

MADERA COUNTY SUPERIOR COURT STATE OF CALIFORNIA

STEPPARENT ADOPTION PACKET

Read the enclosed instructions carefully before filling out your forms. The attached forms should be typed or completed in blue or black ink, neatly and clearly.

Material prepared and/or distributed by the Superior Court Clerk's Office is intended for informational and educational purposes ONLY. Such material is NOT intended to be and IT IS NOT LEGAL ADVICE as to your specific case. It is not intended to take the place of competent legal advice from an attorney. You are strongly advised to seek the advice of a licensed attorney before starting or completing your case in order to protect valuable legal rights that you may have and of which you may be unaware of. Please contact a competent attorney of your choice. The Clerk's Office cannot give legal advice.

Procedure for Stepparent Adoptions

If you are a stepparent and you want to adopt the child of your spouse or domestic partner, you may be able to do so through the stepparent adoption process. A person who adopts a child has all the legal rights and responsibilities of a natural parent, and that new parent-child relationship is permanent.

When you begin a stepparent adoption, you will need to request to terminate the parental rights of the non-custodial parent OR obtain a consent.

NOTES:

- Before you can proceed with the Stepparent Adoption, you **MUST FIRST** terminate the other parent's parental rights. There is no filing fee for the Termination in the Adoption case.
- There is a filing fee of \$20.00 for the Stepparent Adoption filing.
- The case will be referred to the Family Court Services Investigator. There will be a fee assessed for this investigation. If you cannot afford the fee, you can ask for [a fee waiver](#).

IF NON-CUSTODIAL PARENT IS WILLING TO SIGN CONSENT

Complete the following form:

- Consent to adoption by a Parent in or outside of California Giving Custody to Husband or Wife or Domestic Partner of other Parent. (Form [AD-2A/2B](#))

NOTE: This form **MUST** be signed in the presence of the clerk of the superior court or signed in the presence of a Notary Public.

STEP 1. PREPARING THE PAPERWORK TO TERMINATE PARENTAL RIGHTS

Complete the following forms: **(IF YOU DO NOT OBTAIN A CONSENT)**

- Petition to Declare Minor Free from Parental Custody and Control (local form [MAD-JUV-021](#))
- Citation to Appear (local form [MAD-JUV-022](#))
- Order Declaring Minor Free from Parental Custody and Control (local form [MAD-JUV-023](#))

STEP 2. FILING THE FORMS

Make two (2) copies of all the completed forms listed above. The original must be 2-hole punched at the top and stapled at each corner.

Procedure for Stepparent Adoptions

1. Originals and copies are given to the Clerk to file.
2. The Clerk keeps the original Petition.
3. The Clerk will issue a hearing date on the Citation and return the original and copies of the Citation, along with the file marked copy of the Petition to you.
4. Be sure to mark the date and time of the hearing on your calendar and make the necessary arrangements to attend this hearing.

STEP 3. SERVING THE DOCUMENTS

The biological parent must be PERSONALLY served (handed) a **copy** of the Petition and Citation after they have been filed with the Court. The person serving your document **MUST** be someone other than you or your spouse (NOT A PARTY TO THE ACTION) and over the age of 18. This can be done by a friend, a relative, a certified process server or civil sheriff.

If you cannot locate the biological parent, you may be able to request an Application and Order for Publication of the Citation. See attached local Form [MAD-CIV-012](#).

STEP 4. FILING THE PROOF OF SERVICE

Have the person who served the other party complete, date and sign a Proof of Personal Service (Form [FL-330](#)).

Attach the Proof of Personal Service to the original Citation. File the original Citation with the Clerk.

STEP 5. PREPARING THE PAPERWORK FOR THE STEPPARENT ADOPTION

The Stepparent adoption forms DO NOT NEED TO BE SERVED ON THE BIOLOGICAL PARENT. Both sets of paperwork can be filed with the Clerk at the same time.

Complete the following forms:

- Adoption Request (Form [ADOPT-203](#))
- Indian Child Inquiry Attachment (Form [ICWA-010\(A\)](#))
- Parental Notification of Indian Status (Form [ICWA-020](#))
- Adoption Agreement (Form [ADOPT-210](#))
- Adoption Order (Form [ADOPT-215](#))

STEP 6: FILING THE FORMS

Make 1 copy of all the completed forms listed above. The original must be 2-hole punched at the top and stapled at each corner.

1. Originals and copies are given to the Clerk to file
2. The Clerk keeps the originals

Procedure for Stepparent Adoptions

3. Family Court Services will be appointed to write a report. However, the investigator will not be able to complete the report until the ***biological parent's rights have been terminated***.

STEP 7: ATTEND THE HEARING ON THE TERMINATION OF PARENTAL RIGHTS

- A. If the parent whose rights are being terminated objects, a court trial will be set for both parties to give testimony and present evidence in support of their position and an attorney may be appointed to the party whose rights are being terminated.
- B. If the parent whose rights are being terminated does not object, then the Judge will make a final Order the day of the Declare Free hearing if proper service is filed (proof of service or proof of publication).
- C. Once a final Order is made and the Judge grants the termination of parental rights, he will schedule the Adoption Hearing a minimum of 60 days after the declare minor free is granted.

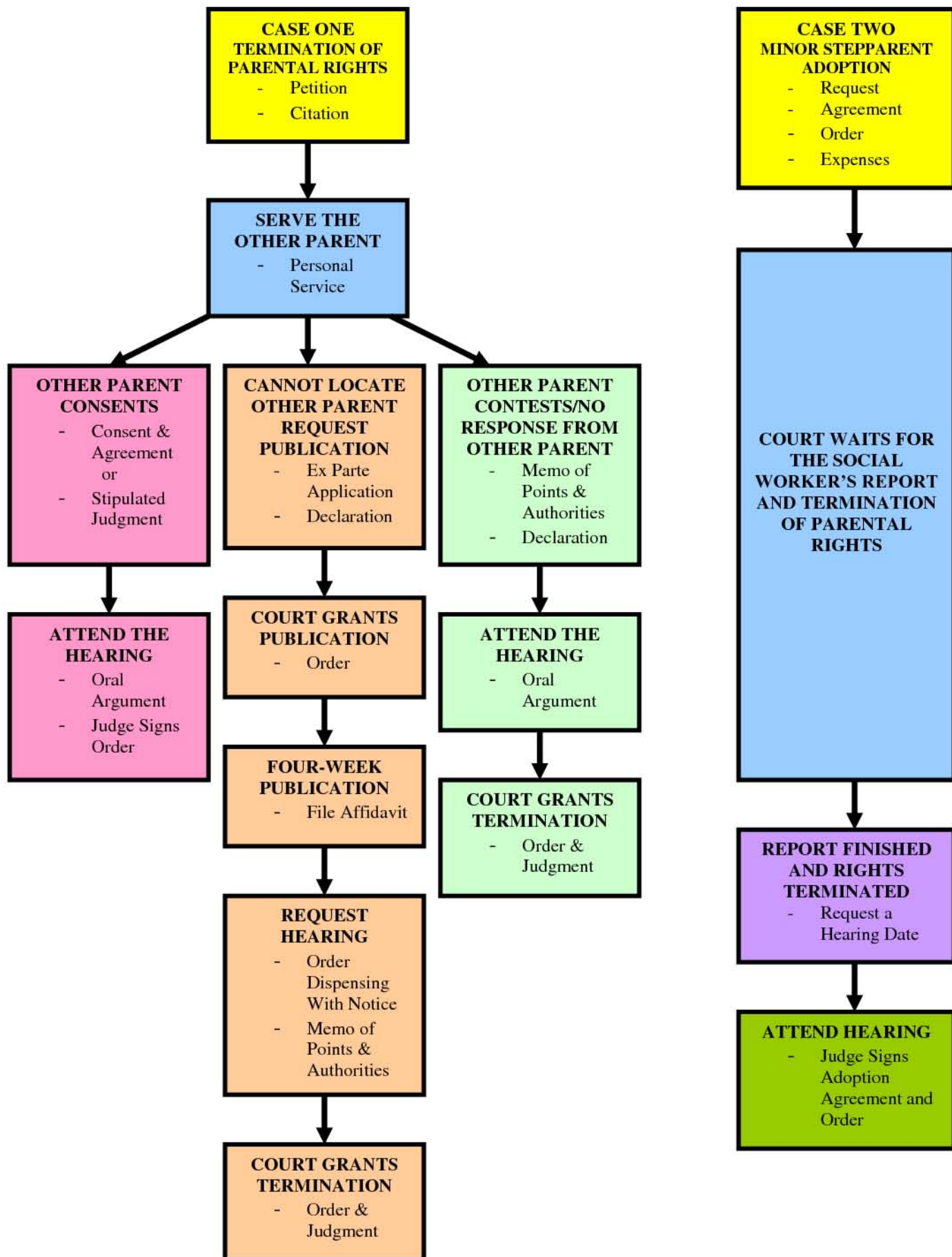
- This is an informal confidential hearing. You may invite family members or friends to witness the event.

Following the hearing the Adoption Order is signed by the Judge and the clerk will forward it California Vital Statistic's for amendment of the minor's birth certificate. You will receive the new Birth Certificate in the mail between 6-12 months.

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MINOR STEPPARENT ADOPTION FLOWCHART

These cases MUST be open AT THE SAME TIME



General Information on Adoptions

Before you begin

Seek legal advice about your family's options before beginning any adoption. Every family is different and adoption may not be necessary for some families. Visit the Self-Help Guide to the California Courts adoption page to get copies of adoption forms, look for organizations that provide legal help with adoptions, and learn how to complete the adoption process on your own if you do not have a lawyer: selfhelp.courts.ca.gov/adoptions. You can also get copies of adoption forms at your local court clerk's office.

What type of adoption will you be filing? In California there are several kinds of adoptions. This information sheet provides steps for the following types:

- Stepparent and domestic partnership
- Stepparent and domestic partnership confirmation of parentage
- Independent
- Agency (within the United States) and includes:
 - Agency placement or agency joinder
- Intercountry

For more information and definitions on these types of adoptions, see selfhelp.courts.ca.gov/adoptions.

What department or agency will be handling your home study or investigation?

In most adoptions, a home study or an investigation will be necessary.

- For independent adoptions
 - A regional office of the Department of Social Services (DSS).
 - An adoption agency.
 - For an independent adoption of a newborn, you must also choose an adoption service provider (ASP).

The ASP is an individual or an adoption agency licensed and certified by the State of California. Their role is to explain to the birth parent their rights in the adoption process (before “placing” the child with you) and to witness the signing of documents and consent.

There is a listing of all providers who have been licensed as an ASP on the California Department of Social Services website. You can see the list by agency or the list by individual. The ASP will charge a fee. You must pay the fee as the adoptive parent.

- For more information on a home study or ASP, see selfhelp.courts.ca.gov/independent-adoption/placed.
- For stepparent adoptions, the court investigator or a privately hired, licensed clinical social worker or other appropriate licensed individual will be handling your home study or investigation. See selfhelp.courts.ca.gov/stepparent-adoption.

If you need more information about what office or agency can conduct your home study, you can visit the California Department of Social Services website. Find out what paperwork they will need from you and when it must be sent to them once you file your *Adoption Request*.

Documents needed in addition to the *Adoption Request*

For most adoptions, the adopting parent, their legal representative, or the agency will be required to obtain additional signed forms or certified documents. These documents can include:

- Consent or relinquishment for adoption
- Death certificate (if applies)
- Other court orders
- Waiver of notice or denial of parentage



ADOPT-050-INFO

How to Adopt a Child in California

In certain situations additional court proceedings may be necessary. These may include:

- Petition freeing the child from parental custody and control and an order. (Note: This is a separate court action.)
- Petition to terminate parental rights of an alleged parent and an order. (Note: In some courts, this can be filed within the adoption case but in other courts it is a separate court action.)

Each of the above are specific procedures which must be followed based on the determination of the status of the parent.

If this is an agency adoption, the agency will obtain the above information for the court.

This paperwork is needed to complete your adoption home-study or investigation.

The status of a parent is based on the relationship of that parent to the child and other factors. For definitions and more information about status of parent and what additional involvement or paperwork is needed, go to

selfhelp.courts.ca.gov/adoptions.

Stepparent/Domestic Partner Adoptions

If you wish to adopt the child of your spouse or domestic partner, you may be eligible for a stepparent adoption. There are two types of stepparent adoptions. Answer these questions to figure out which process is right for you:

- Were you in a union with the child's legal parent **at the time the child was born** and are you **still in a union** with the legal parent? (A "union" means a marriage, a California registered domestic partnership, or a registered domestic partnership or civil union from another state that is legally equivalent to a marriage.)
- Did your **spouse or domestic partner give birth to the child** or was the child born through a **gestational surrogacy process** brought about by one or both of you?

If you answered no to **either** question, complete the items below for a **stepparent/domestic partner adoption**.

If you answered yes to **both** questions, complete the items below for a **stepparent adoption to confirm parentage**.

1 Fill out court forms

- | | | |
|---------------|---|--|
| • ADOPT-203 | <i>Stepparent Adoption Request</i> | This tells the judge about you and the child you are adopting. |
| • ADOPT-210 | <i>Adoption Agreement</i> | This tells the judge that you and the child, if 12 or older, agree to the adoption. Fill it out, but do not sign it until the judge asks you to sign it. |
| • ADOPT-215 | <i>Adoption Order</i> | The judge signs this form if your adoption is approved. |
| • ICWA-010(A) | <i>Indian Child Inquiry Attachment</i> | This lets the judge know that you have asked whether the child may be an Indian child. |
| • ICWA-020 | <i>Parental Notification of Indian Status</i> | One form is required for each birth parent. This shows that the child's parents have been asked about potential Indian status. |

Additional Forms for Stepparent Adoption to Confirm Parentage

- | | | |
|--|---|--|
| • ADOPT-205 (or an equivalent declaration) | <i>Declaration Confirming Parentage in Stepparent Adoption</i> | This tells the court how you conceived your child and whether there are any other parents. Only use this if you are seeking a stepparent adoption to confirm parentage. See above for more information on this type of adoption. Both the birth parent and the adopting parent must complete a separate declaration. |
| -OR- | | |
| • ADOPT-206 (or an equivalent declaration) | <i>Declaration Confirming Parentage in Stepparent Adoption: Gestational Surrogacy</i> | This tells the court how you conceived your child and whether there are any other parents. Only use this if you are seeking a stepparent adoption to confirm parentage because the child was conceived through a gestational surrogate and was born outside of California, and the state where the child was born only allowed one intended parent to be named as a legal parent on the child's birth certificate. |



2 Take your forms to court

Take the completed forms to the court clerk in the county where you live. The court will charge a \$20 filing fee (set by Health and Safety Code section 103730). Or take the forms to your lawyer or adoption agency, if you are using one. If there is no hearing, form ADOPT-210 must be signed in front of the court clerk or a notary.

Note: In a stepparent adoption to confirm parentage, no investigation or hearing is required unless ordered by the court for good cause. Sign form ADOPT-210 in front of a notary or the court clerk when you file the forms and a judge will review your request. If the paperwork is complete and you meet the requirements, the judge will sign the *Adoption Order* (form ADOPT-215) and the adoption is complete. You and your attorney will receive copies. If the judge orders an investigation and hearing, go to the next steps.

3 An investigation is completed

In most stepparent adoptions an investigation or a report must be completed before the final hearing. This will be completed by either someone you identified in the request or who was ordered by the court. To begin the investigation you will be required to send the *Adoption Request* and supporting documentation to the investigator. A home visit may also be required.

4 Go to court on the date of your hearing

Bring:

- The child you are adopting;
- Form ADOPT-210;
- Form ADOPT-215;
- A camera, if you want a photo of you and your child with the judge (*optional*); and
- Friends/relatives (*optional*).
- California Department of Social Services form VS-44 may be needed, see selfhelp.courts.ca.gov/stepparent-adoption/prepare-lodge-forms.

Independent or Agency Adoptions in the United States

If this is an independent or agency adoption in the United States, complete items 1 through 4 below.

Note: The rights of the existing parents usually terminate with adoptions. In an independent adoption, if the existing and adopting parents agree, the rights of the existing parents do not have to be terminated. See Family Code section 8617(b).

1 Fill out court forms

- | | | |
|----------------|---|--|
| • ADOPT-200 | <i>Adoption Request</i> | This tells the judge about you and the child you are adopting. |
| • ADOPT-210 | <i>Adoption Agreement</i> | This tells the judge that you and the child, if 12 or older, agree to the adoption. Fill it out, but do not sign it until the judge asks you to sign it. |
| • ADOPT-215 | <i>Adoption Order</i> | The judge signs this form if your adoption is approved. |
| • ADOPT-230 | <i>Adoption Expenses</i> | This lets the judge know what payments were made that relate to the child you are adopting. |
| • ICWA-010(A)* | <i>Indian Child Inquiry Attachment</i> | This lets the judge know that the required questions have been asked to determine whether the child may be an Indian child. |
| • ICWA-020* | <i>Parental Notification of Indian Status</i> | One form is required for each birth parent. This shows that the child's parents have been asked about potential Indian status. |

*The agency or adoption service provider is responsible for getting these forms completed and making them part of the adoption file for adoptions under the Welfare and Institutions Code; other evidence, including court orders regarding ICWA may be necessary.



2 Take your forms to court

Take the completed forms to the court clerk in the county where you live. The court will charge a \$20.00 filing fee (set by Health and Safety Code section 103730). Or take the forms to your lawyer or adoption agency, if you are using one.

3 The social worker writes a report

In most adoptions, a social worker writes a report. This report gives important information to the judge about the adopting parents and the child. The social worker will ask you questions. You may have to fill out forms. You may be required to pay a fee for this report. The social worker will file the report with the court and send you and your attorney a copy. When you get the report, ask the clerk for a date for your adoption hearing.

4 Go to court on the date of your hearing

Bring:

- The child you are adopting;
- Form ADOPT-210;
- Form ADOPT-215;
- Form ADOPT-230;
- A camera, if you want a photo of you and your child with the judge (*optional*); and
- Friends/relatives (*optional*).

Intercountry Adoptions

If this is an intercountry (international) adoption, complete items 1 through 6 below.

Note: You must follow this process to adopt your child under California law, even if the adoption was previously finalized in a foreign country. If the child's adoption was finalized in a foreign country, you must file the *Adoption Request* within the earlier of 60 days of the child's entry to the United States, or the child's 16th birthday.

1 Fill out court forms

- | | | |
|---------------|---|--|
| • ADOPT-200 | <i>Adoption Request</i> | This tells the judge about you and the child you are adopting. |
| • ADOPT-210 | <i>Adoption Agreement</i> | This tells the judge that you and the child, if 12 or older, agree to the adoption. Fill it out, but do not sign it until the judge asks you to sign it. |
| • ADOPT-215 | <i>Adoption Order</i> | The judge signs this form if your adoption is approved. |
| • ADOPT-230 | <i>Adoption Expenses</i> | This lets the judge know what payments were made that relate to the child you are adopting. |
| • ICWA-010(A) | <i>Indian Child Inquiry Attachment</i> | This lets the judge know that you have asked whether the child may be an Indian child. |
| • ICWA-020 | <i>Parental Notification of Indian Status</i> | One form is required for each birth parent. This shows that the child's parents have been asked about potential Indian status. |

2 Postadoption or postplacement visits and reports

If the child's adoption was finalized in a foreign country, there will be at least one postadoption visit provided by the international adoption agency. The report of this visit must be submitted to the court as described below. If the child was born in a foreign country and placed with a California family for adoption in this state, the adoption agency must provide postplacement supervision with up to four visits. These reports are also provided to the court.



3 Attach documentation

If the child's adoption was finalized in a foreign country, you must attach the following documents to your *Adoption Request*:

- A certified or otherwise official copy of the foreign decree, order, or certification of adoption that reflects finalization of the adoption in the foreign country;
- A certified or otherwise official copy of the child's foreign birth certificate;
- A certified translation of all required documents that are not written in English;
- Proof that the child was granted lawful entry into the United States as an immediate relative of the adoptive parent or parents;
- A report from at least one postplacement home visit by an intercountry adoption agency or a contractor of that agency licensed to provide intercountry adoption services in the state of California; and
- A copy of the home study report previously completed for the international finalized adoption by an adoption agency authorized to provide intercountry adoption services, in accordance with Family Code section 8900.

4 Take your forms to court

Take the completed forms and any required documents to the court clerk in the county where you live. The court will charge a \$20.00 filing fee (set by Health and Safety Code section 103730). Or take the forms to your lawyer or adoption agency, if you are using one.

5 Provide a copy of the forms and documents

If the child's adoption was finalized in a foreign country, provide a copy of the forms and documentation you filed with the court to any adoption agency that provided services to you for your international adoption.

6 Go to court on the date of your hearing

Bring:

- The child you are adopting;
- Form ADOPT-210;
- Form ADOPT-215;
- Form ADOPT-230;
- A camera, if you want a photo of you and your child with the judge (*optional*); and
- Friends/relatives (*optional*).

Inquiry and Notice Under the Indian Child Welfare Act (ICWA)

- ☐ The child and other people in the child's life (parents and extended family members, see definition below) must be asked specific questions in order to determine whether the child may be an Indian child. The *Indian Child Inquiry Attachment* (form [ICWA-010\(A\)](#)) should be attached to the *Adoption Request*. In agency adoptions, it is the responsibility of the agency to ensure that this inquiry is conducted and that the form is made part of the adoption file. In independent adoptions, the adoption service provider, CDSS Regional Office, or delegated county adoption agency is responsible. For more information about the duty of inquiry, see form [ICWA-005-INFO](#).
- ☐ Extended family member is defined by law or custom of the Indian child's tribe or, if no law or custom, must be a person who is 18 years or older and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent. (25 U.S.C. § 1903(2)(2).)
- ☐ A completed version of *Parental Notification of Indian Status* (form [ICWA-020](#)) for each birth parent should be attached to the *Adoption Request*, OR it should be shown that a good faith attempt was made to provide the form to each birth parent, the Indian custodian, or guardian of the child and inform them that they are required to complete and submit the form to the court. In agency adoptions, it is the responsibility of the agency to ensure that this form is provided to the birth parents and made part of the adoption file. In independent adoptions, the adoption service provider, CDSS Regional Office, or delegated county adoption agency is responsible.



ADOPT-050-INFO

How to Adopt a Child in California

- ☐ If there is **reason to believe** that the child is or may be an Indian child, additional inquiry is required. For more information about the duty of inquiry, see form [ICWA-005-INFO](#).
- ☐ If, at any time during the proceeding, there is **reason to know** that the child is an Indian child, notice must be provided of the adoption request to the child's tribe or tribes, parents, Indian custodian, and the Bureau of Indian Affairs, using *Notice of Child Custody Proceeding for Indian Child* (form [ICWA-030](#)). This form must be served by registered or certified mail, with return receipt requested.
 - Reason to know a child is an Indian child means that (1) a person having an interest in the child, including the child, informs the court the child is an Indian child; or (2) the child, the child's parents, or Indian custodian lives on a reservation or in an Alaska Native village; or (3) any person, tribe, or organization informs the court that it has discovered information indicating that the child is an Indian child. The court must proceed per rule 5.481(b)(3) of the California Rules of Court.
- ☐ If it is determined that the child is an **Indian child** or this is a tribal customary adoption, see Adoption of an Indian Child, below.

Adoption of an Indian Child

If you are adopting an Indian child, fill out and bring to court the following additional forms:

- ☐ *Adoption of Indian Child* (form ADOPT-220); and
- ☐ *Parent of Indian Child Agrees to End Parental Rights* (form ADOPT-225).

If this is a tribal customary adoption, a copy of the tribal customary adoption order must be attached to the petition (form ADOPT-200) and the order (form ADOPT-215).

Note: An Indian child who has reached the age of 18 and who was placed for adoption, may apply to the court which entered the final order or decree. That court shall inform that child of their tribal affiliation, if any, of the child's biological parents and provide such other information as may be necessary to protect any rights flowing from the child's tribal relationship. [25 U.S.C. § 1917]

"Open" Adoption and Use of *Contact After Adoption Agreement* (Family Code Section 8616.5)

If you want your child to have contact with their birth relatives after the adoption, you can use *Contact After Adoption Agreement* (form ADOPT-310). This form describes the kind of contact the birth relatives will have with your child after the adoption is finalized. If you use this form, fill it out and file this form with the court before the finalization hearing or order of the court. A file-marked copy of this agreement must be provided within 30 days of filing to all adult parties to this agreement and any licensed agency that placed the child or consented to the adoption, and the child, if age 12 or older.

Important: This is a voluntary agreement and is not required for the finalization of the adoption. If you chose to use this form, it will become part of the adoption file and will be enforceable by the court.

The adoptive parent or parents, the child, and the child's birth relatives can agree to continuing contact without using this form, but unless that agreement is in writing and attached to the *Contact After Adoption Agreement* (form ADOPT-310) it may not be enforced by the court if it is not followed.

Birth relatives are birth parents, siblings, and other birth relatives. For Indian children, this can also include the child's Indian tribe.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA
200 South G Street
Madera, Ca 93637

(For Court Use Only)

Need an interpreter? | ¿Necesita un intérprete?

REQUEST FOR INTERPRETER SERVICES | solicitud para servicios de un intérprete

Fill out this form if you or your witness in your case needs an interpreter when you are in court. | Si usted o un testigo en su caso necesita un intérprete cuando esté en la corte, llene este formulario.

Case Number(s) | numero(s) del caso: _____

Case Name | nombre del caso: _____

Hearing Date | fecha de audiencia: _____

Time | hora: _____

Dept | sala: _____

INTERPRETER NEEDED IN THE FOLLOWING LANGUAGE | necesito un intérprete para el siguiente idioma:

- | | | | |
|--|---------------------------------------|--|--|
| <input type="checkbox"/> Spanish/español | <input type="checkbox"/> Chatino* | <input type="checkbox"/> Cambodian | <input type="checkbox"/> Arabic |
| <input type="checkbox"/> Amuzgo* | <input type="checkbox"/> Triqui Alto* | <input type="checkbox"/> Cantonese | <input type="checkbox"/> Russian |
| <input type="checkbox"/> Mixteco Alto* | <input type="checkbox"/> Triqui Bajo* | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Hmong |
| <input type="checkbox"/> Mixteco Bajo* | <input type="checkbox"/> Punjabi | <input type="checkbox"/> Farsi/Persian | <input type="checkbox"/> Lao |
| <input type="checkbox"/> Zapoteco* | <input type="checkbox"/> ASL | <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Other/Otro: _____ |

***For indigenous languages, include country, state, municipality and town of origin** | para los idiomas indígenas, incluya su país, estado, municipio y ciudad de origen: _____

INTERPRETER NEEDED FOR |
se necesita intérprete para:

- ☐ **Plaintiff/Petitioner**
☐ Demandante/Solicitante
- ☐ **Defendant/Respondent**
☐ Demandado(a)

☐ _____ **# of Witnesses** | cantidad de testigos

☐ **Estimated duration time of witness** | tiempo
estimado de duración del testimonio: _____

REQUESTING PARTY'S INFORMATION | datos del solicitante:

Name | nombre: _____

Email | correo electrónico: _____

Phone Number | número de teléfono: _____

Please email this request to | favor de enviar esta solicitud por correo electrónico a:

Interpreter.Madera@madera.courts.ca.gov

or file it with the clerk's office | ó entregue este formulario a la oficina del secretario

Please submit this form with a minimum of ten (10) court days in advance. | favor de entregar este formulario con un mínimo de diez (10) días hábiles antes de la fecha de su audiencia.

ADOPT-203**Stepparent Adoption Request**

Clerk stamps date here when form is filed.

Instructions

Use this form for a stepparent adoption or a stepparent adoption to confirm parentage. If you are adopting more than one child, fill out an adoption request for each child.

For more information on stepparent adoption and how to fill out this form, see form ADOPT-050-INFO and selfhelp.courts.ca.gov/stepparent-adoption.

If there are any other persons who are or may be the child's parent, you will be required to obtain additional forms, submit specified paperwork, and possibly participate in additional court proceedings. You will be required to provide all documentation to the court or the investigator during the adoption process.

For more information, see stepparent adoption in California selfhelp.courts.ca.gov/stepparent-adoption.

Fill in court name and street address:

**Superior Court of California, County of
MADERA**200 SOUTH G STREET
MADERA, CA 93637
CIVIL DIVISION

Court fills in case number when form is filed.

Case Number:**1 Adopting parent**

- a. Name: _____
- b. Street address: _____
City: _____ State: ____ Zip: _____
Telephone number: _____
- c. Lawyer (if any) (Name, State Bar number, address, telephone numbers, email): _____

☐ Check this box if there are more stepparents requesting adoption. They should file a separate *Stepparent Adoption Request* (form ADOPT-203).

2 Hearing is set for:

(To be completed by the clerk of the superior court if a hearing date is available.)



Date: _____ Time: _____ ☐ a.m. ☐ p.m. Dept.: _____ Room: _____
Name and address of court if different from above: _____

3 The adopting parent

- a. Will treat the child as their own;
- b. Will support and care for the child;
- c. Has a suitable home for the child; *and*
- d. Agrees to adopt the child.

4 County of filing

This *Stepparent Adoption Request* is filed in this court because (check all that apply):

- a. ☐ The adopting parent lives in this county;
- b. ☐ The child was born in or the child now lives in this county;
- c. ☐ An office of the department or public adoption agency that is investigating the request is located in this county;
- d. ☐ A placing birth parent lived in this county when the consent was signed;



Name of adopting parent: _____

- 4 e. ☐ A birth parent who will be retaining custody lived in this county when the request was filed;
f. ☐ The child was freed for adoption in this county.

5 **Type of stepparent adoption (check all that apply):**

- a. ☐ The adopting parent is married to or in a registered domestic partnership with the legal parent of a child the adopting parent is seeking to adopt. (*Attach proof of the marriage or domestic partnership.*)
The adopting parent married or entered into a registered domestic partnership with the legal parent on (date): _____
(For court use only. There is no waiting period.)
- b. ☐ The adopting parent is seeking a stepparent adoption to confirm parentage. At the time the child was born, the adopting parent was married to or in a state-registered domestic partnership with the parent who gave birth or whose parentage was established through a gestational surrogacy process, and we remain in that union. See attached:
- (1) ☐ Form ADOPT-205, *Declaration Confirming Parentage in Stepparent Adoption*
 - (2) ☐ Form ADOPT-206, *Declaration Confirming Parentage in Stepparent Adoption: Gestational Surrogacy*
 - (3) ☐ Declaration describing the circumstances of the child's conception.
- c. ☐ The child will have more than two parents. The following persons with existing parental rights agree to this adoption and will maintain their existing parental rights:
- (1) Name: _____ Relationship to child: _____
Name: _____ Relationship to child: _____
 - (2) An agreement waiving termination of parental rights, signed by both the existing parents and the adopting parent or parents, was filed with the court.

Note: If a person who may have parental rights has not signed a consent or relinquishment, the adopting parent or parents must obtain other signed documents or file for termination of parental rights or other action.

6 **Information about the child**

- a. Name before adoption: _____
- b. Gender: ☐ Female ☐ Male ☐ Nonbinary
- c. Date of birth: _____
- d. Address (if different from address of adopting parent)
Street: _____ City: _____ State: _____ Zip: _____
- e. Place of birth (if known): _____ City: _____ State: _____ Country: _____
- f. If the child is 12 or older, does the child agree to the adoption? ☐ Yes ☐ No
- g. ☐ The child was conceived by assisted reproduction in compliance with Family Code section 7613.

7 **Legal guardian**

Does the child have a court-ordered guardian appointed? ☐ Yes ☐ No

(If yes, attach *Letters of Guardianship* or fill out below.)

a. Date guardianship ordered: _____ b. County: _____ c. Case number: _____

8 **Inquiry and notice under the Indian Child Welfare Act**

- a. ☐ The inquiry required under law to determine whether the child may be an Indian child has been made, and a completed *Indian Child Inquiry Attachment* (form ICWA-010(A)) is attached.



Name of adopting parent: _____

- 8 ☐ A completed version of *Parental Notification of Indian Status* (form ICWA-020) is attached, OR a good faith attempt has been made to provide the form to the parents, Indian custodian, or guardian of the child and inform them that they are required to complete and submit the form to the court.
- c. ☐ There is **reason to know** that this child is an Indian child. Notice of the adoption request will be provided to the child's tribe or tribes, parents, Indian custodian, and the Bureau of Indian Affairs, using *Notice of Child Custody Proceeding for Indian Child* (form ICWA-030).

9 **Adoption of an Indian child**

- a. ☐ This is an adoption of an Indian child. The adopting parent has filled out and attached *Adoption of Indian Child* (form ADOPT-220) and will bring *Parent of Indian Child Agrees to End Parental Rights* (form ADOPT-225) to the hearing.
- b. ☐ This is a tribal customary adoption under Welfare and Institutions Code section 366.24. Parental rights have been modified under and in accordance with the attached tribal customary adoption order, and the child has been ordered placed for adoption.

10 **Contact after adoption (check any that apply):**

Contact After Adoption Agreement (form ADOPT-310)

- a. ☐ is attached
- b. ☐ will be filed before the final adoption hearing.

(For more information, see form ADOPT-050-INFO; Family Code section 8616.5)

11 **Investigation or written report (check one):**

The investigation or written report will be completed as follows:

- a. ☐ I will choose someone to do an investigation or written report and will pay them directly. I understand that this person must be a licensed clinical social worker, a licensed marriage and family therapist, or work for a licensed private adoption agency.
- b. ☐ I would like the court to choose someone to do an investigation. I understand that the court can charge me money for this investigation.
- c. ☐ This is an adoption to confirm parentage. No investigation is required unless court-ordered for good cause.

Additional Information Needed

If there are any other persons who are or may be the child's parent, you will be required to obtain additional forms, submit specified paperwork, and possibly participate in additional court proceedings. You must provide additional documents to the court or the investigator during the adoption process. These documents can include:

- Consent or relinquishment for adoption—properly signed and accepted by court.
- Death certificates, prior court orders, or pending court orders.
- Waiver or denial of parentage—properly signed and accepted by court.

Additional court proceedings can include:

- Filing a petition and order freeing the child from parental custody and control. This is a separate action.
- Filing a petition and order terminating parental rights of an alleged father. This action can be filed within the adoption process.

For more information, see: selfhelp.courts.ca.gov/stepparent-adoption.

Name of adopting parent: _____

Case Number: _____

12 Requests to court

- a. ☐ I ask the court to approve the adoption and to declare that the adopting parent and the child have the legal relationship of parent and child, with all the rights and duties of this relationship, including the right of inheritance.
- b. ☐ I ask the court to date its order approving the adoption as of an earlier date (date): _____
for the following reason (Family Code, § 8601.5): _____

(Enter a date no earlier than the date parental rights were ended.)

13 If a lawyer is representing you in this case, the lawyer must sign here:

Date: _____
Type or print lawyer's name *Signature of lawyer for adopting parents*

14 I declare under penalty of perjury under the laws of the State of California that the information in this form and all its attachments is true and correct to my knowledge. This means that if I lie on this form, I am guilty of a crime.

Date: _____
Type or print your name *Signature of adopting parent*

NOTICE—ACCESS TO AFFORDABLE HEALTH INSURANCE: Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay toward high-quality affordable health care. For more information, visit www.coveredca.com, or call Covered California at 1-800-300-1506 (English) or 1-800-300-0213 (Spanish).

CHILD'S NAME:	CASE NUMBER:
---------------	--------------

1. Name of child:

2. (Check one)

☐ I have not yet been able to complete the inquiry about the child's Indian status because:

I understand that I have an affirmative and continuing duty to complete this inquiry. I will do it as soon as possible and advise the court of my efforts.

☐ I have asked or ☐ I am advised by: _____ and on information and belief confirm that this person has completed inquiry by asking the child, the child's parents, and other required and available persons about the child's Indian status. Each of these persons was asked whether they had any information that the child is or may be an Indian child; whether the parents or child are or were domiciled or lived on a reservation, rancheria, Alaska Native village, or other tribal trust land, or had ancestors who were members of an Indian tribe. The person(s) questioned are:

Name:

Name:

Address:

Address:

City, state, zip:

City, state, zip:

Telephone:

Telephone:

Date questioned:

Date questioned:

Relationship to child:

Relationship to child:

☐ Additional persons questioned and their information is attached. (Form MC-020 may be used for this purpose.)

3. This inquiry (check one)

☐ gave me reason to believe the child is or may be an Indian child. (If checked, continue to 4.)

☐ gave me no reason to believe the child is or may be an Indian child. (If checked, continue to signature page at end of form.)

4. ☐ I contacted the tribe(s) that the child may be affiliated with and worked with them to establish whether the child is a member or citizen or eligible for membership or citizenship in the tribe(s). Information detailing the tribes contacted, the names of the individuals contacted, and the manner of the contacts is attached.

5. Based on inquiry and tribal contacts (check all that apply):

a. ☐ the child is or may be a member or citizen of or eligible for membership or citizenship in a tribe.

Name of tribe(s):

Location of tribe(s):

b. ☐ the child's parents, grandparents, or great-grandparents are or were members or citizens of a tribe.

Name of tribe(s):

Location of tribe(s):

c. ☐ the residence or domicile of the child, child's parents, or Indian custodian is on a reservation, rancheria, Alaska Native village, or other tribal trust land.

d. ☐ the child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service or Tribal Temporary Assistance to Needy Families (TANF).

e. ☐ the child is or has been a ward of a tribal court.

Name of tribe(s):

Location of tribe(s):

f. ☐ either parent or the child possesses an Indian identification card indicating membership or citizenship in an Indian tribe.

Name of tribe(s):

Location of tribe(s):



CHILD'S NAME:	CASE NUMBER:
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6. If this is a delinquency proceeding under Welfare and Institutions Code section 601 or 602,

☐ the child is in foster care.

☐ it is probable the child will be entering foster care.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

 _____
(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (<i>name</i>):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA STREET ADDRESS: 200 South G Street MAILING ADDRESS: 200 South G Street CITY AND ZIP CODE: Madera, California 93637 BRANCH NAME: CIVIL DIVISION		
CHILD'S NAME:		
PARENTAL NOTIFICATION OF INDIAN STATUS		CASE NUMBER:

To the parent, Indian custodian, or guardian of the above named child: You must provide all the requested information about the child's Indian status by completing this form. If you get new information that would change your answers, you must let your attorney, all the other attorneys on the case, and the social worker or probation officer, or the court investigator know immediately and an updated form must be filed with the court.

1. Name:

2. Relationship to child: ☐ Parent ☐ Indian custodian ☐ Guardian ☐ Other:

Indian status

3. a. ☐ I am or may be a member or citizen of, or eligible for membership or citizenship in, a federally recognized Indian tribe.
 Name of tribe(s) (*name each*):
 Location of tribe(s):
- b. ☐ The child is or may be a member or citizen of, or eligible for membership or citizenship in, a federally recognized Indian tribe because (*state why you think the child is or may be a member or citizen or eligible for membership or citizenship in the tribe*):
 Name of tribe(s) (*name each*):
 Location of tribe(s):
- c. ☐ One or more of the child's parents, grandparents, or other lineal ancestors is or was a member or citizen of a federally recognized tribe.
 Name of tribe(s) (*name each*):
 Location of tribe(s):
 Name and relationship of ancestor(s):
- d. ☐ I am a resident of or am domiciled, live, or have lived on a reservation, rancheria, Alaska Native village, or other tribal trust land.
- e. ☐ The child is a resident of or is domiciled, lives, or has lived on a reservation, rancheria, Alaska Native village, or other tribal trust land.



CHILD'S NAME:	CASE NUMBER:
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3. f. ☐ The child is or has been a ward of a tribal court of the: _____ tribe.
- g. ☐ Either parent or the child possesses an Indian identification card indicating membership or citizenship in an Indian tribe.
Name of tribe(s) (*name each*): _____
- Membership or citizenship number (*if any*): _____
- h. ☐ None of the above apply.

4. A previous form ICWA-020 ☐ has ☐ has not been filed with the court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____		_____
(TYPE OR PRINT NAME)		(SIGNATURE)

Note: This form is not intended to constitute a complete inquiry into Indian heritage. Additional inquiry may be required by the Indian Child Welfare Act and state law.

ADOPT-210 Adoption Agreement

Clerk stamps date here when form is filed.

1 Adopting parent or parents

- a. Name: _____
- b. Name: _____
- c. Address (skip this if you have a lawyer): _____
- City: _____ State: ____ Zip: _____
- Telephone number: _____
- d. Lawyer (if any) (name, address, telephone numbers, e-mail address, and State Bar number): _____
- _____
- _____

- ☐ Check this box if there are more adopting parents. Use a separate piece of paper and write "ADOPT-210, Other Adopting Parents" at the top and complete a-d. Turn it in with this form.

Fill in court name and street address:

**Superior Court of California, County of
MADERA**

**200 SOUTH G STREET
MADERA, CA 93637
CIVIL DIVISION**

Court fills in case number when form is filed.

Case Number:

2 Information about the child

Child's name before adoption: _____

Child's name after adoption: _____

Date of birth: _____ Age: _____

Signing this form:

- Adoptions usually require a hearing where most signatures on this form must be completed in front of a judge.
- Item ⑤ may be signed before the hearing.
- If this is a stepparent adoption to confirm parentage involving a spouse or registered domestic partner who gave birth to the child or established parentage over a child born through gestational surrogacy during the union, usually no hearing is required and you may sign this form in front of a proper witness. See item 9a for instructions on having your signature properly witnessed. If the court orders a hearing in this case, you must sign this form at the hearing in front of the judge.
- All other signatures must be signed at a hearing, in front of a judge, unless waived by the judge for good cause.

3 I am the child listed in ② and I agree to the adoption. (Not required in the case of a tribal customary adoption under Welf. & Inst. Code, § 366.24.)

Date: _____
Type or print your name

Signature of child (child must sign if 12 or older;
optional if child is under 12)

4 If there is **one** adopting parent (including stepparent), read and sign:

I am the adopting parent listed in ①, and I agree that the child will:

- a. Be adopted and treated as my legal child (Fam. Code § 8612(b)) and
- b. Have the same rights as a natural child born to me, including the right to inherit my estate.

Date: _____
Type or print your name

Signature of adopting parent

Case Number:

Adopting parent or parents: _____

- 5 If the adopting parent is married and not separated, the consent of their spouse is required (Family Code, § 8603). Spouse must sign here:

I am married to, or am the registered domestic partner of, the adopting parent listed in ①, and I am not a party to this adoption. I agree to the adoption of the child by the adopting parent listed in ①.

Date: _____
Type or print your name

Signature of spouse or registered domestic partner
(may be signed before hearing)

- 6 For stepparent adoptions only:

If you are the legal parent of the child listed in ②, read and sign below.

I am the legal parent of the child and am the spouse or registered domestic partner of the adopting parent listed in ①. I agree to the adoption of my child by the adopting parent listed in ①.

Date: _____
Type or print your name

Signature of legal parent

- 7 If there is more than one adopting parent, read and sign below.

We are the adopting parents listed in ①, and we agree that the child will:

- Be adopted and treated as our legal child (Fam. Code, § 8612(b)) and
- Have the same rights as a natural child born to us, including the right to inherit our estate.

I agree to the other parent's or parents' adoption of the child.

Date: _____
Type or print your name

Signature of adopting parent

I agree to the other parent's or parents' adoption of the child.

Date: _____
Type or print your name

Signature of adopting parent

I agree to the other parent's or parents' adoption of the child.

Date: _____
Type or print your name

Signature of adopting parent

☐ Check this box if there are more adopting parents. Use a separate piece of paper and write "ADOPT-210, Item 7" at the top and include name, signature, and date signed. Turn it in with this form.

- 8 If this is a tribal customary adoption, read and sign below.

I or we are the adopting parents listed in ①, and I or we agree that the child will:

- Be adopted and treated as my/our legal child (Fam. Code, § 8612(b)) and
- Have the same rights and duties stated in the tribal customary adoption order dated _____ (copy attached).



Adopting parent or parents: _____

Case Number: _____

8 Date: _____

Type or print your name

Signature of adopting parent

Date: _____

Type or print your name

Signature of adopting parent

- ☐ Check this box if there are more adopting parents. Use a separate piece of paper and write "ADOPT-210, Item 8" at the top and include name, signature, and date signed. Turn it in with this form.

9 Executed (check one):

- a. ☐ This form was signed outside of a hearing. (Select this option for either a stepparent adoption to confirm parentage under Family Code section 9000.5, where the court did not order a hearing for good cause, or if the court waived appearance under Family Code, section 8613 or 8613.5.)
- (1) ☐ This form was signed **in** California.
This form was signed in front of the following type of witness (check one):
- ☐ Notary public (the notary acknowledgment is attached)
 - ☐ Court clerk
 - ☐ Probation officer
 - ☐ Qualified court investigator
 - ☐ Authorized representative of a licensed adoption agency
 - ☐ County welfare department staff member
- (2) ☐ This form was signed **outside** of California.
This form was signed in front of the following type of witness (check one):
- ☐ Notary public (the notary acknowledgment is attached)
 - ☐ Other person authorized to perform notarial acts (proof of notarization is attached)
 - ☐ Authorized representative of an adoption agency that is licensed in the state or country where this form was signed
- (3) Witness information
This form was signed in: (county) _____ (state) _____ (country) _____
Name of witness: _____
Agency witness works for (if applicable): _____
Date: _____
Witness signature: _____
- b. ☐ This form was signed at a hearing in front of a judicial officer. (The judge will date and sign the form below.)
- c. ☐ This form was signed by the adopting parent or parents either before or while the adopting parent or parents were attending a remote hearing and was acknowledged by the judicial officer. (The judge will date and sign the form below.)

Date: _____

Judge or Judicial Officer

Clerk stamps date here when form is filed.

1 Adopting parent or parents

- a. Name: _____
- b. Name: _____
- c. Name: _____
- d. Street address: _____
City: _____ State: ____ Zip: _____
Daytime telephone number: _____
- e. Additional street address: _____
City: _____ State: ____ Zip: _____
Daytime telephone number: _____
- f. Lawyer (if any) (name, address, telephone number, email address, and State Bar number): _____

Fill in court name and street address:

**Superior Court of California, County of
MADERA**200 SOUTH G STREET
MADERA, CA 93637
CIVIL DIVISION

Court fills in case number when form is filed.

Case Number:**2 Information about the child**

Child's name after adoption:

- a. First name: _____
- b. Middle name: _____
- c. Last name: _____
- d. Date of birth: _____ Age: _____
- e. Place of birth (if known): _____
City: _____ State: _____ Country: _____

3 Name of adoption agency (if any): _____**4 Hearing details**

- a. Hearing date: _____ Dept.: _____ Div.: _____ Rm.: _____
- b. Judicial officer: _____ Clerk's office telephone number: _____
- c. People present at the hearing:

☐ Adopting parent or parents☐ Lawyer for adopting parent or parents☐ Child☐ Child's lawyer☐ Parent or parents keeping parental rights: _____☐ Other people present (list each name and relationship to child):

(1) _____

(2) _____

☐ Check here if there are more names. Attach a sheet of paper, write "ADOPT-215, Item 4" at the top, and list the additional names and each person's relationship to child. You may use form MC-025, Attachment.

Adopting parent or parents: _____

Case Number: _____

- 4 ☐ The hearing is waived pursuant to Family Code section 9000.5 (*Check this box only if this is an adoption confirming parentage of a parent who was married to or in a state-registered domestic partnership, including a registered domestic partnership or civil union from another jurisdiction, with the legal parent at the time the child was born.*)

Judge will fill out section below.

5 The judge finds that the child (*check all that apply*):

- a. ☐ Is 12 or older and agrees to the adoption
b. ☐ Is under 12
c. ☐ Is not required to consent because this is a tribal customary adoption.

6 The judge has reviewed the report and other documents and evidence and finds that:

- a. Proper notice to all persons with actual or possible parental rights has been provided and their voluntary or nonvoluntary participation is documented in the court file.
b. Each adopting parent:
(1) Is at least 10 years older than the child or meets the criteria in Family Code section 8601(b);
(2) Will treat the child as their own;
(3) Will support and care for the child;
(4) Has a suitable home for the child; *and*
(5) Agrees to adopt the child.

7 Child's name before adoption

*Complete for nonrelative agency, independent, intercountry, or stepparent adoption.
If this is an adoption of a dependent child by a relative filed under Family Code section 8714.5, complete only if requested by the adopting relative or by the child being adopted, if 12 years of age or older.*

First name: _____ Middle name: _____ Last name: _____

- 8 ☐ The child is an Indian child. The judge finds that this adoption meets the placement requirements of the Indian Child Welfare Act or that there is good cause to give preference to these adopting parent or parents. The clerk will fill out (14) below.

9 ☐ The judge approves the *Contact After Adoption Agreement* (form ADOPT-310)

☐ As submitted ☐ As amended on ADOPT-310

10 ☐ This is a tribal customary adoption. The tribal customary adoption order of the _____ tribe dated _____ containing _____ pages and attached hereto is fully incorporated into this order of adoption.

11 ☐ This is an adoption under the Hague Adoption Convention. *Verification of Compliance with Hague Adoption Convention Attachment* (form ADOPT-216) is attached and fully incorporated into this order.

Case Number:

Adopting parent or parents: _____

12 ☐ (Do not complete for intercountry adoptions.) The child will have more than two parents. The following persons with existing parental rights agree to this adoption and will maintain their existing parental rights:

- a. Name: _____ Relationship to child: _____
Name: _____ Relationship to child: _____
- b. An agreement waiving termination of parental rights, signed by both the existing parents and the adopting parent or parents, was filed with the court.

13 The judge believes the adoption is in the child's best interest and orders this adoption. The child's name after adoption will be:

First name: _____ Middle name: _____ Last name: _____

The adopting parent or parents and the child are now parent and child under the law, with all the rights and duties of the parent-child relationship or, in the case of a tribal customary adoption, all the rights and duties set out in the tribal customary adoption order and Welfare and Institutions Code section 366.24.

☐ The judge believes it will serve public policy and the best interest of the child to grant the request of the adopting parent or parents for the court to make this order effective as of (date): _____.

Date: _____
(Date of Signature) Judge (or Judicial Officer)

Clerk will fill out section below.

14 Clerk's Certificate of Mailing

For the adoption of an Indian child, the clerk certifies:

I am not a party to this adoption. I placed a filed copy of:

- ☐ Adoption Request (form ADOPT-200) ☐ Adoption of Indian Child (form ADOPT-220)
☐ Adoption Order (form ADOPT-215) ☐ Contact After Adoption Agreement (form ADOPT-310)

in a sealed envelope, marked "Confidential" and addressed to:

Chief, Division of Social Services
Bureau of Indian Affairs
1849 C Street, NW
Mail Stop 310-SIB
Washington, DC 20240

The envelope was mailed by U.S. mail, with full postage, from:

Place: _____ on (date): _____

Date: _____ Clerk, by: _____, Deputy

Original for Court Record

Certified Copy for State Department of Social Services

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____**

In the Matter of the Petition of

Petitioner**STEPPARENT ADOPTION**

**Consent to Adoption by Parent
Retaining Custody**

I, the undersigned, being the parent of _____ give my full and
Name of Minor
 free consent to the adoption of said child by _____, who is
Name of Petitioner (Stepparent)
 my husband/wife/domestic partner without relinquishing any of my rights, duties, obligations as his/her parent, and I respectfully ask
 that the petition be granted.

Said child was born on _____ in _____ and is the child
Date City and State
 of _____ and _____
Name of Legal Parent Name of Legal Parent
 Date _____ 20 _____
Signature of Parent

Signed in the presence of

*Title

* The Clerk of the Superior Court, the Probation Officer, or, where stepparent investigations are delegated to County Welfare Departments, a County Welfare Department Staff member may witness.

This form for use only when person giving consent is husband or wife of petitioner or domestic partner, as defined in Family Code Section 297, of petitioner.

Original for court record, certified copy to be sent immediately to California Department of Social Services, Sacramento.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF _____

In the Matter of the Petition of

Petitioner



STEPPARENT ADOPTION

*Consent to Adoption by a Parent in or outside
of California Giving Custody to Husband or Wife
or Domestic Partner of Other Parent*

I, being the parent of _____ Gender: M F
Name of Minor child

Do hereby give my full and free consent to the adoption of said child by

_____,
Name of Petitioner (Stepparent)

The petitioner herein, it being fully understood by me that with the signing of this document my consent may not be withdrawn except with court approval and that with the signing of the order of adoption by the court, I shall give up all my rights of custody; services, and earning of said child, and that said child cannot be reclaimed by me.

Said child was born on _____ in _____
Date City and State

And is the child of _____ and _____
Name of Birth Parent Name of Birth Parent

DATE _____
Signature of Parent

WITNESS BY:

If this form is being signed in the State of California the Clerk of the Superior Court, the Probation Officer, qualified court investigator or; where stepparent investigations are delegated to County Welfare Departments, a County Welfare Department Staff member may witness. [Family Code § 9003]

If this form is being signed outside the State of California only a notary or other person authorized to perform notary acts within that state can witness.

SIGNED IN COUNTY/STATE	NAME OF AGENCY
NAME OF WITNESS	TITLE OF WITNESS
SIGNATURE OF WITNESS	DATE

COMPLETED BY NOTARY PUBLIC

*Complete this section when the form is not being signed in the presence of an agency representative.
The Notary Public must staple the acknowledgement document to this form and sign and date.*

SIGNATURE OF NOTARY	DATE
---------------------	------

NOTICE TO THE BIRTH PARENT WHO CONSENTS TO THE CHILD'S ADOPTION: *If you and your child lived together at any time as parent and child, the adoption of your child by a stepparent does not affect the child's right to inherit your property or the property of blood relatives. For further information regarding this right of inheritance, you should consult an attorney at your own expense.*

This form to be used only when parent is giving custody of the child to the husband or wife or domestic partner, as defined in Family Code Section 297, or other parent. Original for court record.

<p align="center">SUPERIOR COURT OF CALIFORNIA • COUNTY OF MADERA 200 South G Street Madera, CA 93637 (559) 416-5525</p>	<p align="center"><i>FOR COURT USE ONLY</i></p>
<p>IN THE MATTER OF (NAME):</p> <p align="right">MINOR(S)</p>	
<p align="center">COURT ORDER APPOINTING SUPERIOR COURT INVESTIGATOR PURSUANT TO FAMILY CODE §7850</p>	<p>CASE NUMBER:</p>

IT IS ORDERED that the Superior Court Investigator of the Office of Family Court Services located at 200 South “G” Street, Madera, California, be appointed Court Investigator in the above entitled matter pursuant to Family Code §7850. The Court Appointed Investigator shall be granted authority to receive copies and access to law enforcement records and reports, social services (CPS/APS) records and reports, child support records and reports, banking and financial documents, all educational documents, and medical, mental health, and drug treatment / drug testing records in accordance with HIPPA regulations.

The Court Investigator shall file his/her report with the court and provide copies to counsel for the petitioner, or to the petitioner if in pro per, to counsel for the minor, if any, and to any objector of record. The Court Investigator’s report shall be deemed a confidential court document and copies shall not be provided except on order of the court.

IT IS SO ORDERED:

Date: _____

JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA STREET ADDRESS: 200 South G Street MAILING ADDRESS: 200 South G Street CITY AND ZIP CODE: Madera, CA 93637 BRANCH NAME: Juvenile Division	
IN RE:	
PETITION TO DECLARE MINOR FREE FROM PARENTAL CUSTODY AND CONTROL	CASE NUMBER:

1. The petitioner(s) _____ respectfully represent(s) and allege(s) that the child(ren) listed below is/are a person(s) under the age of 18 and that said person(s) is/are within the County of Madera:

<u>Name</u>	<u>Date of Birth</u>	<u>City/State of Birth</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Petitioner(s) request(s) an order and judgment declaring the child(ren) free from the custody and control of:

<u>Name</u>	<u>Relationship to Child(ren)</u>
_____	_____
_____	_____

Pursuant to the following statutes:



Family Code section 7822

☐ The child(ren) has/have been left without provision for the child's identification by the child(ren)'s parent(s).

☐ The child(ren) has/have been left by the parent(s) named above in the care and custody of another person for a period of six months without any provision for the child(ren)'s support, or without communication from the parent(s), with the intent on the part of the parent(s) to abandon the child(ren).

☐ The parent(s) named above has/have left the child(ren) in the care and custody of the other parent for a period of one year without any provision for the child(ren)'s support, or without communication from the parent(s), with the intent on the parent(s) to abandon the child(ren).

-and-

Abandonment commenced (date): _____ and continued through (date): _____

IN RE:	CASE NUMBER:
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☐ **Family Code section 7823** – The child(ren) has/have been neglected or cruelly treated by the parent(s) named above, the child(ren) has/have been a dependent of the juvenile court, and the parent(s) have been deprived of the child(ren)'s custody for one year before the filing of this petition.

☐ **Family Code section 7824** – The parent(s) named above suffer(s) a disability because of the habitual use of alcohol or drugs, the child(ren) has/have been a dependent of the juvenile court, and the parent(s) has/have been deprived of the child(ren)'s custody for one year before filing this petition.

☐ **Family Code section 7825** – The parent(s) named above has/have been convicted of a felony, the facts of which are of such nature so as to prove the unfitness of the parent(s) to have future custody and control of the child(ren).

☐ **Family Code section 7826** – The parent(s) named above has/have been declared by a court of competent jurisdiction, wherever situated, to be developmentally disabled or mentally ill.

☐ **Family Code section 7827** – The parent(s) named above is/are mentally disabled and is/are likely to remain so on the foreseeable future.

☐ **Probate Code section 1516.5** – A guardian has been appointed for the child(ren), and one or both parents do not have legal custody of the child(ren); the child(ren) has/have been in the physical custody of the guardian for a period of not less than two years; and the child(ren) would benefit from being adopted by their guardian.

Additional facts in support of allegations *(give additional facts in detail, added pages may be used for this purpose)*:

3. The names and addresses of parent(s) and guardian(s) are:

Name(s)

Address(es)

Father: _____

Mother: _____

Guardian(s): _____

It is in the best interest of the child(ren) to be declared free from the custody and control of the parent(s) named in section 2 above.

IN RE:

CASE NUMBER:

Wherefore, petitioner(s) request(s) that this court inquire into such matter, and that said child(ren) be declared free from the custody and control of the parent(s) named in section 2 above as provided in Family Code section 7800 et. Seq, and for such other and further relief as the court may deem proper.

VERIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA STREET ADDRESS: 200 South G Street MAILING ADDRESS: 200 South G Street CITY AND ZIP CODE: Madera, CA 93637 BRANCH NAME: Juvenile Division	
IN RE: _____	
CITATION TO PARENT	CASE NUMBER: _____

To (name(s)): _____

You are hereby ordered to appear to show cause why the child(ren) listed below should not be declared free from your parental custody and control for the purpose of adoption according to the Petition on file herein. If you fail to appear at the time and place stated below, the court may terminate your parental rights to custody and control for the child(ren) and proceed with the adoption of the child(ren).

Name(s) of Child(ren)/Date of Birth

Date: _____	Time: _____	Department: _____
Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify): _____		

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

You are hereby notified of the provisions of Family Code section 7860-7864, which provide the following:

1. At the beginning of the proceeding, the court will consider whether to appoint counsel. If the Court finds that the interests of the minor do require such protection, the Court will appoint counsel to represent the minor(s), whether or not the minor(s) is/are able to afford representation. The minor(s) will not be present in court unless the minor(s) request(s) it, or the Court so orders it.
2. If a parent of the minor appears without counsel and is unable to afford counsel, the Court must appoint counsel for the parent, unless the parent knowingly and intelligently waives the right to be represented by counsel. The Court will not appoint the same counsel to represent both the minor and their parent.
3. The Court may appoint either the public defender or private counsel. If private counsel is appointed, he or she will receive a reasonable sum for compensation and expenses, the amount of which will be determined by the Court. That amount must be paid by the real parties in interest, but not by the minor, in such proportions as the Court believes to be just. If, however, the Court finds that any of the real parties in interest cannot afford counsel, the amount will be paid by the county.
4. The Court may continue the proceeding for not more than thirty (30) days as necessary to appoint counsel to become acquainted with the case.

Date: _____, Clerk

By: _____
Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA STREET ADDRESS: 200 South G Street MAILING ADDRESS: 200 South G Street CITY AND ZIP CODE: Madera, CA 93637 BRANCH NAME: Juvenile Division	
IN RE:	
ORDER DECLARING MINOR FREE FROM PARENTAL CUSTODY AND CONTROL	CASE NUMBER:

1. This proceeding was heard

On (date): _____ at (time): _____ in Dept: _____

Address of court ☐ same as noted above ☐ Other (specify): _____

by Judicial Officer: _____

on the Petition Declaring Minor Free from Parental Custody and Control filed (date): _____

by petitioner(s): _____

2. Notice of the hearing on the petition was given to citee(s): _____
as prescribed by law to appear at this time and place.

3. The petitioner (s) named in Section 1 above being present in Court, and cite(s) named in Section 2 above having ☐ appeared ☐ failed to appear and evidence both oral and documentary being offered and received, and the written report having been filed herein and considered by the Court. The Court finds by clear and convincing evidence that it is in the best interest of the child(ren) to be declared free from the custody and control of their parent(s).

4. The Court orders the petition granted and declares the child(ren) named in Section 5 below free from the custody and control of (name(s)): _____

5. Name(s) of Child(ren):

1. _____

3. _____

2. _____

4. _____

6. Other orders: ☐ As attached

Dated: _____

Judge of the Superior Court

1. The ☐ Complaint ☐ Petition ☐ Responsive Pleading
☐ Amended Pleading was filed on (date): _____
2. Application is made for an order directing service on (name): _____
☐ Summons ☐ Citation ☐ Statement of Damages ☐ Other (specify): _____
☐ By publication in the following newspaper which is most likely to give actual notice to the party to be served (specify newspaper): _____
☐ By Posting
3. The party to be served cannot with reasonable diligence be served in another manner specified in Code of Civil Procedure sections 415.10 through 415.47, and
☐ a cause of action exists against the party upon whom service is to be made or (s)he is a necessary or proper party to the action.
☐ the party to be served has or claims an interest in real or personal property in this state. The person and the property are subject to the jurisdiction of the court or the relief demanded in this action.
4. ☐ Application is made for an extension of time for service of the summons and complaint.
☐ Other (specify): _____
Extension previously granted (list date(s)): _____
I request the court to extend the time for the following number of days:

CASE TITLE:	CASE NUMBER:
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5. Facts in support of this application are:

☐ Continued on attachment 5.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated:

(TYPE OR PRINT NAME)

(SIGNATURE)

ORDER

Good cause shown, it is ordered that:

☐ Application for service is:

☐ Granted. Publication or posting shall be made as provided in Government Code section 6064. A copy of the document to be served shall be mailed to the party if the party's address becomes known before expiration of time prescribed for publication or posting. The clerk is ordered to enter the default of the person served upon proper application.

☐ Denied

☐ Application for extension of time for services is:

☐ Granted. The time is extended ☐ _____ days ☐ to _____

☐ Denied.

Date: _____

JUDGE OF THE SUPERIOR COURT