

This is a private record.

This is a tier 2 case.

My Name

Address

City, State, Zip

Phone

Email

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of

(adoptee's name)

Petition to Adopt a Minor Stepchild

Case Number _____

Judge _____

Commissioner _____

Instructions:

- You must complete this form before you file it. The judicial services representative cannot complete this form for you.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Attach the following:
 - Additional pages as needed to complete paragraphs that don't have enough space. Write the paragraph number on the additional page.
 - Consent to Adoption and Waiver of Rights signed by any people who have the right to consent to the adoption
 - Waiver of Rights signed by any people who have the right to notice of the proceedings but not the right to consent
 - Death certificate or other evidence of death of any deceased person whose consent to the adoption is required
 - Report of Adoption for the Office of Vital Records and Statistics
 - Criminal History Report from the Bureau of Criminal Identification

- o Child Abuse History Report from the Division of Child and Family Services
- o Any other documents or forms mentioned in this petition

[] By and through our attorney, (Attorney, check here if you are appearing for your client.)

We say as follows:

(1) The co-petitioners want _____ (name of adopting parent) to adopt _____ (adoptee's current name).

(2) Utah has jurisdiction under Utah Code Section 78B-6-105.

(3) The case is properly filed in this county because (Choose one.)

[] we reside in this county.

[] we are not residents of this state, and (Choose all that apply.)

[] the proposed adoptee was born in this county.

[] the proposed adoptee resides in this county on the day on which this petition is filed.

[] a parent of the proposed adoptee resides in this county on the day on which this petition is filed.

(4) Adoption serves the adoptee's health, safety, welfare and moral climate and will promote the adoptee's best interests because

(5) The adopting parent is the adoptee's stepparent.

(6) The adopting parent is married to the adoptee's custodial parent in a marriage that is legally valid and binding.

(7) (Choose one or both.):

[] The adopting parent is at least 10 years older than the adoptee.

[] The adopting parent's spouse is at least 10 years older than the adoptee.

(8) The adoptee was born: (Choose one.)

[] in Utah.

in a state other than Utah and the requirements of Title 62A, Chapter 4a, Part 7, Interstate Compact on Placement of Children, have been complied with.

(9) The adoptee has lived in the adopting parent's home for: (Choose one.)

one year

less than one year, but we request that the court waive the one-year requirement because

(10) The adoptee is not an Indian child as defined in 25 U.S. Code Section 1903.

(11) The adoptee is: (Choose one.)

16 years of age or older.

under 16 and is considered a citizen or national of the United States by the United States Citizenship and Immigration Services.

under 16 years of age and is not considered a citizen or national of the United States by the United States Citizenship and Immigration Services. (Attach written evidence from the United States Citizenship and Immigration Services showing that the adoptee was admitted into the United States for permanent residence, was admitted into the United States temporarily in one of the lawful nonimmigrant categories, or was legally paroled into the United States.)

(12) The pre-placement and post-placement adoptive evaluations are not required because the adopting parent is the adoptee's stepparent and the adopting parent's spouse is the adoptee's custodial parent.

(13) The Bureau of Criminal Identification has conducted a criminal history investigation, based on fingerprint identification, about the adopting parent. (Attach the Bureau's report.)

(14) The Division of Child and Family Services has investigated all reports and investigations of child abuse, neglect, and dependency about the adopting parent. (Attach the Division's report.)

WAIVER OF RIGHTS; CONSENT REQUIRED

(15) The adoptee: (Choose one.)

has consented to this adoption and waives their rights. (Attach the consent.)

cannot consent because the adoptee is less than 12 years old.

cannot consent because the adoptee lacks the mental capacity to consent.

(16) The adoptee's mother: (Choose one.)

is a co-petitioner.

has died. (Attach photocopy of the death certificate or other evidence of death.)

has consented to this adoption and waives her rights. (Attach the consent.)

has not consented to this adoption and will be served with Notice of Petition to Adopt and Notice of Rights.

is not entitled to consent because her parental rights have been terminated. (Attach the order terminating parental rights.)

(17) The adoptee's father: (Choose one.)

is a co-petitioner

has died. (Attach photocopy of the death certificate or other evidence of death.)

has consented to this adoption and waives his rights. (Attach the consent.)

has not consented to this adoption and will be served with Notice of Petition to Adopt and Notice of Rights.

is not entitled to consent because his parental rights have been terminated. (Attach the order terminating parental rights.)

is not entitled to consent because the child was conceived as a result of conduct by the father which would constitute a sexual offense described in Title 76, Chapter 5, Part 4.

is not entitled to consent because: (All must apply.)

he has not fully and strictly complied with the requirements of Utah Code Sections 78B-6-121 and 78B-6-122; and

he has not been adjudicated to be the adoptee's biological father before the mother consented to the adoption or relinquished the adoptee for adoption; and

he has not signed and filed a voluntary declaration of paternity with the state registrar of vital statistics before the mother consented to the adoption or relinquished the adoptee for adoption.

ADOPTEE'S GUARDIAN

(18) The adoptee does not have a guardian.

OR

The adoptee's guardian: (Choose one.)

has authority to consent, has consented to this adoption, and waives their rights. (Attach the consent.)

has authority to consent, has not consented to this adoption, and will be served with Notice of Petition to Adopt and Notice of Rights.

does not have authority to consent, but has waived their right to notice and to intervene. (Attach the waiver.)

does not have authority to consent, has not waived their rights to notice and to intervene, and will be served with Notice of Petition to Adopt and Notice of Rights.

WAIVER OF RIGHTS; CONSENT NOT REQUIRED

(19) The adoptee's custodian: (Choose one.)

has waived their rights. (Attach the waiver.)

has not waived their rights and will be served with Notice of Petition to Adopt and Notice of Rights.

The adoptee does not have a custodian.

(20) The adoptee's spouse: (Choose one.)

has waived their rights. (Attach the waiver.)

has not waived their rights and will be served with Notice of Petition to Adopt and Notice of Rights.

The adoptee does not have a spouse.

REQUEST

(21) We request that an Adoption Agreement be executed before this court and that the court issue an Adoption Decree declaring that:

the adoptee is adopted by _____ (name of adopting parent) and is that person's child;

the adoptee and _____ (name of adopting parent) have all the rights and duties of the relationship of child and parent;

all rights, duties and responsibilities, including residual parental rights, of any person who

- consented to this adoption,
- relinquished the adoptee for adoption,
- was served with notice of this adoption, or

- was not entitled to consent to or notice of this adoption are terminated, and such person has no further rights with regard to the adoptee;

[] the adoptee be named _____
 (adoptee's proposed first, middle, and last name).

We declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.

_____ Sign here ► _____
 Date
 Typed or Printed Name Adopting Parent
 (or attorney) _____

_____ Sign here ► _____
 Date
 Typed or Printed Name Adopting Parent's Spouse
 (or attorney) _____

Spousal consent to adoption

I am the adopting stepparent's spouse and the adoptee's custodial parent, and I have the mental capacity to give consent.

I understand that if my child is adopted, my child's non-custodial parent will no longer have any parental rights or responsibilities for my child, but that I will continue to have full parental rights and responsibilities. I further understand that if my child is adopted by my spouse, my spouse will be known as my child's parent and my child will be known also as my spouse's child.

Understanding all of this, I voluntarily agree that adoption by my spouse promotes my child's best interest, and I voluntarily consent that my child be adopted by my spouse.

_____ Sign here ► _____
 Date
 Name of the adopting parent's spouse _____