



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

STEPPARENT ADOPTION

This packet provides step by step instructions and forms for adoption of a child by the spouse or domestic partner of the child's parent. These forms and instructions cannot be used for any other type of adoption. If there is more than one child you will need to complete one packet for each child.

1. COMPLETE THE REQUIRED ATTACHED FORMS

All of the forms listed below must be completed and filed together to begin the process for a stepparent adoption. The forms can also be found at www.saccourt.ca.gov.

<input type="checkbox"/> ADOPT-200	Adoption Request	This tells the judge about you and the child you are adopting.
<input type="checkbox"/> ICWA-010(A)	Indian Child Inquiry Attachment	This tells the judge whether the child has Indian heritage. If you check item 1 a, b, c, d, e, or g, you will also need to complete the ICWA packet.
<input type="checkbox"/> ADOPT-310 <i>optional</i>	Contact After Adoption Agreement	This form is used only if there is an agreement that there will be contact with the child's biological relatives after the adoption is finalized.
<input type="checkbox"/> ADOPT-210	Adoption Agreement	This tells the judge that you and the child, if over 12, agree to the adoption. Fill it out, but <i>do not</i> sign it.
<input type="checkbox"/> FL/E-LP-647	Adoption Questionnaire	This form will provide the court investigator with information required in order to complete an adoption investigation.



<input type="checkbox"/> AD 2 (6/02)	Consent to Adoption by Parent Retaining Custody	This tells the judge that the parent who is married to or the domestic partner of, the adopting parent consents to the adoption.
<input type="checkbox"/> AD 2A (6/02)	Consent to Adoption by Parent in California Giving Custody to Husband or Wife or Domestic Partner of Other Parent	This form is completed by the parent who has agreed to give up his or her parental rights. See "Consent of ending parental rights" on page 3 for additional information.
<input type="checkbox"/> ADOPT-215	Adoption Order	The judge will sign this form after the hearing if your adoption is approved. Fill out items 1, 2, and 3.
<input type="checkbox"/> VS 44	Court Report of Adoption	The court uses this form to report the adoption to the Office of Vital Records. Complete Parts I and II of the form.

2. GATHER NECESSARY DOCUMENTS

Before the Court can grant your adoption request, a court investigator must conduct an adoption investigation and prepare a report.

As you are completing the Adoption Questionnaire, you will be asked to attach certified copies of various documents including your marriage license or Certificate of Registered Domestic Partnership. It may take time to obtain all of the necessary documents, so we suggest that you begin gathering them as early as possible. You must have everything together to file your forms with the court. Documents you will be asked to attach include:

Required:

- The child's birth certificate;
- Marriage ***license*** (not the marriage certificate) for Petitioner's (stepparent) current marriage or Certificate of Registered Domestic Partnership.

If applicable:

- Death certificate of other parent;
- Final Judgments of Dissolution (divorce decrees) from prior marriages, if any, for either Petitioner or Petitioner's spouse/partner;



- Most recent court order awarding custody of the child to be adopted;
- Order Terminating Parental Rights or Order Declaring Minor Free from Parental Custody and Control, if one has been obtained in another court proceeding;
- Order of Adoption, if the minor has been previously adopted
- Proof of donorship
- Proof of any name changes (including biological and adoptive parents, stepparents and child)

3. CONSENT OF PARENT RETAINING CUSTODY

You will need to obtain the consent of the parent who is retaining custody of the child - in other words, Petitioner's spouse or partner. The parent retaining custody must complete and sign before a notary public the attached "Stepparent Adoption - Consent to Adoption by Parent Retaining Custody - Form AD 2 (6/02)".

4. CONSENT OR ENDING PARENTAL RIGHTS

You will need to obtain the consent of the parent who is giving up their parental rights to the child. That parent must complete and sign before a notary public the attached "Stepparent Adoption Consent to Adoption by Parent in California Giving Custody to Husband or Wife or Domestic Partner of Other Parent AD 2A (6/02)" form. There are also forms that can be used by a parent outside California AD 2B (3/08) and a parent in the Armed Forces AD 2D (3/08). These forms can be found at www.cdss.ca.gov/cdssweb/.

If the other parent does not want to sign a consent form, you will have to prepare and file a petition to terminate his or her parental rights. This must occur before the court will consider your adoption request.

There is no court form available for asking the court to terminate parental rights. You will need to draft the required pleadings either on your own or with the assistance of a private attorney. If you wish to prepare the forms on your own, you may visit the County Public Library or the Sacramento Public Library to find books with sample pleadings. One book that has been particularly helpful for stepparent adoption is "Nolo's Guide for Stepparents & Domestic Partners", by Frank Zagone & Attorney Emily Doskow. For additional information go to the California Courts self help website:

www.courtinfo.ca.gov/selfhelp/family/adoption/stepadoptquna.htm

5. TAKE FORMS AND DOCUMENTS TO COURT

When your forms are complete and you have certified copies of all the required documents, make three (3) copies of the ADOPT-200 – Adoption Request; three (3) copies of the ICWA-010(A) – Indian Child Inquiry Attachment; and two (2) complete copies of all remaining forms and documentation. Take the forms, documents and copies to the William R. Ridgeway Family Relations Courthouse, at 3341 Power Inn Road, Sacramento, CA



95826 for filing. The court will charge a filing fee of \$20 per child. Acceptable payment types are Check, Cash, Cashier's Check, Money Order, and Credit Card (*Visa, Mastercard, and American Express*). If you are unable to pay the filing fee, you may request a waiver of the fee by completing and filing a Request to Waive Court Fees. Fee Waiver Packets are available upon request.

6. ADOPTION INVESTIGATION AND HEARING

A copy of the report will be mailed to you and the original will be given to the Judge. At that time you will be notified of your hearing date, if you were not given one at the time of filing.

If you have asked the Court to terminate the other parent's parental rights (no consent given), you will be given a hearing date for the Termination of Parental Rights at the time of filing your documents.

7. ATTEND THE HEARING



The stepparent, the custodial parent and the child must go to the Adoption Hearing. When you get to court, let the clerk in the courtroom where the hearing is to be held know you are there.

You may bring a camera if you want a photo with you and your child with the judge. You may also bring friends and relatives.

We recommend that the child does not attend Termination of Parental Rights hearings.

8. OBTAIN A NEW BIRTH CERTIFICATE



After the adoption has been approved by the court, you will get a new birth certificate for the child. This process is initiated by the court. The clerk submits the Court Report of Adoption to the Office of Vital Records in Sacramento, which supervises the preparation of the new birth certificate.

THIS FORM AND INFORMATION IS NOT INTENDED TO BE A COMPLETE STATEMENT OF ALL OF YOUR LEGAL RESPONSIBILITIES AND IS NOT INTENDED TO SUBSTITUTE FOR LEGAL ADVICE.