. Ch. 750 § 50/8(b)**

Consent is required of the following persons:

The mother

The father if the father:

- Was married to the mother on the date of birth of the child or within 300 days before the birth of the child
- Is the father by adoption, an order of parentage, or an acknowledgment of parentage or paternity
- Openly lived with the child, the child's biological mother, or both, and held himself out to be the child's biological father
- Made a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child
- Has maintained substantial and continuous or repeated contact with the child
- Has registered in a timely manner with the Putative Father Registry

The legal guardian of the person of the child, if there is no surviving parent

An agency, if the child has been surrendered for adoption to such agency

Any person or agency having legal custody of a child by court order, if the parental rights of the parents have been terminated

**Age When Consent of Adoptee is Considered or Required****Citation: Comp. Stat. Ch. 750 § 50/12**

A child age 14 or older must consent. The court may waive consent if child is in need of mental treatment or is mentally retarded.

**When Parental Consent is not Needed****Citation: Comp. Stat. Ch. 750 § 50/8(a)**

Consent is not required when the person whose consent or surrender would otherwise be required shall be found by the court:

To be an unfit person

Not to be the biological or adoptive father of the child

To have waived his or her parental rights to the child

To be the parent of an adult sought to be adopted

To be the father of the child as a result of criminal sexual abuse or assault

To be the father of a child who:

- o Is a family member of the mother of the child, and the mother is under age of 18 at the time of the child's conception
- o Is at least 5 years older than the child's mother, and the mother was under age 17 at the time of the child's conception, unless the mother and father voluntarily acknowledge the father's paternity of the child by marrying or by establishing the father's paternity

**Indiana****Who Must Consent to an Adoption****Citation: Ann. Code § 31-19-9-1**

Written consent to adoption must be executed by the following:

Each living parent of a child born in wedlock

The mother of a child born out of wedlock and the father of a child who has established paternity

Each person, agency, or county office of family and children having lawful custody of the child

The court having jurisdiction of the custody of the child, if the legal guardian or custodian of the person of the child is not empowered to consent to the adoption

The spouse of the child to be adopted, if the child is married

A parent who is under age 18 may consent to an adoption without the concurrence of the individual's parents or guardian unless the court, in the court's discretion, determines that it is in the best interest of the child to be adopted to require the concurrence.

**Age When Consent of Adoptee is Considered or Required****Citation: Ann. Code § 31-19-9-1**

A child age 14 or older must consent to the adoption.

**When Parental Consent is not Needed****Citation: Ann. Code §§ 31-19-9-8 to 31-19-9-10**

Consent is not required from any of the following:

A parent who is adjudged to have abandoned the child for at least 6 months immediately prior to filing of the petition

A parent of a child in the custody of another person who fails for a period of at least 1 year to communicate significantly or provide for the care and support of the child when able to do so

A biological father of a child born out of wedlock who has not established paternity

A biological father of a child born out of wedlock whose child was conceived as a result of rape, child molesting, sexual misconduct with a minor, or incest

A putative father whose consent to adoption is irrevocably implied, who established paternity after an adoption petition was filed, or who failed to register with the putative father registry

A parent who has relinquished the right to consent or whose rights have been terminated

A parent judicially declared incompetent or mentally defective

A legal guardian who has unreasonably failed to consent to the adoption

A parent who has been found to be unfit

A biological father who had denied paternity before or after the birth of the child

Consent to adoption is not required from a parent if the parent is convicted of committing any of the crimes listed below and the victim is the child's other parent:

Murder, causing suicide, or voluntary manslaughter

An attempt to commit a crime described above

A crime in another State that is substantially similar to a crime described above

Consent to adoption is not required from a parent if the parent is convicted of any of the following and the victim is another child of the parent:

Murder, causing suicide, or voluntary manslaughter

Rape, criminal deviate conduct, child molesting, or incest

Neglect of a dependent or battery



Iowa

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. § 600.7**

The following persons must consent to an adoption:

Any guardian

The spouse of a petitioner who is a stepparent

The spouse of a petitioner who is separately petitioning to adopt an adult person

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 600.7**

A child age 14 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. §§ 600.7; 600A.8**

Consent may be unnecessary if:

Any person required to consent refuses to or cannot be located.

A parent has signed a release of custody and the release has not been revoked.

A parent has petitioned for termination of parental rights.

The parent has abandoned the child.

A parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has failed to do so without good cause.

A parent does not object to the termination after having been given proper notice and the opportunity to object.

A parent does not object to the termination, although every reasonable effort has been made to identify, locate, and give notice to that parent.

An adoptive parent requests termination of parental rights and the parent-child relationship based upon a showing that the adoption was fraudulently induced.

The parent has been determined to be a chronic substance abuser and the parent has committed a second or subsequent domestic abuse assault.

The parent has abducted the child, has improperly removed the child from the physical custody of the person entitled to custody without the consent of that person, or has improperly retained the child after a visit or other temporary relinquishment of physical custody.

The parent has been imprisoned for a crime against the child, the child's sibling, or another child in the household, or the parent has been imprisoned and it is unlikely that the parent will be released from prison for a period of 5 or more years.

The parent has been convicted of a felony offense that is a criminal offense against a minor, the parent is divorced from or was never married to the minor's other parent, and the parent is serving a minimum sentence of confinement of at least 5 years for that offense.



## Kansas

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. §§ 59-2129; 59-2136(d)**

Consent to an independent adoption shall be given by:

The living parents of the child

One of the parents of the child, if the other's consent is found unnecessary under § 59-2136

The legal guardian of the child, if both parents are dead or if their consent is found to be unnecessary

The court entering an order under section 65

The judge of any court having jurisdiction over the child pursuant to the code for care of children, if parental rights have not been terminated

Consent to an agency adoption shall be given by the authorized representative of the agency having authority to consent to the adoption of the child.

In a stepparent adoption, if a mother consents to the adoption of a child who has a presumed father or a father for whom the child is a legitimate child, the consent of such father must be given to the adoption unless such father has failed or refused to assume the duties of a parent for 2 consecutive years immediately prior to the filing of the adoption petition or is incapable of giving such consent.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 59-2129**

Consent to adoption shall be given by the child sought to be adopted if the child is over age 14 and of sound intellect.

### **When Parental Consent is not Needed**

#### **Citation: Ann. Stat. § 59-2136(h)**

If a mother desires to consent to the adoption of her child, a petition shall be filed in the district court to terminate the parental rights of the father, unless the father's relationship to the child has been previously terminated or determined not to exist by a court.

The court may terminate the father's parental rights upon a finding, by clear and convincing evidence, of any of the following:

The father abandoned or neglected the child after having knowledge of the child's birth.

The father is unfit as a parent or incapable of giving consent.

The father has made no reasonable efforts to support or communicate with the child.

The father, after having knowledge of the pregnancy, failed without reasonable cause to provide support for the mother during the 6 months prior to the child's birth.

The father abandoned the mother after having knowledge of the pregnancy.

The birth of the child was the result of rape of the mother.

The father has failed or refused to assume the duties of a parent for 2 consecutive years immediately prior to the filing of the petition.

In making a finding whether parental rights shall be terminated, the court may:

Consider and weigh the best interest of the child

Disregard incidental visitations, contacts, communications, or contributions

As far as is applicable, the provisions also apply to the mother.



## **Kentucky**

### **Who Must Consent to an Adoption**

#### **Citation: Rev. Stat. § 199.500**

An adoption shall not be granted without the voluntary and informed consent of:

The living parent or parents of a child born in lawful wedlock

The mother of the child born out of wedlock

The father of the child born out of wedlock, if paternity is established in a legal action or in an affidavit acknowledging paternity of the child

A minor parent may consent to an adoption, but a guardian *ad litem* for the parent shall be appointed.

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Rev. Stat. § 199.500**

In the case of a child age 12 or older, the consent of the child shall be given in court. The court in its discretion may waive this requirement.

### **When Parental Consent is not Needed**

**Citation: Rev. Stat. §§ 199.500; 199.502**

The consent of a parent shall not be required if the parent:

- Has been adjudged mentally disabled
- Has had his or her parental rights terminated
- Is divorced from the other parent, his or her rights have been terminated, and consent has been given by the parent having custody and control of the child
- Is a birth parent who has not established parental rights
- Has abandoned the child for a period of not less than 90 days
- Has inflicted or allowed to be inflicted upon the child, by other than accidental means, serious physical injury
- Has continuously or repeatedly inflicted or allowed to be inflicted upon the child, by other than accidental means, physical injury or emotional harm
- Has been convicted of a felony that involved the infliction of serious physical injury to the child
- For a period of not less than 6 months, has continuously or repeatedly failed, refused to provide, or been substantially incapable of providing essential parental care and protection for the child, and there is no reasonable expectation of improvement in parental care and protection
- Has caused or allowed the child to be sexually abused or exploited
- For reasons other than poverty alone, has continuously or repeatedly failed to provide or is incapable of providing essential food, clothing, shelter, medical care, or education reasonably necessary and available for the child's well-being, and there is no reasonable expectation of significant improvement in the parent's conduct in the immediately foreseeable future
- Has had his or her rights to another child involuntarily terminated and the condition or factor that was the basis for the previous termination finding has not been corrected
- Has been convicted of having caused or contributed to the death of another child as a result of physical or sexual abuse or neglect



### **Louisiana**

### **Who Must Consent to an Adoption**

**Citation: Ch. Code Art. 1193; 1113**

Consent to the adoption of a child shall be required of the following:

- The mother of the child
- The father of the child, regardless of the child's actual paternity, if any of the following apply:
  - o The child is a child born of the marriage.
  - o The father is presumed to be the father of the child in accordance with law.
- The alleged father of the child who has established his parental rights in accordance with law
- The biological father of the child whose paternity has been determined by a judgment of filiation and who has established his parental rights
- The custodial agency that has placed the child for adoption

If a parent executing a surrender in a private adoption is a minor, the parents or tutor of the minor must join in the surrender unless the minor parent has been judicially emancipated or emancipated by marriage.

## **Age When Consent of Adoptee is Considered or Required**

### **Citation:**

This issue is not addressed in the statutes reviewed.

## **When Parental Consent is not Needed**

### **Citation: Ch. Code Art. 1193; 1245**

The consent of the parent is not required if his or her rights have been terminated in accordance with Title X or XI.

The court may grant an adoption without the consent of the agency, if the adoption is in the best interest of the child and there is a finding that the agency has unreasonably withheld its consent.

In an intrafamily adoption, the consent of a parent may be dispensed with when the parent with custody is married to the petitioner and the other parent has failed to support, visit, or communicate with the child without just cause for at least 6 months.



## **Maine**

## **Who Must Consent to an Adoption**

### **Citation: Rev. Stat. Tit. 18-A, § 9-302**

Written consent to the adoption must be given by:

Each living parent

The person or agency having legal custody or guardianship of the child

A guardian appointed by the court, when the child has no living parent, guardian, or legal custodian who may consent

## **Age When Consent of Adoptee is Considered or Required**

### **Citation: Rev. Stat. Tit. 18-A, § 9-302**

Written consent to the adoption must be given by the adopted person if he or she is age 14 or older.

## **When Parental Consent is not Needed**

### **Citation: Rev. Stat. Tit. 18-A, § 9-302**

Consent to adoption is not required of:

A putative father or a legal father who is not the biological father if he:

- Received notice and failed to respond to the notice within the prescribed time period
- Waived his right to notice under § 9-201(c)
- Failed to meet the standards of § 9-201(i)
- Holds no parental rights regarding the child under the laws of the foreign jurisdiction in which the child was born

A parent whose parental rights have been terminated

A parent who has executed a surrender and release pursuant to § 9-202

A parent whose parental rights have been voluntarily or judicially terminated and transferred to a public agency or a duly licensed private agency pursuant to the laws of another State or country

The parent of an adopted person who is age 18 or older

The agency to whom the child has been surrendered and released if that the person's or agency's lack of consent is found to be unreasonable by a judge of probate



## Maryland

### **Who Must Consent to an Adoption**

**Citation: Fam. Law § 5-338**

Consent to an adoption is required from the following persons:

The natural mother and father

If parental rights have been terminated, the head of the agency that has been awarded guardianship

The director of the local department with custody of the child

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Fam. Law § 5-338(3)**

The court may grant an adoption only if the child is represented by an attorney and he or she:

Consents to the adoption, if at least age 10

Does not object to the adoption, if under age 10

### **When Parental Consent is not Needed**

**Citation: Fam. Law § 5-3B-22**

A court may allow adoption without parental consent if the court finds by clear and convincing evidence that the parent:

Has not had custody of the prospective adoptee for at least 1 year

Has not maintained meaningful contact with the child while the petitioner had custody, notwithstanding an opportunity to do so

Has failed to contribute to the child's physical care and support, notwithstanding the ability to do so

Has subjected the child to chronic abuse, chronic and life-threatening neglect, sexual abuse, or torture

Has been convicted of abuse of any offspring

Has been convicted, in any State or any court of the United States, of:

- A crime of violence against a minor offspring of the parent, the child, or another parent of the child
- Aiding or abetting, conspiring, or soliciting to commit a crime described above

Has, other than by consent, lost parental rights to a sibling of the child



## Massachusetts

### **Who Must Consent to an Adoption**

**Citation: Ann. Laws Ch. 210 § 2**

Written consent to the adoption is required from:

The lawful parents, who may be previous adoptive parents  
A surviving parent  
The mother only, if the child has been born out of wedlock  
The child's spouse, if any

If an agency or person receiving a child born out of wedlock for purposes of a subsequent adoption receives from the child's mother an executed consent, and no person has acknowledged paternity of the child or has been adjudicated the father of the child by any court of competent jurisdiction, then the person or agency shall request that the mother voluntarily provide a sworn written statement, executed before a notary and in the presence of two competent witnesses, one of whom shall be selected by the mother, that identifies the child's father and his current or last known address. Any such statement shall be used solely for the purpose of notifying the person named as the father of the status of the child.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Laws Ch. 210 § 2**

A child who is age 12 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Ann. Laws Ch. 210 § 3**

The consent of the persons named above shall not be required if:

The person to be adopted is age 18 or older.  
The court finds that the adoption is in the best interests of the child due to parental unfitness.

A finding of unfitness may be based on the following:

The child has been abandoned.  
The child or another child has been abused or neglected.  
The child has been in out-of-home placement for at least 6 months and the parents have not maintained significant and meaningful contact with the child.  
The child is age 4 or older and in the custody of the department for at least 12 of the last 15 months and cannot be returned home.  
The child is younger than age 4 and in the custody of the department for at least 6 of the last 12 months and cannot be returned home.  
The parent, without excuse, fails to provide proper care or custody for the child.  
Because of the lengthy absence of the parent or the parent's inability to meet the needs of the child, the child has formed a strong, positive bond with a substitute caretaker.  
The parent has made no effort to remedy conditions that create a risk of harm to the child.  
The child or another child has been subjected to severe or repetitive conduct of a physically, emotionally, or sexually abusive or neglectful nature.  
The parent has willfully failed to visit and support a child who is not in the custody of the parent.  
The parent suffers from a condition, such as alcohol or drug addiction, mental deficiency, or mental illness, that makes the parent unlikely to provide minimally acceptable care of the child.  
The parent's conviction of a felony will deprive the child of a stable home for a period of years.  
There exists a prior pattern of parental neglect or misconduct or a felony assault that resulted in serious bodily injury to the child and a likelihood of future harm to the child based on such prior pattern or assault.



## Michigan

### **Who Must Consent to an Adoption**

**Citation: Comp. Laws § 710.43**

Consent to adoption shall be executed by:

- Each parent or the surviving parent
- The authorized representative of the department or of a child-placing agency to whom the child has been permanently committed by an order of the court or to whom the child has been released
- The court or by a Tribal court having permanent custody of the child
- The guardian of the child, if a guardian has been appointed
- The guardian of a parent, if a guardian has been appointed
- The authorized representative of a court or child-placing agency of another State or country that has authority to consent to adoption

If the parent of the child to be adopted is an unemancipated minor, that parent's consent is not valid unless a parent, guardian, or guardian *ad litem* of that minor parent has also executed the consent.

The guardian of the child to be adopted or a parent shall not execute a consent to that child's adoption unless the guardian has first obtained authority to execute the consent from the court that appointed the guardian.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Comp. Laws § 710.43**

A child who is age 14 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Comp. Laws §§ 710.37; 710.43; 710.51(6)**

The court may permanently terminate the rights of the putative father when he:

- Submits a verified affirmation of his paternity and a denial of his interest in custody of the child
- Files a disclaimer of paternity
- Was served with a notice of intent to release or consent at least 30 days before the expected date of birth but failed to file an intent to claim paternity either before the expected date of birth or before the birth of the child
- Is given proper notice of hearing but either fails to appear at the hearing or appears and denies his interest in custody of the child
- Has not made provision for the child's care and did not provide support for the mother during her pregnancy
- Has not provided support for the mother, has not shown any interest in the child, and has not made provision for the child's care, for at least 90 days preceding the hearing required under § 36

Consent to adoption of a child shall be executed by each parent or the surviving parent, except under the following circumstances:

- The rights of the parent have been terminated.
- The child has been released for the purpose of adoption to a child-placing agency or the department.

- A guardian of the child has been appointed.
- A guardian of a parent has been appointed.
- A parent having legal custody of the child is married to the petitioner.

If the spouse of a custodial parent wants to adopt the child, the court may terminate the rights of the other parent if both of the following occur:

The other parent, having the ability to support the child, has failed or neglected to provide regular and substantial support for the child for a period of 2 years or more.

The other parent, having the ability to visit, contact, or communicate with the child, has regularly and substantially failed or neglected to do so for a period of 2 years or more.



## Minnesota

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. § 259.24, subd. 1, 2**

No child shall be adopted without the consent of the child's parents and the child's guardian, if there be one.

If there is no parent or guardian qualified to consent to the adoption, the consent shall be given by the commissioner.

If an unmarried parent who consents to the adoption of a child is under age 18, the consent of the minor parent's parents or guardian, if any, also shall be required. If either or both the parents are disqualified for any reason, the consent of such parent shall be waived, and the consent of the guardian only shall be sufficient. If there is neither a parent nor guardian qualified to give such consent, the consent may be given by the commissioner.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 259.24, subd. 3**

When the child to be adopted is age 14 or older, the child's written consent also shall be necessary.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. § 259.24, subd. 1**

Consent shall not be required of a parent:

Who is not entitled to notice of the proceedings

Who has abandoned the child

Who has lost custody of the child through a divorce decree or a decree of dissolution, and upon whom notice has been served as required by § 259.49

Whose parental rights to the child have been terminated or who has lost custody of a child through a final commitment of the juvenile court or through a decree in a prior adoption proceeding



## Mississippi

### **Who Must Consent to an Adoption**

**Citation: Ann. Code § 93-17-5**

Consent shall be executed by the following persons:

The parents, or parent, if only one parent, though either be under age 21  
If both parents are dead, then any two adult kin of the child within the third degree

The guardian *ad litem* of an abandoned child

Those persons having physical custody of the child, except persons having the child as foster parents as a result of placement by the Department of Human Services of the State of Mississippi

Any person to whom custody of the child may have been awarded by a court of competent jurisdiction of the State of Mississippi

The agent of the county Department of Human Services that has placed a child in foster care, either by agreement or by court order

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code § 93-17-5**

If the child is age 14 or older, a consent to the adoption, sworn to or acknowledged by the child, is required.

### **When Parental Consent is not Needed**

**Citation: Ann. Code § 93-17-5; 93-17-7**

In the case of a child born out of wedlock, the father shall not have a right to object to an adoption unless he has demonstrated, within the period ending 30 days after the birth of the child, a full commitment to the responsibilities of parenthood.

An adoption may be allowed over the objection of a parent where the parent:

Has abused the child

Has not consistently offered to provide reasonably necessary food, clothing, appropriate shelter, and treatment for the child

Suffers from a medical or emotional illness, mental deficiency, behavior, or conduct disorder, severe physical disability, substance abuse, or chemical dependency that makes him or her unable or unwilling to provide an adequate permanent home for the child at the present time or in the reasonably near future based upon expert opinion or based upon an established pattern of behavior

Has a history of past or present conduct, including criminal convictions, that viewed in its entirety, would pose a risk of substantial harm to the physical, mental, or emotional health of the child

Has engaged in acts or omissions permitting termination of parental rights



## Missouri

### Who Must Consent to an Adoption

**Citation: Rev. Stat. § 453.030**

The written consent of the following persons shall be required:

The mother

Only the man who is presumed to be the father, if he has acted to establish paternity no later than 15 days after the birth of the child, or has filed with the putative father registry

The child's current adoptive parents or other legally recognized parent

### Age When Consent of Adoptee is Considered or Required

**Citation: Rev. Stat. § 453.030**

A child who is age 14 or older must consent to the adoption, except where the court finds that the child lacks sufficient mental capacity.

### When Parental Consent is not Needed

**Citation: Rev. Stat. § 453.040**

The consent to the adoption of a child is not required of:

A parent whose rights to the child have been terminated

A parent of a child who has legally consented to a future adoption of the child

A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition

A man who has not been established to be the father and who is not presumed by law to be the father and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in the child

A parent or other person who has not executed a consent and fails to respond to notice

A parent who has a mental condition that is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and that renders the parent unable to knowingly provide the child the necessary care, custody, and control

A parent who has for a period of at least 6 months for a child age 1 or older, or at least 60 days for a child under age 1, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least 6 months immediately prior to the filing of the petition for adoption, willfully, substantially, and continuously neglected to provide the child with necessary care and protection



## Montana

### Who Must Consent to an Adoption

**Citation: Ann. Code § 42-2-301**

Written consents to an adoption must be executed by:

The birth mother  
The husband of the birth mother, if the husband is the presumed father of the child  
Any other person whose parental rights have been established by a court  
The department or an agency that has custody of the child and the authority to place the child for adoption  
The legal guardian of the child, if both parents are dead or their rights have been judicially terminated and the guardian has authority by order of the court appointing the guardian to consent to the adoption

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code § 42-2-301**

A child who is age 12 or older must consent, either in writing or in court, unless he or she lacks the mental capacity to consent.

### **When Parental Consent is not Needed**

**Citation: Ann. Code § 42-2-302**

Consent to adoption of a child is not required from:

An individual whose parental relationship to the child has been judicially terminated for unfitness, has been determined not to exist, or has been waived  
A parent who has been judicially declared incompetent  
An individual who has not been married to the mother of the child and who, after the conception of the child, executes a notarized statement denying paternity or a notarized statement acknowledging paternity and denying any interest in the child  
The personal representative of a deceased parent's estate



**Nebraska**

### **Who Must Consent to an Adoption**

**Citation: Rev. Stat. §§ 43-104; 43-105**

Except as otherwise provided in the Nebraska Indian Child Welfare Act, no adoption shall be decreed unless written consents are executed by:

Any district court, county court, or separate juvenile court having jurisdiction of the custody of a minor child by virtue of proceedings that occurred in any court in Nebraska or by virtue of the Uniform Child Custody Jurisdiction and Enforcement Act  
Both parents of a child born in lawful wedlock, if living  
The surviving parent of a child born in lawful wedlock  
The mother of a child born out of wedlock  
Both the mother and father of a child born out of wedlock as determined pursuant to §§ 43-104.08 to 43-104.24

If consent is not required of both parents for the reasons listed below, substitute consents shall be filed as follows:

Consent to the adoption of a minor child who has been committed to the Department of Health and Human Services may be given by the department or its duly authorized agent.  
When a parent has relinquished a minor child for adoption to any child-placing agency licensed or approved by the department, consent to the adoption of such child may be given by such agency.

In all other cases, consent shall be given by the guardian or guardian *ad litem* of the minor child.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Rev. Stat. § 43-104**

A written consent must be executed by the minor child, if over age 14, or the adult child.

### **When Parental Consent is not Needed**

**Citation: Rev. Stat. §§ 43-104; 43-105**

Consent shall not be required of any parent who:

- Has relinquished the child for adoption by a written instrument
- Has abandoned the child for at least 6 months immediately prior to the filing of the adoption petition
- Has been deprived of his or her parental rights to such child by the order of any court of competent jurisdiction
- Is incapable of consenting



## **Nevada**

### **Who Must Consent to an Adoption**

**Citation: Rev. Stat. § 127.040**

Written consent to the specific adoption proposed by the petition or for relinquishment to an agency authorized to accept relinquishments is required from:

- Both parents, if both are living
- One parent, if the other is deceased
- The guardian of the child appointed by the court

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Rev. Stat. § 127.020**

The consent of the child, if age 14 or older, is required.

### **When Parental Consent is not Needed**

**Citation: Rev. Stat. §§ 127.090; 127.040**

Consent is not required of a parent who has been adjudged insane for 2 years if the court is satisfied by proof that such insanity is incurable.  
Consent of a parent to an adoption shall not be necessary where parental rights have been terminated by an order of a court of competent jurisdiction.



## **New Hampshire**

### **Who Must Consent to an Adoption**

**Citation: Rev. Stat. § 170-B:5**

A surrender of parental rights shall be obtained from:

- The birth mother, provided that if she is under age 18, the court may require the assent of her parents or legal guardian
- The legal father, provided that if he is under age 18, the court may require the assent of his parents or legal guardian

The birth father, provided that he was found to be entitled to notice and that if he is under age 18, the court may require the assent of his parents or legal guardian

The legal guardian of the child, if both birth parents are deceased or have surrendered their rights

The department or any licensed child-placing agency that may be given the care, custody, and control of the child

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Rev. Stat. § 170-B:3**

If the child is age 14 or older, he or she must assent to the adoption unless the court determines that it is not in the best interests of the child to require assent. Such an assent shall be executed by the child in writing and signed in the presence of the court in which the petition for adoption has been filed.

### **When Parental Consent is not Needed**

#### **Citation: Rev. Stat. § 170-B:7**

Surrender of parental rights is not required of:

The alleged father who has not met the requirements of § 170-B:5(I) or § 170-B:6  
A parent whose parental rights have been voluntarily or involuntarily terminated by a court in another State

An alleged father who is found not to be the father

Any parent of the person to be adopted, if the person is an adult

A parent whose parental rights have been terminated

An alleged father who is convicted of an offense under §§ 632-A:2, 632-A:3, 632-A:4, or 639:2 that resulted in the conception of the child

Parents whose parental rights have been determined to be voluntarily or involuntarily terminated by the proper authorities in another country, such determination to be evidenced by documentation issued by the U.S. Department of Justice or the U.S. Department of State and deemed acceptable by probate court rule



## **New Jersey**

### **Who Must Consent to an Adoption**

#### **Citation: Ann. Stat. §§ 9:3-41; 9:3-45**

The child may be surrendered for adoption by:

The parent or guardian of the child

Any agency that has obtained the authority to place the child for adoption

For purposes of this section, "parent" means:

The husband of the mother of a child born or conceived during the marriage

A putative or alleged biological mother or father of a child

## **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 9:3-49**

If the child sought to be adopted is age 10 or older, the appearance of the child shall be required at the final adoption hearing, unless waived by the court for good cause shown, and the child's wishes concerning the adoption shall be solicited by the court and given consideration if the child is of sufficient capacity to form an intelligent preference regarding the adoption.

## **When Parental Consent is not Needed**

**Citation: Ann. Stat. § 9:3-45; 9:3-46**

Notice of an adoption proceeding shall not be served on a parent:

- Who has executed a valid surrender to an approved agency
- Whose parental rights have been terminated in a separate judicial proceeding
- Who has, prior to the placement of the child for adoption, received notice of the intention to place the child, and who has either failed to file written objections or denied paternity or maternity of the child
- Who has given the child for adoption to the adopting parent, and the court has determined that the surrender was voluntary and proper
- Whose child has been made available for adoption in a foreign state or country if the U.S. Immigration and Naturalization Service has determined that the child has been approved for adoptive placement
- Who is presumed to be the biological father of the child but who, within 120 days of the birth of the child or prior to the date of the preliminary hearing, whichever occurs first, has not acknowledged paternity

A judgment of adoption shall be entered over an objection of a person who is entitled to notice if the court finds, during the 6-month period prior to the placement of the child for adoption or within 120 days after the birth of a child or prior to the date of the preliminary hearing, whichever occurs first, in the case of a child placed for adoption as a newborn infant:

- That the parent has substantially failed to perform the regular and expected parental functions of care and support of the child, although able to do so
- That the parent is unable to perform the regular and expected parental functions of care and support of the child and that the parent's inability to perform those functions is unlikely to change in the immediate future



## **New Mexico**

## **Who Must Consent to an Adoption**

**Citation: Ann. Stat. § 32A-5-17**

Consent to adoption or relinquishment of parental rights to the department or an agency licensed by the State of New Mexico shall be required of the following:

- The mother
- The proposed adoptive parent
- The presumed father
- The acknowledged father
- The department or the agency to whom the child has been relinquished that has placed the child for adoption
- The guardian of the child's parent, when that guardian has express authority to consent to adoption

In any adoption involving an Indian child, consent to adoption by the petitioner or relinquishment of parental rights shall be obtained from an "Indian custodian," as required by the provisions of the Federal Indian Child Welfare Act of 1978 (25 U.S.C. § 1901, *et seq.*).

**Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 32A-5-17**

Consent to adoption shall be required of the child, if age 14 or older, except when the court finds that the child does not have the mental capacity to give consent.

**When Parental Consent is not Needed**

**Citation: Ann. Stat. §§ 32A-5-18; 32A-5-19**

A consent to adoption shall be implied by the court if the parent, without justifiable cause, has:

- Left the child without provision for the child's identification for a period of 14 days
- Left the child with others, including the other parent or an agency, without provisions for support and without communication for a period of:
  - o 3 months, if the child was under age 6 at the commencement of the 3-month period
  - o 6 months, if the child was over age 6 at the commencement of the 6-month period

The consent to adoption shall not be required from:

- A parent whose rights with reference to the child have been terminated
- A parent who has relinquished the child to an agency for adoption
- A biological father of a child conceived as a result of rape or incest
- A person who has failed to respond when given notice pursuant to the provisions of § 32A-5-27
- An alleged father who has failed to register with the putative father registry within 10 days of the child's birth and is not otherwise the acknowledged father



**New York**

**Who Must Consent to an Adoption**

**Citation: Dom. Rel. Law §§ 111; 113**

Consent to adoption shall be required from the following persons or entities:

- The parents or surviving parent, whether adult or minor, of a child conceived or born in wedlock
- The mother, whether adult or minor, of a child born out of wedlock
- The father, whether adult or minor, of a child born out-of-wedlock and placed with the adoptive parents more than 6 months after birth, but only if such father shall have maintained substantial and continuous or repeated contact with the child
- The father, whether adult or minor, of a child born out-of-wedlock and placed with the adoptive parents less than 6 months after birth, but only if the father:
  - o Openly lived with the child or the child's mother for a continuous period of 6 months immediately preceding the placement of the child for adoption
  - o Openly held himself out to be the father of such child during such period

- o Paid a fair and reasonable sum, in accordance with his means, for the medical, hospital, and nursing expenses incurred in connection with the mother's pregnancy or with the birth of the child
- Any person or authorized agency having lawful custody of the adoptive child

An authorized agency may consent to the adoption of a minor whose custody and guardianship has been transferred to such agency.

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Dom. Rel. Law § 111**

Consent to adoption shall be required of the adoptive child who is age 14 or older, unless the judge or surrogate in his discretion dispenses with such consent.

### **When Parental Consent is not Needed**

#### **Citation: Dom. Rel. Law § 111**

Consent shall not be required of a parent or of any other person having custody of the child:

- Who evinces an intent to forego his or her parental or custodial rights and obligations as manifested by his or her failure for a period of 6 months to visit the child and communicate with the child or person having legal custody of the child, although able to do so
- Who has surrendered the child to an authorized agency
- For whose child a guardian has been appointed
- Who, by reason of mental illness or mental retardation, is presently and for the foreseeable future unable to provide proper care for the child
- Who has executed an instrument, that shall be irrevocable, denying the paternity of the child



## **North Carolina**

### **Who Must Consent to an Adoption**

#### **Citation: Gen. Stat. §§ 48-3-601; 48-3-602**

Consent to an adoption in a direct placement must be executed by:

The mother of the minor

Any man who may or may not be the biological father of the minor but who:

- o Is or was married to the mother
- o Attempted to marry the mother of the minor before the minor's birth
- o Has legitimated the minor under the law of any State
- o Has acknowledged his paternity of the minor
- o Has received the minor into his home and openly held out the minor as his biological child
- o Is the adoptive father of the minor

A guardian of the minor

The guardian *ad litem* of an incompetent parent

In an agency placement, consent must be provided by:

The agency that placed the minor for adoption

Each individual described above who has not relinquished the minor

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Gen. Stat. §§ 48-3-601; 48-3-603**

Consent to an adoption must be executed by the minor to be adopted if he or she is age 12 or older unless the court finds that it is not in the best interest of the minor to require the consent.

### **When Parental Consent is not Needed**

**Citation: Gen. Stat. § 48-3-603**

Consent to an adoption of a minor is not required of:

An individual whose parental rights and duties have been terminated

A man, other than an adoptive father, if the man has been judicially determined not to be the father of the minor to be adopted, or another man has been judicially determined to be the father of the minor

An individual who has relinquished parental rights or guardianship powers, including the right to consent to adoption

A man who is not married to the minor's birth mother and who, after the conception of the minor, has executed a notarized statement denying paternity or disclaiming any interest in the minor

A deceased parent or the personal representative of a deceased parent's estate

An individual listed in § 48-3-601 who has not executed a consent or a relinquishment and who fails to respond to a notice of the adoption proceeding within 30 days after the service of the notice

An individual who does not respond to notice in a timely manner or whose consent is not required as determined by the court

An individual whose actions resulted in a conviction under § 14-27.2 or § 14-27.3 and the conception of the minor to be adopted

The court may issue an order dispensing with the consent of a guardian or an agency that placed the minor upon a finding that the consent is being withheld contrary to the best interest of the minor.



## **North Dakota**

### **Who Must Consent to an Adoption**

**Citation: Cent. Code § 14-15-05**

A petition to adopt a minor may be granted only if written consent to a particular adoption has been executed by:

The mother of the minor, whether by birth or adoption

The father of the minor, if:

- The minor is the father's child by adoption, or the father has otherwise legitimated the minor according to the laws of the place in which the adoption proceeding is brought.
- The person is presumed to be the biological father of the minor, provided the nonexistence of the father and child relationship between them has not been judicially determined.

Any individual lawfully entitled to custody of the minor or empowered to consent

The court having jurisdiction to determine custody of the minor, if the legal guardian or custodian of the minor is not empowered to consent to the adoption

The spouse of the minor to be adopted

## **Age When Consent of Adoptee is Considered or Required**

### **Citation: Cent. Code § 14-15-05**

A child who is age 10 or older must consent to the adoption.

## **When Parental Consent is not Needed**

### **Citation: Cent. Code § 14-15-06**

Consent to adoption is not required of:

A parent who has deserted a child without affording means of identification or who has abandoned a child

A parent of a child in the custody of another, if the parent for a period of at least 1 year has failed significantly without justifiable cause to communicate with the child or to provide for the care and support of the child

The father of a minor if the father's consent is not required by § 14-15-05(1)

A parent who has relinquished that parent's right to consent

A parent whose parental rights have been terminated

A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent

Any parent of the individual to be adopted, if the individual is an adult

Any legal guardian or lawful custodian of the individual to be adopted, other than a parent, who has failed to respond in writing to a request for consent for a period of 60 days or who, after examination of the guardian's or custodian's written reasons for withholding consent, is found by the court to be withholding consent unreasonably

The spouse of the individual to be adopted, if the failure of the spouse to consent to the adoption is excused by the court by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances constituting an unreasonable withholding of consent

A parent of the minor, if the failure of the parent to consent is excused by the court in the best interest of the child by reason of the parent's prolonged unexplained absence, unavailability, incapacity, or significant failure, without justifiable cause, to establish a substantial relationship with the minor or to manifest a significant parental interest in the minor, or by reason of inability of the court to identify the parent



**Ohio**

## **Who Must Consent to an Adoption**

### **Citation: Rev. Code § 3107.06**

A petition to adopt a minor may be granted only if written consent to the adoption has been executed by all of the following:

The mother of the minor

The father of the minor, if any of the following apply:

- The minor was conceived or born while the father was married to the mother.
- The minor is his child by adoption.
- Prior to the date the petition was filed, it was determined by a court proceeding that he has a parent and child relationship with the minor.
- He acknowledged paternity of the child.

The putative father of the minor

Any person or agency having permanent custody of the minor or authorized by court order to consent

The juvenile court that has jurisdiction to determine custody of the minor, if the legal guardian or custodian of the minor is not authorized by law or court order to consent to the adoption

### **Age When Consent of Adoptee is Considered or Required**

#### **Citation: Rev. Code § 3107.06**

A child who is age 12 or older must consent, unless the court finds that it is in the child's best interest to waive the requirement.

### **When Parental Consent is not Needed**

#### **Citation: Rev. Code § 3107.07**

Consent to adoption is not required of any of the following:

A parent who has failed without justifiable cause to communicate or provide support of the minor for a period of at least 1 year

The putative father if:

- o He has failed to register with the putative father registry within 30 days of the minor's birth.
- o The court finds that he is not the father of the minor, has willfully abandoned or failed to care for and support the minor, or has willfully abandoned the mother of the minor during her pregnancy.

A parent who has entered into a voluntary permanent custody surrender agreement

A parent whose parental rights have been terminated

A parent who is married to the petitioner and supports the adoption

The father of a minor if the minor is conceived as the result of the commission of rape by the father

A legal guardian or guardian *ad litem* of an incompetent parent who is found to be withholding consent unreasonably

Any legal guardian or custodian of the adopted person, other than a parent, who is found to be withholding consent unreasonably

The spouse of the adopted person, if the failure of the spouse to consent is by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances that make it impossible or unreasonably difficult to obtain the consent or refusal of the spouse

Any parent, legal guardian, or other custodian in a foreign country, if the adopted person has been released for adoption pursuant to the laws of the country in which the person resides and the release of such person is in a form that satisfies the requirements of the immigration and naturalization service of the U.S. Department of Justice

A juvenile court, agency, or person given notice of the petition that fails to file an objection to the petition within 14 days

Any guardian, custodian, or other party who has temporary custody of the child



**Oklahoma**

### **Who Must Consent to an Adoption**

#### **Citation: Ann. Stat. Title 10, § 7503-2.1**

Written consent to adoption or a permanent relinquishment for adoption must be executed by:

Both parents

One parent alone, if:

- o The other parent is dead.
- o The parental rights of the other parent have been terminated.
- o The consent of the other parent is otherwise not required pursuant to § 7505-4.2.

The legal guardian or the guardian *ad litem* of the minor if both parents are dead or if the rights of the parents have been terminated by judicial proceedings

The executive head of a licensed child-placing agency, if the minor has been permanently relinquished to such agency

Any person having legal custody of a minor by court order

A parent of a minor born in wedlock or a parent who is age 16 or older shall be deemed capable of giving consent to the adoption of a minor.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. Title 10, § 7503-2.1**

If a minor to be adopted is age 12 or older, he or she must consent before a decree of adoption may be granted, unless the court makes a finding that it is not in the best interest of the minor to require the minor's consent. The consent of the minor must be given before the court in such form as the court shall direct.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. Title 10, § 7505-4.2**

Consent to adoption is not required from a putative father who fails to prove he is the father of the child or fails to exercise parental rights and duties toward the child.

Consent to adoption is not required from a parent who:

For 12 consecutive months has willfully failed, refused, or neglected to contribute to the support of such minor

Is entitled to custody of a minor and has abandoned the minor

Fails to establish and/or maintain a substantial and positive relationship with the minor for 12 consecutive months

Has been convicted of physically or sexually abusing the minor or a sibling of the minor or failed to protect the minor or a sibling of the minor from physical or sexual abuse that resulted in severe harm or injury

Has been convicted in a criminal action of having caused the death of a sibling of the minor as a result of the physical or sexual abuse or chronic neglect of such sibling

Has been sentenced to a period of incarceration of not less than 10 years and the continuation of parental rights would result in harm to the minor

Has a mental illness or mental deficiency that renders the parent incapable of adequately and appropriately exercising parental rights, duties, and responsibilities

Has permanently relinquished parental rights and responsibilities to the minor

Has had his or her parental relationship to a minor legally terminated or legally determined not to exist

Has voluntarily placed a minor child in the care of a licensed childcare institution or child-placing agency, if the minor has remained in out-of-home care for 18 months or more, and the parent has willfully failed to substantially comply for 12 consecutive months out of the 14-month period immediately preceding the filing of the petition for adoption with a reasonable written plan of care



Oregon

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. §§ 109.312; 109.314; 109.316**

Consent in writing to the adoption of a child shall be given by:

- The parents of the child, or the survivor of them
- The guardian of the child, if the child has no living parent
- The next of kin in this State, if the child has no living parent and no guardian
- Some suitable person appointed by the court to act in the proceeding as next friend of the child to give or withhold consent, if the child has no living parent and no guardian or next of kin qualified to consent

If the legal custody of the child has been awarded in marital dissolution proceedings, the written consent of the person to whom custody of the child has been awarded may be held sufficient by the court. However, unless the noncustodial parent consents to the adoption, the petitioner shall serve on the noncustodial parent a summons and a motion and order to show cause why the proposed adoption should not be ordered without the noncustodial parent's consent, and the objections of the noncustodial parent shall be heard if appearance is made.

The Department of Human Services or an approved child-caring agency, acting *in loco parentis*, may consent to the adoption of a child who has been:

- Surrendered to it for the purpose of adoption
- Permanently committed to it by order of a court of competent jurisdiction
- Surrendered to it for the purpose of adoption by one parent and permanently committed to it by a court of competent jurisdiction having jurisdiction of the other parent

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 109.328**

If the child is age 14 or older, the adoption shall not be made without the consent of the child.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. §§ 109.322; 109.324; 109.326**

An adoption may be granted without the consent of the parent if:

- A parent has been adjudged mentally ill or mentally deficient and remains so at the time of the adoption proceedings.
- A parent is imprisoned in a State or Federal prison under a sentence for a term of not less than 3 years and has actually served 3 years.
- A parent has willfully deserted the child or neglected without just and sufficient cause to provide proper care and maintenance for the child for 1 year immediately prior to the filing of the petition for adoption.
- The mother of a child was married at the time of the conception or birth of the child, and it has been determined that her husband at such time was not the father of the child; in this case, consent of the husband is not required.



## Pennsylvania

### **Who Must Consent to an Adoption**

**Citation: Cons. Stat. Ch. 23 § 2711**

Consent to an adoption shall be required of the following:

- The spouse of the adopting parent, unless he or she joins in the adoption petition
- The parents or surviving parent of a child who has not reached age 18
- The guardian of an incapacitated person to be adopted
- The guardian or custodian of a child under age 18, whenever the child has no parent whose consent is required

The consent of the husband of the mother shall not be necessary if it is proved to the satisfaction of the court that the husband of the natural mother is not the natural father of the child.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Cons. Stat. Ch. 23 § 2711**

A child who is age 12 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Cons. Stat. Ch. 23 §§ 2713; 2714; 2511**

The consent of the parent is not required when:

- The person to be adopted is age 18 or older.
- The child is under age 18 and has no parent living whose consent is required.
- The parental rights of the parent have been terminated.
- The court finds that grounds exist for involuntary termination under § 2511.

The rights of a parent in regard to a child may be terminated when the parent:

- Has refused or failed to perform parental duties
- Has harmed the child through repeated and continued incapacity, abuse, or neglect
- Is the presumptive but not the natural father of the child
- Is unknown or cannot be found and does not claim the child within 3 months after the child is found
- Has a child in out-of-home care and cannot or will not remedy those conditions that led to the removal or placement of the child within a reasonable period of time
- In the case of a newborn child, knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, and has failed for a period of 4 months to make reasonable efforts to maintain substantial and continuing contact with the child or to support the child
- Is the father of a child conceived as a result of a rape or incest
- Has been convicted of criminal homicide or aggravated assault, and the victim was a child of the parent



## Rhode Island

### Who Must Consent to an Adoption

**Citation: Gen. Laws §§ 15-7-5; 15-7-10**

The parents of the child, or their survivor, shall consent in writing to the adoption. If neither parent is living, consent may be given by:

- The guardian of the person of the child
- The next of kin, if there is no guardian
- A suitable person appointed by the court as next friend of the child, if there is no next of kin

If the child to be adopted is age 18 or older, the consent of, or notice to, the child's parents or other person in the child's behalf shall not be required.

No minor parent may give a binding consent to any adoption petition or to any termination of rights except with the consent of one of the parents, guardian, or guardian *ad litem* of the minor parent.

When the petitioners are one of the natural parents of the child and his or her spouse or one of the grandparents of the child and the child is residing, at the time the petition is filed, with the petitioners, if the noncustodial parent refused to consent to the adoption, the court shall determine whether the noncustodial parent's rights shall be terminated involuntarily. The court may grant the petition without a noncustodial parent's consent if the petitioners prove by clear and convincing evidence any of the grounds set forth in § 15-7-7(a)(1), (2), or (4). The court shall give primary consideration to the physical, psychological, mental, and intellectual needs of the child.

### Age When Consent of Adoptee is Considered or Required

**Citation: Gen. Laws § 15-7-5**

If the child is age 14 or older, the adoption shall not be made without the child's consent.

### When Parental Consent is not Needed

**Citation: Gen. Laws § 15-7-7**

The court shall terminate any and all legal rights of the parent to the child, including the right to notice of any subsequent adoption proceedings involving the child, if the court finds as a fact by clear and convincing evidence that:

The parent has willfully neglected to provide proper care and maintenance for the child for a period of at least 1 year where financially able to do so.

The parent is unfit by reason of conduct or conditions seriously detrimental to the child; such as, but not limited to:

- o Institutionalization of the parent, including imprisonment, for a duration as to render it improbable for the parent to care for the child for an extended period of time
- o Conduct toward any child of a cruel or abusive nature
- o A chronic substance abuse problem that has made the parent unable to adequately care for the child
- o Inability to correct conditions that led to termination of rights to another child

- o Subjecting the child to aggravated circumstances, including abandonment, torture, chronic abuse, or sexual abuse
- o Commission of murder, voluntary manslaughter, or felony assault resulting in serious bodily injury on that child or another of his or her children
- o Behavior or conduct that is seriously detrimental to the child, for a duration as to render it improbable for the parent to care for the child for an extended period of time

The child has been placed in the legal custody or care of the department for at least 12 months, and the parents were offered or received services to correct the situation that led to the placement, and it is still unsafe for the child to return home.

The parent has abandoned or deserted the child.



## South Carolina

### Who Must Consent to an Adoption

**Citation: Ann. Code § 20-7-1690**

Consent or relinquishment for the purpose of adoption is required of the following persons:

The parents or surviving parent of a child conceived or born during the marriage of the parents

The mother of a child born when the mother was not married

The father of a child born when the father was not married to the child's mother, if the child was placed with the prospective adoptive parents more than 6 months after the child's birth, but only if the father has maintained substantial and continuous or repeated contact with the child

The father of a child born when the father was not married to the child's mother, if the child was placed with the prospective adoptive parents less than 6 months after the child's birth, but only if the father openly lived with the child or the child's mother and openly held himself out to be the father or paid a fair and reasonable sum for the support of the child

Consent or relinquishment for the purpose of adoption is required of the legal guardian, child-placing agency, or legal custodian of the child, if authority to execute a consent or relinquishment has been vested legally in the agency or person and both parents of the child are deceased or their parental rights have been judicially terminated.

Consent is required of the child-placing agency or person facilitating the placement of the child for adoption if the child has been relinquished for adoption to the agency or person.

Consent or relinquishment for the purpose of adoption given by a parent who is a minor is not subject to revocation by reason of the parent's minority.

### Age When Consent of Adoptee is Considered or Required

**Citation: Ann. Code § 20-7-1690**

A child who is age 14 or older must consent to the adoption, except where the court finds that the child lacks the mental capacity to consent or that it is not in the child's best interest.

### **When Parental Consent is not Needed**

**Citation: Ann. Code § 20-7-1695**

Consent or relinquishment for the purpose of adoption is not required of the following persons:

A parent whose parental rights have been terminated

A parent whom the family court finds to be mentally incapable of giving consent or relinquishment for the purpose of adoption and whom the court finds to be unlikely to provide minimally acceptable care of the child and whose capacity is unlikely to be restored for a reasonable period of time, and, in the court's judgment, it would be detrimental to the child to delay adoption

The biological parent of a child conceived as a result of that parent's criminal sexual conduct or incest

A parent who has executed a relinquishment pursuant to § 20-7-1700 to a person facilitating the adoption or to a child-placing agency for the purpose of adoption of his child is not required to execute a separate consent document also.



### **South Dakota**

### **Who Must Consent to an Adoption**

**Citation: Codified Laws § 25-6-4**

No child may be adopted without the consent of the child's parents.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Codified Laws § 25-6-5**

A child who is age 12 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Codified Laws § 25-6-4**

If it is in the best interest of the child, the court may waive consent from a parent or putative father who:

Has been convicted of any crime punishable by imprisonment in the penitentiary for a period that, in the opinion of the court, will deprive the child of the parent's companionship for a critical period of time

Has, by clear and convincing evidence, abandoned the child for 6 months or more immediately prior to the filing of the petition

Has substantially and continuously or repeatedly neglected the child and refused to give the child necessary parental care and protection

Being financially able, has willfully neglected to provide the child with the necessary subsistence, education, or other care necessary for the child's health, morals, or welfare or has neglected to pay for such subsistence, education, or other care, if legal custody of the child is lodged with others and such payment ordered by the court

Is unfit by reason of habitual abuse of intoxicating liquor or narcotic drugs

Has been judicially deprived of the custody of the child, if the adjudication is final on appeal to the court of last resort or the time for an appeal has expired

Has caused the child to be conceived as a result of rape or incest

Does not appear personally or by counsel at the hearing to terminate parental rights after notice was received at least 30 days prior to the hearing



## Tennessee

### Who Must Consent to an Adoption

**Citation: Ann. Code §§ 36-1-110; 36-1-117**

The following persons must be made parties to an adoption proceeding:

- The parent, the legal parent, or the guardian
- The putative biological father of the child

A parent who has not reached age 18 shall have the legal capacity to surrender a child or otherwise give parental consent to adoption or execute a waiver of interest and to release such parent's rights to a child and shall be as fully bound thereby as if the parent had attained age 18.

The court shall have the authority to appoint a guardian *ad litem* for the minor parent of a child who may be surrendered or for whom a parental consent or waiver of interest is given, if deemed necessary to advise and assist the minor parent with respect to surrender, parental consent, waiver, or termination of the minor parent's parental rights.

### Age When Consent of Adoptee is Considered or Required

**Citation: Ann. Code § 36-1-117**

When the child who is the subject of the adoption is age 14 or older, the adoption court must receive the sworn, written consent of such child to the adoption. The court shall receive the consent and testimony from the child in chambers with only the child and a guardian *ad litem* if required and appointed by the court.

If the child is mentally disabled, the court shall appoint a guardian *ad litem* to give or withhold consent for the child.

### When Parental Consent is not Needed

**Citation: Ann. Code § 36-1-117**

The parent, legal parent, guardian, or putative biological father of the child shall not be made a party to the adoption proceeding if he or she:

- Has surrendered parental or guardianship rights to the child
- Has executed a parental consent that has been confirmed by the court
- Has waived his or her rights or has had his or her rights terminated by the order of a court of competent jurisdiction



## Texas

### Who Must Consent to an Adoption

**Citation: Fam. Code § 162.010**

Unless the managing conservator is the petitioner, the written consent of a managing conservator to the adoption must be filed. A managing conservator must be a parent, a competent adult, an authorized agency, or a licensed child-placing agency.

If a parent of the child is presently the spouse of the petitioner, that parent must join in the petition for adoption, and further consent of that parent is not required.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Fam. Code § 162.010**

A child who is age 12 or older must consent, unless the court finds it in the child's best interest to waive consent.

### **When Parental Consent is not Needed**

**Citation: Fam. Code §§ 161.003 through 161.007; 162.010**

Consent of the parent is not required when:

- The parent is unable to care for the child due to mental illness.
- The parent has voluntarily terminated parental rights.
- The parent has no right of consent after an abortion where the child survives.
- A person is convicted of a crime resulting in the birth of a child.
- The parent's rights have been terminated on the grounds of abandonment, nonsupport, endangerment, abuse, or neglect.

The court may waive the requirement of consent by the managing conservator if the court finds that the consent is being refused or has been revoked without good cause.



**Utah**

### **Who Must Consent to an Adoption**

**Citation: Ann. Code §§ 78-30-4.14; 78-30-4.21**

Consent to adoption of a child, or relinquishment of a child for adoption, is required from:

- Both parents or the surviving parent of a child who was conceived or born within a marriage
- The mother of a child born outside of marriage
- Any biological parent who has been adjudicated to be the child's biological father by a court of competent jurisdiction prior to the mother's execution of consent to adoption or her relinquishment of the child for adoption
- Any biological parent who has executed and filed a voluntary declaration of paternity with the State registrar of vital statistics within the Department of Health, prior to the mother's execution of consent to adoption or her relinquishment of the child for adoption
- An unmarried biological father of a child, only if he strictly complies with requirements to develop a substantial relationship with child, openly acknowledge himself to be the father, initiate paternity proceedings, and agrees to support the child
- The person or agency to whom the child has been relinquished and that is placing the child for adoption

A minor parent has the power to consent to the adoption of his or her child and relinquish his or her control or custody of the child for adoption. The consent or relinquishment is valid and has the same force and effect as a consent or relinquishment executed by an adult parent.

A minor parent, having executed a consent or relinquishment, cannot revoke that consent upon reaching the age of majority or otherwise becoming emancipated.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code §§ 78-30-4.14; 78-30-6**

A child who is age 12 or older must consent to the adoption, unless he or she does not have the capacity to consent.

### **When Parental Consent is not Needed**

**Citation: Ann. Code §§ 78-30-4.14; 78-30-4.17; 78-30-4.23**

The consent of a parent is not required if the adopted person is age 18 or older. The consent of a parent is not required if the person's parental rights relating to the adopted person have been terminated.

The consent of an unmarried biological father is not required if:

The court determines that the unmarried biological father's rights should be terminated, based on the petition of any interested party.

A declaration of paternity declaring the unmarried biological father to be the father of the child is rescinded.

The unmarried biological father fails to comply to requirements to initiate proceedings to establish his paternity of the child.

A biological father is not entitled to notice of an adoption proceeding, nor is the consent of a biological father required in connection with an adoption proceeding, in cases where it is shown that the child who is the subject of the proceeding was conceived as a result of conduct which would constitute any sexual offense, regardless of whether the biological father is formally charged with or convicted of a criminal offense.



**Vermont**

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. Tit. 15A, § 2-401**

In a direct placement of a minor for adoption by a parent or guardian, a petition to adopt the minor may be granted only if consent to the adoption has been executed by:

The woman who gave birth to the minor

The biological father identified by the mother or as otherwise known to the court

A man who is or has been married to the woman if the minor was born during the marriage or within 300 days after the marriage was terminated or a court issued a decree of separation

A man who meets all of the following conditions:

- Was not married to the minor's mother at the time of the child's birth
- Has acknowledged his paternity of the minor by executing a voluntary acknowledgment of paternity or has filed a notice to retain parental rights
- Has demonstrated a commitment to the responsibilities of parenthood by establishing a custodial, personal, or financial relationship with the child, unless he was prevented from demonstrating such commitment or was unable to demonstrate such commitment

The minor's guardian if expressly authorized by a court to consent to the minor's adoption

The current adoptive or other legally recognized mother and father of the minor

In a placement of a minor for adoption by an agency authorized to place the minor, a petition to adopt the minor may be granted only if consent to the adoption has been executed by:

The agency that placed the minor for adoption  
A person described above who has not relinquished the minor or had his or her parental rights terminated

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. Tit. 15A, § 2-401**

Unless the court dispenses with the minor's consent, a petition to adopt a minor who has attained 14 years of age may be granted only if, in addition to any consent required above, the minor has executed an informed consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. Tit. 15A, § 2-402**

Consent to an adoption of a minor is not required of:

A person who has relinquished parental rights or guardianship powers, including the right to consent to adoption, to an agency

A person whose parental relationship to the minor has been judicially terminated or determined not to exist

A man who has not been married to the woman who gave birth to the minor and who, after the conception of the minor, executes a notarized statement denying paternity or disclaiming any interest in the minor and acknowledging that his statement is irrevocable when executed

The personal representative of a deceased parent's estate

A parent or other person who has not executed a consent or a relinquishment and who fails to file an answer or make an appearance in a proceeding for adoption or for termination of a parental relationship within the requisite time after service of notice of the proceeding

The court may dispense with the consent of:

A guardian or an agency whose consent is otherwise required upon a finding that the consent is being withheld unreasonably, contrary to the best interest of a minor adopted person

A minor who is age 14 or older upon a finding that it is not in the best interest of the minor to require the consent



**Virginia**

### **Who Must Consent to an Adoption**

**Citation: Ann. Code §§ 63.2-1202; 63.2-1241**

*[Effective July 1, 2007]*

Consent shall be executed by:

The birth mother

Any man who:

- o Is an acknowledged father under § 20-49.1
- o Is an adjudicated father under § 20-49.8
- o Is a presumed father
- o Has registered with the Putative Father Registry pursuant to § 63.2-1249 *et seq.*
- o Is a putative father but who has not registered with the Putative Father Registry, if his identity is reasonably ascertainable

The child-placing agency or the local board having custody of the child, with the right to place the child for adoption, through court commitment or parental agreement

An agency outside the Commonwealth that is licensed or otherwise duly authorized to place children for adoption by virtue of the laws under which it operates

In a stepparent adoption, the adoption may be granted when:

The noncustodial birth parent consents, under oath, in writing to the adoption

The mother swears, under oath, in writing, that the identity of the father is not reasonably ascertainable, rendering his consent unnecessary

The putative father named by the mother denies paternity of the child, rendering his consent unnecessary

The child is age 14 or older and has lived in the home of the person desiring to adopt the child for at least 5 years

The noncustodial birth parent is deceased

The noncustodial birth parent executes a denial of paternity under oath and in writing

The noncustodial birth parent:

- o Is not an acknowledged father
- o Is not an adjudicated father
- o Is not a presumed father
- o Is not a putative father who has registered with the Putative Father Registry and the putative father's identity is not reasonably ascertainable

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code § 63.2-1202**

Consent must be executed by the child if he or she is age 14 or older, unless the circuit court finds that the best interests of the child will be served by not requiring such consent.

### **When Parental Consent is not Needed**

**Citation: Ann. Code § 63.2-1202**

No consent shall be required:

Of a birth father if he denies under oath and in writing the paternity of the child  
When the birth father is convicted of rape, statutory rape, or incest or an equivalent offense of another State or any foreign jurisdiction, and the child was conceived as a result of such violation

Of any person whose parental rights have been terminated by a court of competent jurisdiction

Of a birth parent who, without just cause, has neither visited nor contacted the child for a period of 6 months prior to the filing of the petition for adoption

The failure of the nonconsenting party to appear at the scheduled hearing, either in person or by counsel, after proper notice has been given, shall constitute a waiver of any objection and right to consent to the adoption.



## Washington

### **Who Must Consent to an Adoption**

**Citation: Rev. Code § 26.33.160**

Consent to an adoption shall be required of the following, if applicable:

The parents and any alleged father of a child under age 18

An agency or the department to whom the child has been relinquished pursuant to § 26.33.080

The legal guardian of the child

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Rev. Code § 26.33.160**

A child who is age 14 or older must consent to the adoption.

### **When Parental Consent is not Needed**

**Citation: Rev. Code §§ 26.33.120; 26.33.170**

Except in the case of an Indian child, the parent-child relationship of a parent may be terminated upon a showing by clear and convincing evidence that it is in the best interest of the child to terminate the relationship, the parent has failed to perform parental duties, and is withholding consent to adoption contrary to the best interest of the child.

Except in the case of an Indian child, the parent-child relationship of an alleged father who appears and claims paternity may be terminated upon a showing by clear and convincing evidence that it is in the best interest of the child to terminate the relationship; that the alleged father has failed to perform parental duties under circumstances showing a substantial lack of regard for his parental obligations; that he is withholding consent to adoption, contrary to the best interest of the child; or that he is not the father.

The parent-child relationship of an Indian child and his or her parent or alleged father where paternity has been claimed or established may be terminated only pursuant to the standards set forth in 25 U.S.C. § 1912(f).

The consent of an agency, the department, or a legal guardian may be dispensed with if the court determines by clear and convincing evidence that the proposed adoption is in the best interests of the child.

The consent of an alleged father, birth parent, or parent may be dispensed with if the court finds that the proposed adoption is in the best interests of the child, and the alleged father, birth parent, or parent:

Has been found guilty of rape or incest where the child was the victim of the rape or incest

Has been found guilty of rape or incest where the other parent of the child was the victim of the rape or incest and the child was conceived as a result of the rape or incest



## Washington DC

### Who Must Consent to an Adoption

**Citation: Ann. Code § 16-304**

Consent to a proposed adoption of a person under age 18 is necessary from:

- Both parents, if they are both alive
- The living parent, if one of the parents is dead
- The court-appointed guardian of the prospective adopted person
- A licensed child-placing agency or the Mayor, if the parental rights of the parent or parents have been terminated by a court of competent jurisdiction or by a release of parental rights to the Mayor or licensed child-placing agency
- The Mayor, in any situation not otherwise provided for by this subsection

Minority of a natural parent is not a bar to that parent's consent to adoption.

### Age When Consent of Adoptee is Considered or Required

**Citation: Ann. Code § 16-304**

Consent to a proposed adoption is necessary from the prospective adopted person if he or she is age 14 or older.

### When Parental Consent is not Needed

**Citation: Ann. Code § 16-304**

When a parent whose consent is required, after such notice as the court directs, cannot be located, or has abandoned the prospective adopted person and voluntarily failed to contribute to his or her support for a period of at least 6 months next preceding the date of the filing of the petition, the consent of that parent is not required.

The court may grant a petition for adoption without any of the consents specified above when the court finds, after a hearing, that the consent or consents are withheld contrary to the best interest of the child.



## West Virginia

### Who Must Consent to an Adoption

**Citation: Ann. Code §§ 48-22-301; 49-3-1**

Consent to or relinquishment for adoption of a minor child is required of:

- The parents or surviving parent, whether adult or infant, of a marital child
- The outsider father of a marital child who has been adjudicated to be the father of the child or who has filed a paternity action that is pending at the time of the filing of the petition for adoption
- The birth mother, whether adult or minor, of a nonmarital child
- The determined father

If all persons entitled to parental rights of the child are deceased or have been deprived of the custody of the child by law, then consent or relinquishment is required of the legal guardian or of any other person having legal custody of the child at the time. If there is no legal guardian or any person who has legal custody of the child, then consent or relinquishment is required from some discreet and suitable person

appointed by the court to act as the next friend of the child in the adoption proceedings.

Whenever a child welfare agency licensed to place children for adoption or the department of health and human resources has been given the permanent legal and physical custody of any child and the rights of the mother and the rights of the legal, determined, putative, outside, or unknown father of the child have been terminated by order of a court of competent jurisdiction or by a legally executed relinquishment of parental rights, the child welfare agency or the department may consent to the adoption of the child.

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Code § 48-22-301**

If the child to be adopted is age 12 or older, the consent of the child is required to be given in the presence of a judge of a court of competent jurisdiction, unless for extraordinary cause, the requirement of such consent is waived by the court.

### **When Parental Consent is not Needed**

**Citation: Ann. Code § 48-22-301**

Consent or relinquishment shall not be required of a parent or of any other person having custody of the child:

- Whose parental rights have been terminated
- Whom the court finds has abandoned the child
- Who, in a stepparent adoption, is the birth parent or adoptive parent of the child and is married to the petitioning adoptive parent

If the mother, legal father, or determined father is under disability, the court may order the adoption if it finds:

The parental rights of the person are terminated, abandoned, or permanently relinquished.

The person is incurably insane.

The disability arises solely because of age and an otherwise valid consent or relinquishment has been given.



**Wisconsin**

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. §§ 48.41; 48.42**

A parent may consent to a voluntary termination of parental rights. The father of a nonmarital child may consent to the termination of any parental rights that he may have.

A petition may also be filed by an agency or other authorized person. The following persons must be given notice of any hearing for terminating parental rights:

The parent or parents of the child, unless the child's parent has waived the right to notice

If the child is a nonmarital child who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established:

- A person who has filed an unrevoked declaration of paternal interest before the birth of the child or within 14 days after the birth of the child
- A person or persons alleged to the court to be the father of the child or who may, based upon the statements of the mother or other information presented to the court, be the father of the child unless that person has waived the right to notice
- A person who has lived in a familial relationship with the child and who may be the father of the child  
If the child is a nonmarital child who is under age 1 at the time the petition is filed and who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established and if an affidavit is filed with the petition:
- A person who has filed an unrevoked declaration of paternal interest before the birth of the child, within 14 days after the birth of the child, or within 21 days after a notice is mailed, whichever is later
- A person who has lived in a familial relationship with the child and who may be the father of the child

The guardian, guardian *ad litem*, and legal custodian of the child

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 48.42**

Any child who is age 12 or older must be given notice to attend the hearing pertaining to his or her adoptive placement.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. §§ 48.415; 48.42**

Notice of a hearing to terminate parental rights need be sent to a person who may be the father of a nonmarital child who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established, and who has failed to establish his right to notice. In addition, consent is not required of any person whose parental rights have been terminated on any of the following grounds:

Parental rights have been terminated due to failure of the parents to assume responsibility.

The parent has abandoned the child.

There is continuing parental disability.

The parent has abused the child.

The parent has relinquished custody of the child when the child was 72 hours old or younger.

The parent has failed to assume responsibility for the child or to establish a substantial relationship with the child.

The parent has caused the child to be conceived as a result of incest or sexual assault.

The parent has been convicted of homicide or of solicitation to commit homicide of the child's other parent.



**Wyoming**

### **Who Must Consent to an Adoption**

**Citation: Ann. Stat. §§ 48.41; 48.42**

A parent may consent to a voluntary termination of parental rights. The father of a nonmarital child may consent to the termination of any parental rights that he may have.

A petition may also be filed by an agency or other authorized person. The following persons must be given notice of any hearing for terminating parental rights:

The parent or parents of the child, unless the child's parent has waived the right to notice

If the child is a nonmarital child who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established:

- o A person who has filed an unrevoked declaration of paternal interest before the birth of the child or within 14 days after the birth of the child
- o A person or persons alleged to the court to be the father of the child or who may, based upon the statements of the mother or other information presented to the court, be the father of the child unless that person has waived the right to notice
- o A person who has lived in a familial relationship with the child and who may be the father of the child

If the child is a nonmarital child who is under age 1 at the time the petition is filed and who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established and if an affidavit is filed with the petition:

- o A person who has filed an unrevoked declaration of paternal interest before the birth of the child, within 14 days after the birth of the child, or within 21 days after a notice is mailed, whichever is later
- o A person who has lived in a familial relationship with the child and who may be the father of the child

The guardian, guardian *ad litem*, and legal custodian of the child

### **Age When Consent of Adoptee is Considered or Required**

**Citation: Ann. Stat. § 48.42**

Any child who is age 12 or older must be given notice to attend the hearing pertaining to his or her adoptive placement.

### **When Parental Consent is not Needed**

**Citation: Ann. Stat. §§ 48.415; 48.42**

Notice of a hearing to terminate parental rights need be sent to a person who may be the father of a nonmarital child who is not adopted or whose parents do not subsequently intermarry and whose paternity has not been established, and who has failed to establish his right to notice. In addition, consent is not required of any person whose parental rights have been terminated on any of the following grounds:

Parental rights have been terminated due to failure of the parents to assume responsibility.

The parent has abandoned the child.

There is continuing parental disability.

The parent has abused the child.

The parent has relinquished custody of the child when the child was 72 hours old or younger.

The parent has failed to assume responsibility for the child or to establish a substantial relationship with the child.

The parent has caused the child to be conceived as a result of incest or sexual assault.

The parent has been convicted of homicide or of solicitation to commit homicide of the child's other parent.

## A New Beginning

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At ReliableAdoption.com, our desire is to afford you the ability to complete your own stepparent adoption, without the high cost of an attorney.

We want to help you start a new beginning in your child's life, and give you the tools and support to make this a reality for your family.

Our service has been used in every state in the country, and even by our own family members. We stand behind our service 100% and back it with a full money back guarantee.

If you are looking into completing a stepparent adoption, we encourage you to look at our service, and when ready, allow the opportunity to help you complete your stepparent adoption.

With your desire and our service, your wish will soon become a reality.

## How to Begin

There are 2 ways to begin your stepparent adoption process. They are as follows:

1. **Fill out the questionnaire located at the end of this booklet and fax it to our offices at the fax number provided.**

**OR**

2. **Go to our website at [www.ReliableAdoption.com](http://www.ReliableAdoption.com), choose your state and click the "Start Your Adoption" button. This will take you to our online questionnaire.**

**After you have completed our questionnaire and submitted your order to us, your adoption process has begun!**

Once we receive your order, our adoption department will professionally prepare your documents for you and send them to you ready to sign and file with the court. We will include all the documents you require, including publication documents in the event that the whereabouts of the natural father is unknown.

We thank you for looking through our Adoption Booklet. We hope you found it informative, and we look forward to helping you complete your stepparent adoption.

Thank You

**The ReliableAdoption Staff**

# Stepparent Adoption Questionnaire

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## INSTRUCTIONS

Please fill out the questionnaire below in full. You can fill it in one of two ways:

Print out the questionnaire and fill it in with ink. Once you have completed the questionnaire, please fax the questionnaire to 480-452-0969, or mail the questionnaire back to us at the following address:

**ReliableAdoption**  
**29834 N. Cave Creek Rd #118-145**  
**Cave Creek, AZ 85331**

**PAYMENT:** If you fax or email the questionnaire, please call us with your payment information. We accept credit card or personal check payments. If you are mailing the questionnaire to us, please include a Money Order with the questionnaire.

**The total cost to ReliableAdoption is \$325.00.**

**NOTE:** This form is designed for the Mother and the Mother's spouse (the stepparent) to be adopting the Mothers child. If your situation is the opposite, please let us know by checking the box

Father is the natural parent and Father's spouse are adopting the child. The Natural Mother will be relinquishing her rights.

### **NATURAL MOTHER INFORMATION:**

Mother's Name: \_\_\_\_\_

Mother's Maiden Name: \_\_\_\_\_

Mother's Address: \_\_\_\_\_

Mother's City State Zip: \_\_\_\_\_

Mother's County of residence \_\_\_\_\_

Mother's Telephone : ( \_\_\_\_\_ ) \_\_\_\_\_

Mother's date of birth: \_\_\_\_\_ / \_\_\_\_\_ / 19\_\_\_\_,

Mother's birth State: \_\_\_\_\_

Mother's drives license. #: \_\_\_\_\_

Mother's SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Mother's Occupation: \_\_\_\_\_

Mother's Employer name: \_\_\_\_\_

Mother's Employer address: \_\_\_\_\_

Mother's Employer Phone ( \_\_\_\_\_ ) \_\_\_\_\_

How long this person lived in their current state: \_\_\_\_\_, County: \_\_\_\_\_

Mother's Email Address: \_\_\_\_\_

Mother's race: \_\_\_\_\_

Mother's religion \_\_\_\_\_

Mother's number of marriages:  1<sup>st</sup> marriage  \_\_\_ marriages

Previous marriage information:

1 Name of Spouse: \_\_\_\_\_

1 Date of Marriage: \_\_\_\_\_

1 Date of Divorce: \_\_\_\_\_

2 Name of Spouse: \_\_\_\_\_

2 Date of Marriage: \_\_\_\_\_

2 Date of Divorce: \_\_\_\_\_

Information on child(ren) to be adopted's natural father:

Do you know who the natural father is:  Yes  No

Were you married to the natural father:  Yes  No

Type of custody you have:  sole  joint  other: Explain below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NATURAL (BIOLOGICAL) FATHER INFORMATION:**

Father's Name: \_\_\_\_\_

Father's Address: \_\_\_\_\_

Father's City State Zip: \_\_\_\_\_

Father's County of residence \_\_\_\_\_

Father's Telephone : ( \_\_\_\_\_ ) \_\_\_\_\_

Father's date of birth: \_\_\_\_\_ / \_\_\_\_\_ / 19\_\_\_\_\_,

Father's birth State: \_\_\_\_\_

Father's drives license. #: \_\_\_\_\_

Father's SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Father's Occupation: \_\_\_\_\_

Father's Employer name: \_\_\_\_\_

Father's race: \_\_\_\_\_

Will Father relinquish his rights to the child(ren) to be adopted:  Yes  No  Unknown

Date Father last paid financial support: \_\_\_\_\_

Additional notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Father last contacted child \_\_\_\_\_

Additional notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**STEPPARENT INFORMATION:**

Stepparent's Name: \_\_\_\_\_

Stepparent's date of birth: \_\_\_\_\_ / \_\_\_\_\_ / 19\_\_\_\_\_,

Stepparent's birth State: \_\_\_\_\_

Stepparent's drives license. #: \_\_\_\_\_

Stepparent's SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Stepparent's Occupation: \_\_\_\_\_

Stepparent's Employer name: \_\_\_\_\_

Stepparent's Employer address: \_\_\_\_\_

Stepparent's Employer Phone ( \_\_\_\_\_ ) \_\_\_\_\_

How long this person lived in their current state: \_\_\_\_\_, County: \_\_\_\_\_

Stepparent's race: \_\_\_\_\_

Stepparent's religion \_\_\_\_\_

Date child(ren) to be adopted started living with stepparent: \_\_\_\_\_

Stepparent number of marriages:  1<sup>st</sup> marriage  \_\_\_ marriages

Children of Stepparent living in household (not children to be adopted)

1 Name: \_\_\_\_\_

1 Date of Birth: \_\_\_\_\_

2 Name: \_\_\_\_\_

2 Date of Birth: \_\_\_\_\_

3 Name: \_\_\_\_\_

3 Date of Birth: \_\_\_\_\_

**INFORMATION ABOUT YOUR MARRIAGE WITH STEPPARENT:**

Date of Marriage: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

State of Marriage: \_\_\_\_\_

County of Marriage: \_\_\_\_\_

City of Marriage: \_\_\_\_\_

Type of marriage ceremony:  civil  religious

**INFORMATION ABOUT CHILD TO BE ADOPTED:**

**Child #1 to be adopted**

Minor child Name: \_\_\_\_\_

Name requested after adoption: \_\_\_\_\_

Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Drivers License #:  N/A  \_\_\_\_\_

Date of birth and age: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Age- \_\_\_\_\_

Child's Race \_\_\_\_\_

Value of child's assets: \$ \_\_\_\_\_

Place of birth: City \_\_\_\_\_

State: \_\_\_\_\_

Hospital \_\_\_\_\_

Health condition:  Good health  \_\_\_\_\_

Explain health condition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of last child support received from non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Date of last contact by non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Other details regarding the relationship between this child, and the other natural parent:

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**Child #2 to be adopted**

Minor child Name: \_\_\_\_\_

Name requested after adoption: \_\_\_\_\_

Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Drivers License #:  N/A  \_\_\_\_\_

Date of birth and age: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Age- \_\_\_\_\_

Child's Race \_\_\_\_\_

Value of child's assets: \$ \_\_\_\_\_

Place of birth: City \_\_\_\_\_

State: \_\_\_\_\_

Hospital \_\_\_\_\_

Health condition:  Good health  \_\_\_\_\_

Explain health condition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of last child support received from non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Date of last contact by non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Other details regarding the relationship between this child, and the other natural parent:

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**Child #3 to be adopted**

Minor child Name: \_\_\_\_\_

Name requested after adoption: \_\_\_\_\_

Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Drivers License #:  N/A  \_\_\_\_\_

Date of birth and age: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Age- \_\_\_\_\_

Child's Race \_\_\_\_\_

Value of child's assets: \$ \_\_\_\_\_

Place of birth: City \_\_\_\_\_

State: \_\_\_\_\_

Hospital \_\_\_\_\_

Health condition:  Good health  \_\_\_\_\_

Explain health condition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of last child support received from non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Date of last contact by non-custodial parent: \_\_\_\_\_

\_\_\_\_\_

Other details regarding the relationship between this child, and the other natural parent:

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\_\_\_\_\_  
\_\_\_\_\_



**PAYMENT INFORMATION:**

Credit Card Number: \_\_\_\_\_,

Exp Date: \_\_\_\_\_

Name on account: \_\_\_\_\_

OR: PAY BY CHECK (8 day delay in sending completed documents UNLESS you call us confirming that the check has cleared your bank)

Name of Bank: \_\_\_\_\_

Bank Routing Number (9 Numbers) \_\_\_\_\_

Checking Account Number: \_\_\_\_\_

OR: Mail Money Order to:

ReliableAdoption  
29834 N. Cave Creek Rd. #118-145  
Cave Creek AZ 85331

ADD FOR SHIPPING: (  Standard: Email,  \$5 – Priority Mail,  \$18 FEDEX )