

1: Relative and Non-Relative Independent Adoptions CHFS Online Manuals -

FORMAT FOR THE PROBATE COURT SUMMARY RELATIVE OR STEPPARENT ADOPTION Focus of Probate Study
As is the case with the study for a statutory parent adoption, the study for a relative or.

The mother knows the name of the biological father but is unwilling to disclose his name; or b. The mother does not know the name of the biological father; or c. The mother knows the name of the biological father and has provided it, but that she has never known his address; and d. If the mother is unavailable or refuses to provide the requisite affidavit, the petition shall set forth such information as required by this paragraph as is known to the petitioner; 6 The name and last known address of the person or persons or organization holding parental rights and the name and address of the person or persons or organization having the care, control or custody of the child; 7 The grounds for termination of parental rights; 8 The name and address of the person or persons or of the Department or licensed agency to which parental rights are requested to be transferred; 9 In addition to other pertinent information, the petition, if either the name or address of the parent or parents is not included, shall furnish detailed information concerning the efforts made to locate the parent or parents. This information shall include a statement that the petitioner has inquired to determine whether the woman who gave birth to the child was married at the probable time of conception of the child, or at a later time, and whether the woman has named any individual as the father on the birth certificate of the child. The mother of the child; b. The father and any presumed father of the child; provided that: The consent of an alleged biological father or presumed father need not contain an admission of paternity. In the event the alleged biological father or presumed father denies paternity, an affidavit to that effect signed by him shall be attached to the petition in lieu of a consent; 2. One parent, if the other is deceased; d. Any other person or persons or organization holding parental rights; e. Consent by the father or presumed father may be executed either before or after the child is born. A consent executed by a parent or guardian must be signed or confirmed in the presence of: Another consent is not executed within a specified period; or b. The Court may require notice to be served upon any other person or organization. The determination must be based on evidence that includes a review of: Publication shall also be made in the locality in which the parent or parents, person or persons or organization holding parental rights is believed to be located if different from the county where the publication just described has been caused. The Court may, upon request by the petitioner, order that personal service and publication occur simultaneously. Any other fees, assessments, costs or financial obligations imposed by Family Court for the issuance and service of subpoenas or summons by way of court rules, regulations or administrative procedures may not be charged to the Department. Any such costs associated with these procedures shall be the financial responsibility of Family Court. In all other cases, the Court shall issue its decision and order within 30 days following the conclusion of the proceedings. The petition shall contain: The petitioner, if the petition is not granted, or any person or organization whose parental rights have been terminated by the order, may, at any time within 30 days after the making and entry of such decree, take an appeal therefrom to the Supreme Court. All court costs including costs of giving notice and advertising shall be paid by the petitioners. Court costs do not include attorney fees of the respondent or respondents. The Court shall order open to inspection by the adopted individual the part of the record containing the needed medical information if the Court finds that any medical information in the court or agency record of the adopted individual is needed for the health of the adopted individual or any blood relative of the adopted individual. The Court may refer the petition to the Department or a licensed agency for investigation and report. If, in the opinion of the Court, the information is necessary, and the interests of the adopted individual, the biological parents or the adoptive parents will not be prejudiced by its disclosure, the Court shall issue an order permitting the release of the information and setting forth the terms under which it shall be released. The person or organization to whom said parental rights are transferred shall have custody and guardianship of the child but such custody and guardianship shall terminate automatically upon the entry of another order transferring parental rights or on an order of adoption. After the issuance of an order terminating the existing parental rights and transferring them to the Department or a licensed agency, the agency shall attempt to

promptly place the child for adoption. Every 6 months thereafter until an adoption decree or permanent guardianship order is entered the agency shall advise the Court in writing of the status of the child stating the reasons for the delay in placement or adoption. The Court may, after notice, hold a hearing to determine if any further action is required in the best interest of the child. When a child has been in a guardianship for at least 2 years, the Department may petition the Court for permission to provide reports on a month basis. This chapter is designed to achieve without undue delay the paramount objective of the best interest of the child, and all questions of interpretation shall be resolved with that objective in mind. The Court, in its discretion, may also appoint an attorney to represent the child. The Court may grant the petition if it finds by clear and convincing evidence that reinstatement is in the best interests of the child. Upon issuance of a final order reinstating parental rights, the effect of such order shall be that all of the rights, duties, privileges and obligations recognized by law between parent and child shall be reinstated, including but not limited to rights of inheritance.

2: Florida Adoption Laws - Information on Adoptions in Florida

Adoption of a Minor by a Stepparent or Relative under Chapter 63 of the Florida Statutes Page 2 2 are properly executed and notarized by a notary.

Amend Section , Chapter 9, Title 13 of the Delaware Code by deleting subsection 5 in its entirety and substituting in lieu thereof: Access to Identifying Information. Either affidavit shall be in effect at all times unless rescinded in writing by the birth parent. The petition, as required in Section a , Chapter 11 of this Title, shall state that the birth parent has been advised of this right, and the affidavit, if obtained, shall be attached to the petition. Such affidavit shall be in effect at all times unless rescinded in writing by the individual who filed it. This affidavit shall be effective at all time unless rescinded in writing by the adoptee. Such affidavit shall expire when the adoptee reaches the age of Procedure for providing identifying information. Any agency receiving such a request shall contact Family Court to determine whether any affidavit or letter rescinding an affidavit is on file. If an affidavit consenting to the release of identifying information is on file for one birth parent only, information released shall not include any identifying information concerning the other birth parent. Upon contact, the agency will advise the individual of his or her right to file an affidavit as described in Section above with Family Court and will provide the appropriate form of the affidavit to the individual, The individual shall be advised that, in the event such affidavit is not received by the agency within 30 thirty days, identifying information will be released and, in the case of an adult adoptee, a copy of the original birth certificate will be provided. The individual shall also be advised that an affidavit denying the release of identifying information may subsequently be rescinded or modified in writing at any time. Family Court, the Department, or an agency may refuse to contact in response to subsequent requests for information. Family Court shall provide a copy of the original birth certificate to the adult adoptee. In any proceeding, civil or criminal, the good faith of any person participating in the requirement of this Subchapter shall be presumed. Affidavits, The Department, licensed agencies and Family Court shall design a uniform affidavit that will be approved by the Chief Judge of Family Court prior to the effective date of this Subchapter. Subsequent revision of the affidavits must be approved by the Chief Judge of Family Court. Amend Sections , and , Chapter 9, Title 13 of the Delaware Code by adding the phrase, "Except as provided in Subchapter III of this Chapter, " at the beginning of each respective section, and by changing the upper case letter at the beginning of the first sentence of each section to the respective lower case letter. Further amend Section , Chapter 9, Title 13 of the Delaware Code by adding and Subchapter III" after " in the third sentence of the paragraph, and by adding at the end of said section a new sentence which shall read as follows: If Family Court receives a report stating that a birth parent, another offspring of the birth parent, or the adoptee has a genetically transmitted disorder or a family pattern of a disease, Family Court shall instruct the agency that was involved with the adoption or the termination of parental rights to conduct a diligent search for the adult adoptee, adoptive parents of a minor adoptee, or birth parent s to inform them of the report. Amend Section a , Chapter 11, Title 13 of the Delaware Code by adding a new subsection 12 as follows: Amend Section b , Chapter 9, Title 13 of the Delaware Code by changing subsection 6 to 7 and adding a new subsection 6 as follows: This Act shall become effective January 1, Approved July 14,

3: TITLE 13 - CHAPTER TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROC

Learn more about the procedures and costs of a stepparent adoption. Relative Adoption: In Florida, relatives have access to a streamlined and cheaper form of adoption. Most often this is when a grandparent wants to adopt a grandchild.

The state has a compelling interest in requiring an unmarried biological father to demonstrate that commitment by providing appropriate medical care and financial support and by establishing legal paternity rights in accordance with the requirements of this chapter. The court shall make a specific finding as to the best interests of the child in accordance with the provisions of this chapter. If, in the opinion of the court, the efforts of such parent or person having legal custody of the child to support and communicate with the child are only marginal efforts that do not evince a settled purpose to assume all parental duties, the court may declare the child to be abandoned. The term does not include an individual whose parental relationship to the child has been legally terminated or an alleged or prospective parent. Adoption proceedings initiated under chapter 39 are exempt from the following provisions of this chapter: The adoption entity must: Any award under this subsection to the prospective adoptive parents or to the person whose consent or affidavit was obtained by fraud or duress must be paid directly to them by the adoption entity or by any applicable insurance carrier on behalf of the adoption entity if the court determines, after an evidentiary hearing held subsequent to the entry of a final order in the underlying termination of parental rights or adoption action, that the actions or failures of the adoption entity directly contributed to the finding of fraud or duress. The other spouse is a parent of the person to be adopted and consents to the adoption; or 2. The failure of the other spouse to join in the petition or to consent to the adoption is excused by the court for good cause shown or in the best interest of the child. The emergency custody order shall remain in effect until the court orders preliminary approval of placement of the surrendered infant in the prospective home, at which time the prospective adoptive parents become guardians pending termination of parental rights and finalization of adoption or until the court orders otherwise. The guardianship of the prospective adoptive parents shall remain subject to the right of the licensed child-placing agency to remove the surrendered infant from the placement during the pendency of the proceedings if such removal is deemed by the licensed child-placing agency to be in the best interests of the child. The licensed child-placing agency may immediately seek to place the surrendered infant in a prospective adoptive home. Except when there is actual or suspected child abuse or neglect, the licensed child-placing agency shall not attempt to pursue, search for, or notify that parent as provided in s. For purposes of s. Such a placement does not eliminate the reporting requirement under s. When the department is contacted regarding an infant properly surrendered under this section and s. A petition for termination of parental rights may not be granted until a parent has failed to reclaim or claim the surrendered infant within the time period specified in s. A claim of parental rights of the surrendered infant may not be made after the judgment to terminate parental rights is entered, except as otherwise provided by subsection 9. The clerk shall execute a certificate of each mailing. A motion under this subsection must be filed with the court originally entering the judgment. The motion must be filed within a reasonable time but not later than 1 year after the entry of the judgment terminating parental rights. Such contact may be allowed only if it is requested by a parent who has appeared at the hearing and the court determines that it is in the best interests of the child. If the court orders contact between a parent and the child, the order must be issued in writing as expeditiously as possible and must state with specificity any provisions regarding contact with persons other than those with whom the child resides. The court shall consider the following in making such determination: This order shall be made a part of the final adoption order, but the continuing validity of the adoption may not be contingent upon such postadoption communication or contact and the ability of the adoptive parents and child to change residence within or outside the State of Florida may not be impaired by such communication or contact. As part of the review process, the court may order the parties to engage in mediation. The department shall not be required to be a party to such review. The intermediary may not remove the child without a court order unless the child is in danger of imminent harm. A minor may not be placed in a prospective adoptive home until that

home has received a favorable preliminary home study, as provided in s. The provisions of s. A consent for adoption signed by an adoption entity need not comply with s. After a minor is placed with an adoption entity or prospective adoptive parent, the court may review the status of the minor and the progress toward permanent adoptive placement. If an unmarried biological father fails to take the actions that are available to him to establish a relationship with his child, his parental interest may be lost entirely, or greatly diminished, by his failure to timely comply with the available legal steps to substantiate a parental interest. An unmarried biological father has the primary responsibility to protect his rights and is presumed to know that his child may be adopted without his consent unless he strictly complies with this chapter and demonstrates a prompt and full commitment to his parental responsibilities. In each proceeding for termination of parental rights, the petitioner must submit to the Office of Vital Statistics a copy of the petition for termination of parental rights or a document executed by the clerk of the court showing the style of the case, the names of the persons whose rights are sought to be terminated, and the date and time of the filing of the petition. The Office of Vital Statistics may not record a claim of paternity after the date a petition for termination of parental rights is filed. The failure of an unmarried biological father to file a claim of paternity with the registry before the date a petition for termination of parental rights is filed also bars him from filing a paternity claim under chapter The mother identifies him to the adoption entity as a potential biological father by the date she executes a consent for adoption; and 2. He is served with a notice of intended adoption plan pursuant to s. The Office of Vital Statistics may not record a claim of paternity 30 days after service of the notice of intended adoption plan. The claim of paternity form shall be signed by the unmarried biological father and must include his name, address, date of birth, and physical description. In addition, the registrant shall provide, if known, the name, address, date of birth, and physical description of the mother; the date, place, and location of conception of the child; and the name, date, and place of birth of the child or estimated date of birth of the expected minor child, if known. The claim of paternity form shall be signed under oath by the registrant. Similarly, upon initial registration, or at any time thereafter, the registrant may designate, in writing, an agent or representative to receive any communication on his behalf and receive service of process. The agent or representative must file an acceptance of the designation, in writing, in order to receive notice or service of process. The petitioner must provide the same information, if known, on the search application form that the registrant furnished under subsection 3. Thereafter, the Office of Vital Statistics shall issue a certificate signed by the State Registrar certifying: The certificate must be filed with the court in the proceeding to terminate parental rights or the adoption proceeding. If a termination of parental rights and an adoption proceeding are being adjudicated separately, the Florida Putative Father Registry need only be searched for the termination of parental rights proceeding. The Department of Health may charge a nominal fee to cover the costs of filing and indexing the Florida Putative Father Registry and the costs of searching the registry. The pamphlet shall indicate the procedures for voluntary acknowledgment of paternity, the consequences of acknowledgment of paternity, the consequences of failure to acknowledge paternity, and the address of the Florida Putative Father Registry. Such pamphlets or publications shall be made available for distribution at all offices of the Department of Health and the Department of Children and Families and shall be included in health class curricula taught in public and charter schools in this state. The Department of Health shall also provide such pamphlets or publications to hospitals, adoption entities, libraries, medical clinics, schools, universities, and providers of child-related services, upon request. In cooperation with the Department of Highway Safety and Motor Vehicles, each person applying for a Florida driver license, or renewal thereof, and each person applying for a Florida identification card shall be offered the pamphlet or publication informing the public about the Florida Putative Father Registry. I of the State Constitution. The minor was conceived or born while the father was married to the mother; 2. The minor is his child by adoption; 3. The minor has been adjudicated by the court to be his child before the date a petition for termination of parental rights is filed; 4. He has filed an affidavit of paternity pursuant to s. 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, has filed such acknowledgment with the Office of Vital Statistics of the Department of Health within the required timeframes, and has complied with the requirements of subsection 2. The status of the father shall be

determined at the time of the filing of the petition to terminate parental rights and may not be modified, except as otherwise provided in s. Regularly visited the child at least monthly, when physically and financially able to do so and when not prevented from doing so by the birth mother or the person or authorized agency having lawful custody of the child; or b. Maintained regular communication with the child or with the person or agency having the care or custody of the child, when physically or financially unable to visit the child or when not prevented from doing so by the birth mother or person or authorized agency having lawful custody of the child. An unmarried biological father who openly lived with the child for at least 6 months within the 1-year period following the birth of the child and immediately preceding placement of the child with adoptive parents and who openly held himself out to be the father of the child during that period shall be deemed to have developed a substantial relationship with the child and to have otherwise met the requirements of this paragraph. Filed a notarized claim of paternity form with the Florida Putative Father Registry within the Office of Vital Statistics of the Department of Health, which form shall be maintained in the confidential registry established for that purpose and shall be considered filed when the notice is entered in the registry of notices from unmarried biological fathers. That certificate shall be filed with the court prior to the entry of a final judgment of termination of parental rights. Service of the notice of intended adoption plan is not required when the unmarried biological father signs a consent for adoption or an affidavit of nonpaternity or when the child is more than 6 months of age at the time of the execution of the consent by the mother. The recipient of the notice may waive service of process by executing a waiver and acknowledging receipt of the plan. The notice of intended adoption plan must specifically state that if the unmarried biological father desires to contest the adoption plan he must, within 30 days after service, file with the court a verified response that contains a pledge of commitment to the child in substantial compliance with subparagraph 2 b 2. The notice must also include instructions for submitting a claim of paternity form to the Office of Vital Statistics and the address to which the claim must be sent. If the party served with the notice of intended adoption plan is an entity whose consent is required, the notice must specifically state that the entity must file, within 30 days after service, a verified response setting forth a legal basis for contesting the intended adoption plan, specifically addressing the best interests of the child. To avoid an entry of a default judgment, within 30 days after receipt of service of the notice of intended adoption plan: The unmarried biological father must: File a verified response with the court which contains a pledge of commitment to the child in substantial compliance with subparagraph 2 b 2. Provide support for the birth mother and the child. The entity whose consent is required must file a verified response setting forth a legal basis for contesting the intended adoption plan, specifically addressing the best interests of the child. An affidavit of nonpaternity must be executed as provided in s. The affidavit of nonpaternity may be executed prior to the birth of the child. The person executing the affidavit must receive disclosure under s. For purposes of this chapter, an affidavit of nonpaternity is sufficient if it contains a specific denial of parental obligations and does not need to deny the existence of a biological relationship. In such case, no other consent is required. The consent of the department shall be waived upon a determination by the court that such consent is being unreasonably withheld and if the petitioner has filed with the court a favorable preliminary adoptive home study as required under s. If a parent whose consent is required objects to venue in the county where the action was filed, the court may transfer venue to a proper venue consistent with this chapter and chapter 47 unless the objecting parent has previously executed a waiver of venue. A fraudulent representation is not a defense to compliance with the requirements of this chapter and is not a basis for dismissing a petition for termination of parental rights or a petition for adoption, for vacating an adoption decree, or for granting custody to the offended party. Custody and adoption determinations must be based on the best interests of the child in accordance with s. In balancing the rights and interests of the state and of all parties affected by fraud, including the child, the adoptive parents, and the unmarried biological father, the Legislature has determined that the unmarried biological father is in the best position to prevent or ameliorate the effects of fraud and, therefore, has the burden of preventing fraud. Therefore, if all of the following requirements have been met, an unmarried biological father may contest a termination of parental rights or subsequent adoption and, before entry of the final judgment of adoption, assert his interest in the child. Following such assertion, the court may proceed with an evidentiary hearing if:

4: Statutes & Constitution :View Statutes : Online Sunshine

RELATIVE AND STEPPARENT ADOPTIONS Adoption Study and Contents: Where Adoption Is Questionable Page 1of Connecticut Department of Children and Families March 1, Effective Date.

Added by Acts , 74th Leg. Amended by Acts , 75th Leg. Acts , 84th Leg. In a suit for adoption, the fact that a petitioner is a member of the armed forces of the United States, a member of the Texas National Guard or the National Guard of another state, or a member of a reserve component of the armed forces of the United States may not be considered by the court, or any person performing an adoption evaluation or home screening, as a negative factor in determining whether the adoption is in the best interest of the child or whether the petitioner would be a suitable parent. Added by Acts , 80th Leg. In a suit for adoption, an adoption evaluation must be conducted as provided in Chapter Amended by Acts , 74th Leg. Acts , 80th Leg. The court shall grant a motion for a preferential setting for a final hearing on an adoption and shall give precedence to that hearing over all other civil cases not given preference by other law if the adoption evaluation has been filed and the criminal history for the person seeking to adopt the child has been obtained. Added by Acts , 75th Leg. The copy of the report shall be edited to protect the identity of birth parents and their families. The supplemental information shall be retained for as long as the original report is required to be retained. Acts , 85th Leg. Acts , 83rd Leg. The Department of Family and Protective Services, licensed child-placing agency, or other person placing a child for adoption shall inform the prospective adoptive parents of their right to examine the records and other information relating to the history of the child. The department, licensed child-placing agency, or other person placing the child for adoption shall edit the records and information to protect the identity of the biological parents and any other person whose identity is confidential. The department, licensed child-placing agency, single source continuum contractor, or other person placing the child for adoption shall edit the records and information to protect the identity of the biological parents and any other person whose identity is confidential. If the licensed child-placing agency or other person placing the child for adoption does not have the information required by this subsection, the department, at the request of the licensed child-placing agency or other person placing the child for adoption, shall provide the information to the prospective adoptive parents of the child. The information shall include the right of the child or biological parent to refuse to participate in the registry. If the adopted child is 14 years old or older the court shall provide the information to the child. Transferred, redesignated, and amended from Family Code, Section Notwithstanding any other provision of this chapter, in an adoption in which a child is placed for adoption by the Department of Family and Protective Services, the department is not required to edit records to protect the identity of birth parents and other persons whose identity is confidential if the department determines that information is already known to the adoptive parents or is readily available through other sources, including the court records of a suit to terminate the parent-child relationship under Chapter Added by Acts , 78th Leg. Amended by Acts , 76th Leg. Added by Acts , 85th Leg. 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. A hearing on the issue of consent shall be conducted by the court without a jury. At any time before an order granting the adoption of the child is rendered, a consent required by Section The court shall dismiss the petition unless the petition is amended to request adoption by one of the original petitioners. The court may waive this requirement in the best interest of the child. Section et seq. In this subsection "child custody proceeding" has the meaning provided by 25 U. The court must make separate findings that the termination is in the best interest of the child and that the adoption is in the best interest of the child. Acts , 79th Leg. A copy of the adoption order is not required to be mailed to the parties as provided in Rules a and a, Texas Rules of Civil Procedure. The records concerning a child maintained by the district clerk after entry of an order of adoption are confidential. No person is entitled to access to the records or may obtain information from the records except for good cause under an order of the court that issued the order. A petition for registration of a foreign adoption order may be combined with a petition for a name change. If the court finds that the foreign adoption order meets the requirements of Subsection a , the court shall order the state registrar to: A parent,

managing conservator, or guardian of an adopted child may not transfer permanent physical custody of the child to any person who is not a relative or stepparent of the child or an adult who has a significant and long-standing relationship with the child unless: The Interstate Compact on the Placement of Children is adopted by this state and entered into with all other jurisdictions in form substantially as provided by this subchapter. **CONDITIONS FOR PLACEMENT** a No sending agency shall send, bring, or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein. The notice shall contain: Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place or care for children. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein. **COMPACT ADMINISTRATOR** The executive head of each jurisdiction party to this compact shall designate an officer who shall be general coordinator of activities under this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact. It shall become effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until two years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties, and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. Renumbered from Family Code Sec. After partial or complete default of performance under the provisions of Article V assigning financial responsibility, the commissioner of the Department of Family and Protective Services may bring suit under Chapter and may file a complaint with the appropriate prosecuting attorney, claiming a violation of Section The commissioner of the Department of Family and Protective Services may not approve the placement of a child in this state without the concurrence of the individuals with whom the child is proposed to be placed or the head of an institution with which the child is proposed to be placed. A juvenile court may place a delinquent child in an institution in another state as provided by Article VI of the compact. After placement in another state, the court retains jurisdiction of the child as provided by Article V of the compact. An offense under this subsection is a Class B misdemeanor. On conviction, the court shall revoke any license to operate as a child-care facility or general residential operation issued by the Department of Family and Protective Services to the entity convicted and shall revoke any license or certification of the individual, agency, or corporation necessary to practice in the state. The Interstate Compact on Adoption and Medical Assistance is adopted by this state and entered into with all other jurisdictions joining in the compact in form substantially as provided under this subchapter. An interstate compact authorized by this article has the force and effect of law. **MEDICAL ASSISTANCE** a A child with special needs who resides in this state and who is the subject of an adoption assistance agreement with another state is entitled to receive a medical assistance identification from this state on the filing in the state medical assistance agency of a certified copy of the adoption assistance

agreement obtained from the adoption assistance state. In accordance with rules of the state medical assistance agency, the adoptive parents, at least annually, shall show that the agreement is still in effect or has been renewed. The adoptive parents acting for the child may submit evidence of payment for services or benefit amounts not payable in the residence state and shall be reimbursed for those amounts. Services or benefit amounts covered under any insurance or other third-party medical contract or arrangement held by the child or the adoptive parents may not be reimbursed. The state medical assistance agency shall adopt rules implementing this subsection. The additional coverage and benefit amounts provided under this subsection are for services for which there is no federal contribution or services that, if federally aided, are not provided by the residence state. The rules shall include procedures for obtaining prior approval for services in cases in which prior approval is required for the assistance. An offense under this subsection that also constitutes an offense under other law may be punished under either this subsection or the other applicable law. All other children entitled to medical assistance under adoption assistance agreements entered into by this state are eligible to receive the medical assistance in accordance with the laws and procedures that apply to the agreement. The Department of Family and Protective Services and the Health and Human Services Commission shall apply for and administer all relevant federal aid in accordance with law. The Department of Family and Protective Services, with the concurrence of the Health and Human Services Commission, may develop, participate in the development of, negotiate, and enter into one or more interstate compacts on behalf of this state with other states to implement one or more of the purposes of this subchapter. An interstate compact authorized by this subchapter has the force and effect of law. The commissioner of the Department of Family and Protective Services shall serve as the compact administrator. The administrator shall cooperate with all departments, agencies, and officers of this state and its subdivisions in facilitating the proper administration of the compact and any supplemental agreements entered into by this state. The commissioner of the Department of Family and Protective Services and the executive commissioner of the Health and Human Services Commission shall designate deputy compact administrators to represent adoption assistance services and medical assistance services provided under Title XIX of the Social Security Act. The compact administrator may enter into supplementary agreements with appropriate officials of other states under the compact. If a supplementary agreement requires or authorizes the use of any institution or facility of this state or requires or authorizes the provision of a service by this state, the supplementary agreement does not take effect until approved by the head of the department or agency under whose jurisdiction the institution or facility is operated or whose department or agency will be charged with rendering the service. The compact administrator, subject to the approval of the chief state fiscal officer, may make or arrange for payments necessary to discharge financial obligations imposed on this state by the compact or by a supplementary agreement entered into under the compact. A person who, under a compact entered into under this subchapter, knowingly obtains or attempts to obtain or aids or abets any person in obtaining, by means of a wilfully false statement or representation or by impersonation or other fraudulent device, any assistance on behalf of a child or other person to which the child or other person is not entitled, or assistance in an amount greater than that to which the child or other person is entitled, commits an offense. An offense under this section is a Class B misdemeanor. An offense under this section that also constitutes an offense under other law may be punished under either this section or the other applicable law. The need for and amount of the subsidy shall be determined by the department under its rules. Factors the department may consider in determining whether a child is eligible for the amount of the subsidy authorized by this subsection include the following: Acts , 81st Leg. Acts , 82nd Leg. If the legislature does not appropriate sufficient money to provide adoption assistance to the adoptive parents of all children described by Subsection a , the department shall provide adoption assistance only to the adoptive parents of children described by Subsection a 1. Added by Acts , 77th Leg. The department or a licensed child-placing agency making an adoptive placement shall comply with the Multiethnic Placement Act of 42 U. Added by Acts , 84th Leg. The purpose of this subchapter is to provide for the establishment of mutual consent voluntary adoption registries through which adoptees, birth parents, and biological siblings may voluntarily locate each other. It is not the purpose of this subchapter to inhibit or prohibit persons from locating each other through other legal means or to inhibit or affect in any way the

provision of postadoptive services and education, by adoption agencies or others, that go further than the procedures set out for registries established under this subchapter. The term does not include the act of establishing the legal relationship of parent and child between a man and a child through proof of paternity or voluntary legitimation proceedings. The term includes a licensed child-placing agency or a previously licensed child-placing agency that has ceased operations and has transferred its adoption records to the vital statistics unit or an agency authorized by the department to place children for adoption and a licensed child-placing agency that has been acquired by, merged with, or otherwise succeeded by an agency authorized by the department to place children for adoption. A the biological mother of an adoptee; B the man adjudicated or presumed under Chapter to be the biological father of an adoptee; and C a man who has signed a consent to adoption, affidavit of relinquishment, affidavit of waiver of interest in child, or other written instrument releasing the adoptee for adoption, unless the consent, affidavit, or other instrument includes a sworn refusal to admit or a denial of paternity. The term includes a birth mother and birth father but does not include a person adjudicated by a court of competent jurisdiction as not being the biological parent of an adoptee. An agency may contract with any other agency authorized by the department to place children for adoption or with an association comprised exclusively of those agencies to perform registry services on its behalf.

5: NRS: CHAPTER - ADOPTION OF CHILDREN AND ADULTS

*Petition for Adoption by Someone who is not a Stepparent or Relative under Chapter 63 of the Florida Statutes Page 2
Order of Placement (preliminary home study has been accepted) is filed.*

A minor who has not attained 6 months of age at the time a petition for termination of parental rights has been filed, and for whom the respondent has failed to: Visit regularly with the minor; and 3. Manifest the ability and willingness to exercise parental responsibilities if, during this time, the minor was not in the physical custody of the other parent. A minor who has attained 6 months of age at the time a petition for termination of parental rights has been filed, and for whom the respondent, for a period of at least 6 consecutive months immediately preceding the filing of the petition, has failed to: Communicate or visit regularly with the minor; and 3. No present intent to abandon the minor need be proved by the petitioner. Grounds for termination of parental rights. The Court may order a termination of parental rights based upon abandonment if the Court finds that the following occurred and that the respondent intended to abandon the child: In the case of a minor who has not attained 6 months of age at the time a petition for termination of parental rights has been filed, and for whom the respondent has failed to: Visit regularly with the minor; and C. Manifest an ability and willingness to assume legal and physical custody of the minor, if, during this time, the minor was not in the physical custody of the other parent; 2. In the case of a minor who has attained 6 months of age at the time a petition for termination of parental rights is filed, the respondent, for a period of at least 6 consecutive months in the year preceding the filing of the petition, has failed to: Communicate or visit regularly with the minor; and B. Manifest an ability and willingness to assume legal and physical custody of the minor, if, during this time, the minor was not in the physical custody of the other parent; or 3. In cases in which no finding of intent to abandon has been made, the Court may order a termination of parental rights based upon abandonment if the Court finds that the respondent, for a period of at least 12 consecutive months in the 18 months preceding the filing of the petition, has failed to: Communicate or visit regularly with the minor; 2. File or pursue a pending petition to establish paternity or to establish a right to have contact or visitation with the minor; and 3. Manifest an ability and willingness to assume legal and physical custody of the minor, if during this time, the minor was not in the physical custody of the parent; and if the Court finds that one of the following grounds exists: Failure to terminate would be detrimental to the minor. The Court shall appoint a licensed attorney as guardian ad litem to represent the alleged incompetent in the proceeding; or 4 The respondent has been found by a court of competent jurisdiction to have: Committed a felony level offense against the person, as described within subchapter II of Chapter 5 of Title 11, in which the victim was a child; or b. Aided or abetted, attempted, conspired or solicited to commit an offense set forth in subparagraph a. In the case of a child in the care of the Department or a licensed agency: The child has been in the care of the Department or licensed agency for a period of 1 year, or for a period of 6 months in the case of a child who comes into care as an infant, or there is a history of previous placement or placements of this child; or 2. There is a history of neglect, abuse or lack of care of the child or other children by the respondent; or 3. The respondent is incapable of discharging parental responsibilities due to extended or repeated incarceration, except that the Court may consider post-conviction conduct of the respondent; or 4. Failure to terminate the relationship of parent and child will result in continued emotional instability or physical risk to the child. In making a determination under this paragraph, the Court shall consider all relevant factors, including: The effect of a change of physical custody on the child; and E. The effect of a delay in termination on the chances for a child to be placed for adoption. In the case of a child in the home of a stepparent or blood relative: The child has resided in the home of the stepparent or blood relative for a period of at least 1 year, or for a period of 6 months in the case of an infant; and 2. The Court finds the respondent is incapable of discharging parental responsibilities, and there appears to be little likelihood that the respondent will be able to discharge such parental responsibilities in the near future. However, nothing contained herein shall prevent a court from immediately assuming custody of a child and ordering whatever action may be necessary, including medical treatment, to protect his or her health and welfare. Persons eligible to petition for termination of parental

rights. A petition for the termination of parental rights may be filed by any of the following: The mother knows the name of the biological father but is unwilling to disclose his name; or b. The mother does not know the name of the biological father; or c. The mother knows the name of the biological father and has provided it, but that she has never known his address; and d. If the mother is unavailable or refuses to provide the requisite affidavit, the petition shall set forth such information as required by this paragraph as is known to the petitioner; 6 The name and last known address of the person or persons or organization holding parental rights and the name and address of the person or persons or organization having the care, control or custody of the child; 7 The grounds for termination of parental rights; 8 The name and address of the person or persons or of the Department or licensed agency to which parental rights are requested to be transferred; 9 In addition to other pertinent information, the petition, if either the name or address of the parent or parents is not included, shall furnish detailed information concerning the efforts made to locate the parent or parents. This information shall include a statement that the petitioner has inquired to determine whether the woman who gave birth to the child was married at the probable time of conception of the child, or at a later time, and whether the woman has named any individual as the father on the birth certificate of the child. Consent requirements; waiver of notice. The mother of the child; b. The father and any presumed father of the child; provided that: The consent of an alleged biological father or presumed father need not contain an admission of paternity. In the event the alleged biological father or presumed father denies paternity, an affidavit to that effect signed by him shall be attached to the petition in lieu of a consent; 2. One parent, if the other is deceased; d. Any other person or persons or organization holding parental rights; e. Consent by the father or presumed father may be executed either before or after the child is born. A consent executed by a parent or guardian must be signed or confirmed in the presence of: Contents of consent to terminate and transfer parental rights. Another consent is not executed within a specified period; or b. Revocation of consent to termination and transfer of parental rights. Time for hearing; preparation of social report. Notice of hearing to terminate and transfer parental rights. The Court may require notice to be served upon any other person or organization. The determination must be based on evidence that includes a review of: Publication shall also be made in the locality in which the parent or parents, person or persons or organization holding parental rights is believed to be located if different from the county where the publication just described has been caused. The Court may, upon request by the petitioner, order that personal service and publication occur simultaneously. Any other fees, assessments, costs or financial obligations imposed by Family Court for the issuance and service of subpoenas or summons by way of court rules, regulations or administrative procedures may not be charged to the Department. Any such costs associated with these procedures shall be the financial responsibility of Family Court. Order of termination and transfer of parental rights. In all other cases, the Court shall issue its decision and order within 30 days following the conclusion of the proceedings. Petition for transfer of parental rights of deceased parents. The petition shall contain: The petitioner, if the petition is not granted, or any person or organization whose parental rights have been terminated by the order, may, at any time within 30 days after the making and entry of such decree, take an appeal therefrom to the Supreme Court. All Court costs including costs of giving notice and advertising shall be paid by the petitioners. Court costs do not include attorney fees of the respondent s. Confidential nature of Court records. The Court shall order open to inspection by the adopted individual the part of the record containing the needed medical information if the Court finds that any medical information in the Court or agency record of the adopted individual is needed for the health of the adopted individual or any blood relative of the adopted individual. The Court may refer the petition to the Department or a licensed agency for investigation and report. If, in the opinion of the Court, the information is necessary, and the interests of the adopted individual, the biological parents or the adoptive parents will not be prejudiced by its disclosure, the Court shall issue an order permitting the release of the information and setting forth the terms under which it shall be released. Effect of termination of parental rights. The person or organization to whom said parental rights are transferred shall have custody and guardianship of the child but such custody and guardianship shall terminate automatically upon the entry of another order transferring parental rights or on an order of adoption. After the issuance of an order terminating the existing parental rights and transferring them to the Department or a licensed agency, the agency shall attempt to promptly

place the child for adoption. Every 6 months thereafter until an adoption decree is entered the agency shall advise the Court in writing of the status of the child stating the reasons for the delay in placement or adoption. The Court may, after notice, hold a hearing to determine if any further action is required in the best interest of the child. This chapter is designed to achieve without undue delay the paramount objective of the best interest of the child, and all questions of interpretation shall be resolved with that objective in mind. These codes may not be the most recent version. Delaware may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.

6: Chapter 63 Section - Florida Statutes - The Florida Senate

Chapter 11 Bankruptcy Forms. Forms to Initiate Near Relative_Stepparent Adoption Process. Share. Download the PDF file. Comments. comments. No related posts. Share.

The laws surrounding the different types of adoptions are far from comprehensive. As new situations arise and a trend is seen in courts throughout the state, Florida statutes continue to become more comprehensive in attempting to address a larger range of situations than the direct laws on adoption itself. Chapter 63 of Florida statutes, titled the Florida Adoption Act, attempts to address as many of these questions as possible in order to make adoption cases easier for both people and the courts. Many of the issues that arise in an adoption case come from questions dealing with the father and mother. In the cases where children are involved, the Florida adoption law states that written consent must be given from the mother and father. In rare cases, a child may be taken from a parent or parents when the court deems it necessary. This information is covered in Chapter 39 of Florida statutes, but is still addressed in Florida adoption law. Essentially the law gives courts to the ability to remove parental rights when situations in Chapter 39 are met. Abandoned Children Another of the many questions that arises stems from children that are surrendered or left at a hospital. If a child is left at a hospital or other agency, the child is given to an adoption agency and the agency will seek a legal court order for emergency custody until a good home can be found. At the same time, the Florida adoption law also states that any child surrendered will be investigated by the local law enforcement agencies. As far as adoption paperwork goes, parental rights are surrendered with the child. Unmarried Biological Fathers and Adoption Law An unmarried biological father can gain custody of a child, but they must make a claim of paternity before a termination of rights claim is made. If a father does this, he is subject to DNA testing to prove he is the father of the child in question. In addition, for a father to gain custody of a child already placed with adoptive parents, the father must prove he has a substantial relationship with the child, has taken some responsibility for the child, and according to the law has demonstrated a full commitment to the responsibilities of parenthood. This commitment includes regular visits to the child and maintaining regular communication with the child. Grandparents Rights in Florida Adoption Law Other questions that often arise surround the rights of grandparents. If a child lives with a grandparent for at least six months within a 2-year period immediately preceding the filing of a petition for termination of parental rights, an adoption entity will give notice to the grandparent of a hearing on an adoption petition. This is applied unless the child loses their parent s and something different is stated in a will. This situation also does not apply where a stepparent adopts a child. Otherwise, a grandparent may adopt a grandchild in accordance with the general Florida adoption laws, just as anyone else would make a claim. They do have more rights because they are a relative, but any custody changes still need to be approved by the court. Florida Adoption Disclosure Statement For current parents and parents thinking of adopting, the law requires that adoptive agencies must provide a written disclosure statement. This statement must be given within 14 days and includes the person s inquiring about adoption and the parent of the child in question if they can be located. This statement is given to anyone seeking information from the adoption agency regarding the possible adoption of his or her child. The idea behind this process is to let the actual parents of the child come forward and stop any adoption paperwork. Non-Relative Placement of Adopted Children An adoption entity must report to the court about any intended placement of a child where the placement is not with a relative or stepparent. If an adoption entity places a child in a home before parental rights are terminated then it is considered an at-risk placement because the child could be removed if parents seek to regain or instate their rights over the child. Home Study Requirements In addition to this process, under Florida adoption law, an adoption entity is required to do a preliminary home study and the actual study must be done by a licensed child-placing agency. The idea of a home study is to ensure that a home is fit for a new child to live in. Criminal records, an interview with prospective parents, assessment of the physical environment, counseling, and education, are reviewed, and a signed disclosure is all part of a home study. As you can see from reading the above information contained in the Florida statutes, the laws are not all encompassing, but they do attempt to address any major issues. No

matter what role you are considering in an adoption, consult chapter 63 of the Florida statutes, speak with an attorney, or gain the help of a document-preparing agency before tackling personal adoption problems. The law allows the court quite a bit of room to make decisions on adoptions, so being prepared is the best way to enter this situation. This self help guide includes interactive forms, sample adoption petitions, and instructions on how to successfully complete a Family Adoption in Florida. Order the e-book instant download or use our Petition Preparer professional documents preparation service. Your documents will be in your hands and ready to file at the courthouse in 3 days or less! We guarantee our work.

7: Obtaining Relative Health Histories CHFS Online Manuals -

Instructions for Florida Supreme Court Approved Family Law Form (b)(1), Joint Petition for Adoption by Stepparent (11/15) applicable. The court may choose not to require consent to an adoption in some circumstances.

Petition for adoption; content. The petition shall state: Petition for adoption; additional documents. The petitioner shall file or cause to be filed the following documents: Any document required under this section that is available to the petitioner when the petition is filed shall be filed with the petition. Any document required under this section that is not available when the petition is filed shall be filed as the document becomes available. Omission of required information. Notice of Pendency of Proceedings. The time for response shall be the time provided in the rule. The words "In re Doe" may be substituted for the title of the action in the notice as long as the notice contains the correct docket number. The notice shall be directed to "the unknown father [or mother] of" the adoptee, and the adoptee shall be described by sex, date of birth, and place of birth. The notice shall contain any information known to the petitioner that would allow an unknown parent or possible parent to identify himself or herself as the individual being addressed, such as the approximate date and place of conception, any name by which the other biological parent was known to the unknown parent or possible parent, and any fact about the unknown parent or possible parent known to or believed by the other biological parent. The notice shall also state that any parental rights the unknown parent or possible parent may have will be terminated upon entry of the order of adoption. Notice of proceedings by clerk. No later than five days after a petition is filed, the clerk of the court shall mail or otherwise deliver notice of the adoption proceeding to any agency that has undertaken but not yet completed a preplacement assessment and any agency ordered to make a report to the court pursuant to Part 5 of this Article. Notice of proceedings by court to alleged father. If, at any time in the proceeding, it appears to the court that there is an alleged father of a minor adoptee as described in G. Rights of persons entitled to notice. Except as provided in G. Waiver of notice; effect. Filing proof of service. Proof of service of notice on each person entitled to receive notice under this Part, or a certified copy of each waiver of notice, must be filed with the court before the hearing on the adoption begins. Report to the Court. Report to the court during proceeding for adoption of a minor. Preparation and content of report. In an agency adoption, the report shall be written in such a way as to exclude all information that could reasonably be expected to lead directly to the identity of the adoptee at birth or any former parent or family member of the adoptee, and any copies of documents included pursuant to subdivision 3 of this subsection shall be redacted to exclude this information. Timing and filing of report. The agency shall have three additional days to complete and file the report if the order was mailed. The agency shall indicate in the final report whether its concerns have been satisfied and in what manner. No fee may be charged except pursuant to a written fee agreement which must be signed by the parties to be charged prior to the beginning of the preparation. The fee agreement may not be based on the outcome of the report or the adoption proceeding. The Department shall require waiver of fees for those unable to pay. Fees collected under this section shall be applied to the costs of preparing and writing reports and shall be used by the county department of social services to supplement and not to supplant appropriated funds. Dispositional Hearing; Decree of Adoption. Hearing on, or disposition of, adoption petition; transfer of adoption proceeding; timing. Disclosure of fees and charges. At least 10 days before the date of the hearing or disposition, each petitioner shall file with the court an affidavit accounting for any payment or disbursement of money or anything of value made or agreed to be made by or on behalf of each petitioner in connection with the adoption, or pursuant to Article 10, including the amount of each payment or disbursement made or to be made and the name and address of each recipient. The court in its discretion may request a more specific statement of any fees, charges, or payments made or to be made by any petitioner in connection with the adoption. Hearing on, or disposition of, petition to adopt a minor. Denying petition to adopt a minor. The parties and agency entitled to notice under this subsection, and the Department, shall be entitled to a hearing on the issue of dismissing the proceeding. If the placement of the minor was a direct placement under Article 3 of this Chapter, the court shall notify the director of social services of the county in which the petition was filed of the dismissal, and the

director of social services shall be responsible for taking appropriate action for the protection of the minor. Hearing on petition to adopt an adult. No adoption may be attacked either directly or collaterally because of any procedural or other defect by anyone who was not a party to the adoption. The failure on the part of the court or an agency to perform duties or acts within the time required by the provisions of this Chapter shall not affect the validity of any adoption proceeding. A party to an adoption proceeding may appeal a judgment or order entered by a judge of district court by giving notice of appeal as provided in G. A parent or guardian whose consent was necessary under this Chapter but was not obtained may, within six months of the time the omission is or ought reasonably to have been discovered, move to have the decree of adoption set aside. Any action for damages against an adoptee or the adoptive parents for fraud or duress in obtaining a consent must be brought within six months of the time the fraud or duress is or ought reasonably to have been discovered.

8: Chapter RCW: ADOPTION

Florida Supreme Court Approved Family Law Form (a)(1), Stepparent Adoption: Consent and Waiver by Parent (11/15) (these) minor child(ren), for the purpose of stepparent adoption.

All petitions, reports and orders in adoption proceedings shall be entitled only in the names of the adopting parties. A petition for adoption of a child who currently resides in the home of the petitioners may be filed at any time after the child has lived in the home for 30 days. The petition for adoption must state, in substance, the following: No order of adoption may be entered unless there has been full compliance with the provisions of NRS. A petition for adoption of a child must be filed in duplicate with the county clerk. The county clerk shall send one copy of the petition to the agency which provides child welfare services. The agency which provides child welfare services shall make an investigation and report as provided in this section. If one petitioner or the spouse of a petitioner is related to the child within the third degree of consanguinity, the court may, in its discretion, waive the investigation by the agency which provides child welfare services. A copy of the order waiving the investigation must be sent to the nearest office of the agency which provides child welfare services by the petitioners within 7 days after the order is issued. The agency which provides child welfare services or a licensed child-placing agency designated to do so by the court shall: The agency which provides child welfare services or the designated child-placing agency shall, before the date on which the child has lived for a period of 6 months in the home of the petitioners or within 30 days after receiving the copy of the petition for adoption, whichever is later, submit to the court a full written report of its findings pursuant to subsection 3, which must contain, without limitation, a specific recommendation for or against approval of the petition and a statement of whether the child is known to be an Indian child, and shall furnish to the court any other information regarding the child or proposed home which the court requires. The court, on good cause shown, may extend the time, designating a time certain, within which to submit the report. If the court is dissatisfied with the report submitted by the agency which provides child welfare services or the designated child-placing agency, the court may order an independent investigation to be conducted and a report submitted by an agency or person selected by the court. The costs of the investigation and report may be assessed against the petitioner or charged against the county in which the adoption proceeding is pending. Notice of the filing of a petition for the adoption of a child must be provided to the legal custodian or guardian of the child if that custodian or guardian is a person other than the natural parent of the child. The petitioners shall file with the court, within 15 days after the petition is filed or 5 months after the child begins to live in their home, whichever is later, an affidavit executed by them and their attorney setting forth all fees, donations and expenses paid by them in furtherance of the adoption. A copy of the affidavit must be sent to the agency which provides child welfare services. If one petitioner or the spouse of a petitioner is related to the child within the third degree of consanguinity, the court may waive the filing of the affidavit. The report of either the agency which provides child welfare services or the licensed child-placing agency designated by the court must not be made a matter of public record, but must be given in writing and in confidence to the district judge before whom the matter is pending. If the recommendation of the agency which provides child welfare services or the designated agency is adverse, the district judge, before denying the petition, shall give the petitioner an opportunity to rebut the findings and recommendation of the report of the agency which provides child welfare services or the designated agency. Except as otherwise provided in NRS. The files and records of the court in adoption proceedings are not open to inspection by any person except: An adoptive parent who intends to file a petition pursuant to NRS. A natural parent who intends to file a petition pursuant to NRS. Upon the request of a sibling or adoptive child who wishes to enforce an order for visitation included in a decree of adoption pursuant to NRS. The portions of the files and records which are made available for inspection by an adoptive parent, natural parent or sibling pursuant to subsection 3, 4 or 5 must not include any confidential information, including, without limitation, any information that identifies or would lead to the identification of a natural parent if the identity of the natural parent is not included in the agreement for postadoptive contact or order for visitation, as applicable. The prospective adoptive parents may attend by telephone, in lieu of attending in

person, any hearings held by the court concerning the petition for adoption if: The appearance of the prospective adoptive parents and the representative of the agency described in paragraph c of subsection 1 must occur at the office of the agency or at the home of the prospective adoptive parents, as determined by the agency. If the prospective adoptive parents are attending a hearing by telephone pursuant to subsection 1, the court shall place the telephone call to a telephone number known to be a telephone number of the agency described in paragraph c of subsection 1 or of the prospective adoptive parents. If the court finds that the best interests of the child warrant the granting of the petition, an order or decree of adoption must be made and filed, ordering that henceforth the child is the child of the petitioners. When determining whether the best interests of the child warrant the granting of a petition that is filed by a foster parent, the court shall give strong consideration to the emotional bond between the child and the foster parent. A copy of the order or decree must be sent to the nearest office of the agency which provides child welfare services by the petitioners within 7 days after the order or decree is issued. In the decree the court may change the name of the child, if desired. Except as otherwise provided in this subsection, an order or decree of adoption may not be made until after the child has lived for 6 months in the home of the petitioners. This subsection does not apply if one of the petitioners is the stepparent of the child or is related to the child within the third degree of consanguinity. If the court is not satisfied that the proposed adoption is in the best interests of the child, the court shall deny the petition and may order the child returned to the custody of the person or agency legally vested with custody. Except as otherwise provided in subsection 3, the agency which provides child welfare services or a licensed child-placing agency shall provide the adopting parents of a child with a report which includes: Information regarding any behavioral, emotional or psychological problems that the child may have must be discussed in accordance with policies established by an agency which provides child welfare services and a child-placing agency pursuant to regulations adopted by the Division for the disclosure of such information. The agency which provides child welfare services or child-placing agency shall obtain from the adopting parents written confirmation that the adopting parents have received the report required pursuant to subsection 1. The report required pursuant to subsection 1 must exclude any information that would lead to the identification of the natural parent. The Division shall adopt regulations specifying the procedure and format for the provision of information pursuant to this section, which may include the provision of a summary of certain information. If a summary is provided pursuant to this section, the adopting parents of the child may also obtain the information set forth in subsection 1. Any order or decree of adoption entered after July 1, , and before July 1, , by a court of competent jurisdiction where there has not been a complete compliance with NRS

After an order or decree of adoption has been entered, the court shall direct the petitioner or his or her attorney to prepare a report of adoption on a form prescribed and furnished by the State Registrar of Vital Statistics. The agency which provides child welfare services shall provide the petitioner or his or her attorney with any factual information which will assist in the preparation of the report required in subsection 1. If an order or decree of adoption is amended or annulled, the petitioner or his or her attorney shall prepare a report to the State Registrar of Vital Statistics, which includes sufficient information to identify the original order or decree of adoption and the provisions of that decree which were amended or annulled. The petitioner or his or her attorney shall forward all reports required by the provisions of this section to the State Registrar of Vital Statistics not later than the 10th day of the month next following the month in which the order or decree was entered, or more frequently if requested by the State Registrar, together with any related material the State Registrar may require. After a decree of adoption 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 such adopted child or the property of such adopted child. The child shall not owe his or her natural parents or their relatives any legal duty nor shall the child inherit from his or her natural parents or kindred. Notwithstanding any other provisions to the contrary in this section, 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. The natural parent of a child may not bring an action to set aside an adoption after a petition for adoption has been granted, unless a court of competent jurisdiction has previously, in a separate action: The agency which provides child welfare services shall provide the court which is conducting

the adoption proceedings with a copy of any order for visitation with a sibling of the child that was issued pursuant to NRS B. The court may not grant a right to visit the child to any person other than as specified in subsection 1. Any person against whom any order, judgment or decree is made or who is affected thereby may appeal to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution from any order, judgment or decree of the district court made under the provisions of this chapter, in the same manner as in other civil proceedings. The agency which provides child welfare services or a child-placing agency licensed by the Division pursuant to this chapter may consent to the adoption of a child under 18 years of age with special needs due to race, age or physical or mental problems who is in the custody of the agency which provides child welfare services or the licensed agency by proposed adoptive parents when, in the judgment of the agency which provides child welfare services or the child-placing agency, it would be in the best interests of the child to be placed in that adoptive home. The agency which provides child welfare services or child-placing agency, whichever has custody of the child, shall in a timely and diligent manner: I That they may be eligible for a grant of financial assistance pursuant to this section; and II The manner in which to apply for such financial assistance; and 2 Assist the proposed adoptive parents in applying for and satisfying any other prerequisites necessary to obtain a grant of financial assistance pursuant to this section and any other relevant subsidies and services which may be available. The grant of financial assistance must be limited, both as to amount and duration, by agreement in writing between the agency which provides child welfare services and the adoptive parents. Such an agreement must not become effective before the entry of the order of adoption. Any grant of financial assistance must be reviewed and evaluated at least once annually by the agency which provides child welfare services. The evaluation must be presented for approval to the head of the agency which provides child welfare services or his or her designee. Financial assistance must be discontinued immediately upon written notification to the adoptive parents by the agency which provides child welfare services that continued assistance is denied. All financial assistance provided under this section ceases immediately when the child attains majority, becomes self-supporting, is emancipated or dies, whichever occurs first. Neither a grant of financial assistance pursuant to this section nor any discontinuance of such assistance affects the legal status or respective obligations of any party to the adoption. A court shall waive all court costs of the proposed adoptive parents in an adoption proceeding for a child with special needs if the agency which provides child welfare services or child-placing agency consents to the adoption of such a child pursuant to this section. The Division, in consultation with each agency which provides child welfare services, shall adopt regulations regarding eligibility for and the procedures for applying for a grant of financial assistance pursuant to this section. The natural parent or parents and the prospective adoptive parent or parents of a child to be adopted may enter into an enforceable agreement that provides for postadoptive contact between: An agreement that provides for postadoptive contact is enforceable if: The identity of a natural parent is not required to be included in an agreement that provides for postadoptive contact. If such information is withheld, an agent who may receive service of process for the natural parent must be provided in the agreement. A natural parent or adoptive parent who enters into an agreement that provides for postadoptive contact shall include in the agreement an address at which the natural parent or adoptive parent may receive service of a petition filed pursuant to NRS If a natural parent or adoptive parent refuses or fails to include such an address in an agreement that provides for postadoptive contact, the court may, on the date on which the court enters an order or decree of adoption which incorporates the agreement, order the agency which provides child welfare services to provide the court with the contact information of the natural parent or adoptive parent who refused or failed to include his or her address. If a court so orders, the court shall: If a natural parent or adoptive parent changes his or her address that was included in an agreement that provides for postadoptive contact pursuant to subsection 4, the parent shall file with the clerk of the court notice of the change of address within 15 days after the change of address. A court that enters an order or decree of adoption which incorporates an agreement that provides for postadoptive contact shall retain jurisdiction to enforce, modify or terminate the agreement that provides for postadoptive contact until: The establishment of an agreement that provides for postadoptive contact does not affect the rights of an adoptive parent as the legal parent of the child as set forth

in NRS Each prospective adoptive parent of a child to be adopted who enters into an agreement that provides for postadoptive contact pursuant to NRS Before a court may enter an order or decree of adoption of a child, the court must address in person: The court may for purposes of subsection 1 address a prospective adoptive parent described in NRS If the court determines that the prospective adoptive parent or parents and the natural parent or parents have entered into an agreement that provides for postadoptive contact, the court shall: A natural parent who has entered into an agreement that provides for postadoptive contact pursuant to NRS An adoptive parent who has entered into an agreement that provides for postadoptive contact pursuant to NRS

9: Florida Adoption Attorney - Alper Law

In the case of a child in the home of a stepparent, guardian, permanent guardian or blood relative: 1. The child has resided in the home of the stepparent, guardian, permanent guardian or blood relative for a period of at least 1 year, or for a period of 6 months in the case of an infant; and.

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