



STANISLAUS COUNTY SUPERIOR COURT

www.stanislaus.courts.ca.gov

1100 I Street

PO Box 1098

Modesto, CA 95354

(209)530-3100

Revised 4/25

STEPPARENT ADOPTION PACKET

This packet contains forms required to file for Stepparent Adoption in Stanislaus County Superior Court.

Additional Judicial Council forms, local forms and information are available in the Clerk's Office, the Court's Self-Help Center, or the Stanislaus County Law Library located at 1101 13th Street, Modesto, and on the following websites:

- ❖ Stanislaus County Superior Court: www.stanislaus.courts.ca.us
- ❖ Judicial Council's Self Help: www.courts.ca.gov/selfhelp.htm
- ❖ Judicial Council Forms: www.courts.ca.gov/formsrules.htm

Superior Court Self-Help Center/Family Law Facilitator's Office

800 11th Street, Room 220, Modesto

PROVIDING ASSISTANCE TO PARTIES REPRESENTING THEMSELVES

Persons handling their own case (self-represented) are required to prepare and present their pleadings (court documents) in complete and proper form without help from the Court staff. **This office is prohibited from giving legal advice in any manner.** Doing so would constitute acting as an attorney or legal counsel. Questions on legal matters regarding the appropriate form or its proper completion and presentation should be referred to an attorney.

PREPARATION

You are required to bring in an original plus two (2) copies of all documents. The clerk will only conform two copies. You may need to make additional copies later depending on how many people need to be served.

Whether typed or hand printed, your documents must be completed in blue or black ink, be legible and dark enough to photocopy. Pleadings are to be dated and signed before being presented for filing. Forms must have the following court name and location in the heading:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS
1100 I Street, PO Box 1098
Modesto, CA 95354

PLEASE NOTE THAT ALL ADOPTION CASES ARE KEPT CONFIDENTIAL AND CAN ONLY BE VIEWED BY THE PETITIONING PARTY OR THEIR ATTORNEY OF RECORD. ANY OTHER PARTY REQUESTING ACCESS WOULD REQUIRE AN ORDER FROM THE COURT. PETITIONER WILL BE REQUIRED TO SHOW A PICTURE I.D. TO DISCUSS YOUR ADOPTION CASE.

IMPORTANT NOTE: If you are adopting a child with possible Indian Ancestry, there are additional forms you may need to complete and file.

STEP 1: DETERMINE WHICH PAPERWORK YOU WILL NEED TO FILE

To complete a Stepparent adoption, it must first be determined which forms will be needed. If the birth parent is willing to consent to adoption, then you will need to only file for adoption. If this applies to you skip to Step 7 to Step 9.

If the birth parent is not willing to consent then you will need to file a termination of parental rights case and an adoption case at the same time. If this applies to you, begin Step 2 to Step 6.

STEP 2: PREPARING FORMS FOR TERMINATION OF PARENT RIGHTS AND ADOPTION

Complete the following forms:

- ❖ Petition to Declare Minor Free from Parental Custody and Control (pleading form)
- ❖ Citation to Parent (pleading form)
- ❖ Judgment to Declare Minor Free from Parental Custody and Control (pleading form)
- ❖ Adoption Request (ADOPT-200)
 - With Indian Child Inquiry Attachment (ICWA-010 A) and
 - Parental Notification of Indian Status (ICWA-020)

STEP 3: FILING THE FORMS

- ❖ Make 2 copies of all completed forms listed above.
- ❖ Present the forms to the filing clerk with your filing fee.
 - There is a \$20 filing fee for the adoption unless you qualify for a fee waiver.
- ❖ The clerk will issue you a hearing date on the original citation for the termination of parental rights case and only open the adoption case.
- ❖ The clerk will forward a copy of both petitions to Stanislaus County Community Services Agency and Stepparent Adoption at Sierra Vista Child and Family Services Agency. Sierra Vista will conduct an investigation and submit a report.
 - The Agency will require you to contact them after your case is open to do a live scan.

STEP 4: SERVING THE DOCUMENTS

- ❖ The biological parent must be personally served with a copy of the petition and a copy of the citation. You do not need to serve the Adoption request.
 - The person serving your petition and citation **MUST** be someone other than you, not a party to the case and over the age of 18.

STEP 5: FILING THE PROOF OF SERVICE

- ❖ Have the person who served the other party complete, date and sign proof of service (FL-330).
- ❖ After service, attach the proof of service to your original citation and file original citation in the clerk's office.

STEP 6: ATTEND THE TERMINATION OF PARENTAL RIGHTS HEARING

- ❖ If the parent whose rights are being terminated objects; another hearing or court trial may be set for all parties to give testimony and present evidence in support of their position. Sierra Vista will prepare a report and recommendation based on their investigation.
- ❖ Judge may assign a Court Appointed Evaluator to prepare a report. There is an evaluation fee ranging from \$500-\$900.
- ❖ If the parent whose rights are being terminated does not object, then the Judge may make a final order the day of the hearing.
- ❖ Once a final order is made, you must wait 60 days to set the adoption hearing. The 60 days is required to allow the parent whose rights have been terminated to file an appeal.
- ❖ On the 61 day if no appeal is made, you may complete the following forms and submit in the clerk's office to receive an adoption hearing.
 - Request To Set Default or Uncontested Matter for Hearing (G002)
 - Adoption Order (ADOPT-215)
 - Adoption Agreement (ADOPT-210)
 - Court Report of Adoption (VS-44)
- ❖ Adoption hearings are informal confidential hearing. You may invite a minimal number of family members or friends to witness the event.
- ❖ Once the adoption is signed by the Judge, the clerk will forward to the California Vital Records. Vital Records will mail you a new birth certificate.

STEP 7: PREPARING FORMS FOR ADOPTION ONLY

- ❖ Adoption Request (ADOPT-200)
 - With Indian Child Inquiry Attachment (ICWA-010 A) and
 - Parental Notification of Indian Status (ICWA-020)
 - You may submit a consent (AD 2A/2B) form from person whose rights are being terminated or order of consent terminating their rights with the Adoption Request.

STEP 8: FILING THE FORMS FOR ADOPTION ONLY

- ❖ Take the forms to the clerk's office to file.
- ❖ There is a \$20 filing fee for the adoption unless you qualify for a fee waiver.
- ❖ You will not receive an adoption hearing until the court receives a report with a

recommendation from the social worker.

- ❖ YOU DO NOT NEED TO SERVE ADOPTION FORMS TO THE BIOLOGICAL PARENT.
- ❖ A social worker will write and file a report.

STEP 9: ADOPTION HEARING

- ❖ On receipt of a recommendation and report for adoption, you must complete the following forms and take them to the clerk's office to receive an adoption hearing.
 - Request To Set Default or Uncontested Matter For Hearing (G002)
 - Adoption Order (ADOPT-215)
 - Adoption Agreement (ADOPT-210)
 - Court Report of Adoption (VS-44)
- ❖ Adoption hearings are informal confidential hearings. You may invite a minimal number of family members or friends to witness the event.
- ❖ Once the adoption is signed by the Judge the clerk will forward to the California Vital Records. Vital Records will mail you a new birth certificate.

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 services provider (ASP).

The ASP is an individual or an adoption agency personnel licensed and certified by the State of California. The role of this person is to explain to the birth parent their rights in the adoption process (before “placing” the child with you), and will 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

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

<input type="checkbox"/> ADOPT-203	<i>Stepparent Adoption Request</i>	This tells the judge about you and the child you are adopting.
<input type="checkbox"/> ADOPT-210	<i>Adoption Agreement</i>	This tells the judge that you and the child, if over 12, agree to the adoption. Fill it out, but do not sign it until the judge asks you to sign it.
<input type="checkbox"/> ADOPT-215	<i>Adoption Order</i>	The judge signs this form if your adoption is approved.
<input type="checkbox"/> 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.
<input type="checkbox"/> 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

<input type="checkbox"/> 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.
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- OR -

<input type="checkbox"/> 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.
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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

<input type="checkbox"/> ADOPT-200	<i>Adoption Request</i>	This tells the judge about you and the child you are adopting.
<input type="checkbox"/> ADOPT-210	<i>Adoption Agreement</i>	This tells the judge that you and the child, if over 12, agree to the adoption. Fill it out, but do not sign it until the judge asks you to sign it.
<input type="checkbox"/> ADOPT-215	<i>Adoption Order</i>	The judge signs this form if your adoption is approved.
<input type="checkbox"/> ADOPT-230	<i>Adoption Expenses</i>	This lets the judge know what payments were made that relate to the child you are adopting.
<input type="checkbox"/> 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.
<input type="checkbox"/> 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 over 12, 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.

- ☐ 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. [USC 25, Chpt.21, Section 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 over the age of 12.

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.

Yes, I need an Interpreter!

Sí, necesito un Intérprete!

Name (Nombre): _____

Case Number (Número de caso): _____

Language/Dialect Spoken (Que idioma/dialecto habla):

☐ Spanish (Español) Dialecto: _____

☐ Other: _____ Dialect: _____

Person requesting an Interpreter is:

Persona que solicita el intérprete es:

☐ Petitioner (Solicitante)

☐ Respondent (Demandado)

☐ Protected Person (Persona Protegida)

☐ Restrained Person (Persona Restringida)

☐ Other (Otro): _____

Name, Address & Telephone Number

In Propria Persona

STANISLAUS COUNTY SUPERIOR COURT, STATE OF CALIFORNIA

In re the Matter of the Petition of

Case No.:

**PETITION TO DECLARE MINOR
FREE FROM PARENTAL CUSTODY
AND CONTROL**

_____ [Petitioner's Name]
to declare _____, a minor
[Child's Name]
to be free from the custody and control of

[Name(s)]

Date:
Time:
Dept.:

Petitioner respectfully represents:

1. Information about the Petitioner(s):

Petitioner(s) is/are the: *(check one)*

- ☐ Step-Parent or the Domestic Partner of a Parent ☐ Maternal Aunt/Uncle
☐ Paternal Aunt/Uncle ☐ Maternal Grandparent ☐ Paternal grandparent
☐ Other Relative Caregiver *(specify)*: _____ of the minor child

_____ and desires to adopt him/her on termination of
his/her parent(s) rights to custody and control.

2. Information about the Child:

_____ is an unmarried minor child who was born on
_____, and is a resident of _____, Stanislaus County,
California.

1 **3. Information about the Parents:**

2 [EITHER]

3 [] The names of the minor's parents are _____ and
4 _____.

5 [OR]

6 [] The sole living parent of the child is _____, who resides at
7 _____.

8 [OR]

9 [] _____ is the parent who has custody of the child and resides
10 at _____.

11 [] _____ the child's other parent resides at
12 _____.

13 [OR]

14 [] The whereabouts of the child's parent(s), _____,
15 is/are unknown.

16 [OR]

17 [] The father and mother of the child are _____ and
18 _____, respectively, and reside at _____.

19 **4. Grounds for the Petition:**

20 Petitioner requests a judgment declaring the child(ren) free from the custody and control
21 of _____ pursuant to Family Code §:

22 [EITHER]

23 ☐ Abandonment - FCS § 7822

24 ☐ The child has been left by both parents or the sole parent in the care and
25 custody of another person for a **period of six months** without any provision for
the child's support, or without communication from the parent or parents, with the
intent on the part of the parent or parents to abandon the child.

[OR]

☐ One parent has left the child in the care and custody of the other parent for a **period of one year** without any provision for the child's support, or without communication from the parent, with the intent on the part of the parent to abandon the child

[OR]

☐ Parent(s) Convicted of a Felony - FCS § 7825

The child is one whose parent or parents is/are convicted of a felony and the facts of the crime of which the parent or parents were convicted are of such a nature as to prove the unfitness of the parents to have the future custody and control of the child.

WHEREFORE, petitioner prays judgment as follows:

1. For an order declaring that the minor child _____ is free from the custody and control of _____ and terminating all of his/her rights and responsibilities with regard to the child;

2. For an order appointing _____ to act under the provisions of Family code Section 7893, as guardian(s) of the minor child; and

3. For such other and further relief as the court may deem proper.

Dated: _____

Print Name: _____

Dated: _____

Print Name: _____

VERIFICATION

I/We, _____, am/are the petitioner(s) in this matter. I/We have read the foregoing Petition and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein represented on information and belief, and as to those matters which are therein represented on information and belief, and as to those matters, I/We believe to be true.

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

Dated: _____

Print Name: _____

Dated: _____

Print Name: _____

CONSENT OF NATURAL PARENT

(Only applicable in Step-Parent Adoption)

I, _____, am the natural mother/father of _____, the minor subject to this proceeding and the spouse of the Petitioner, _____. I hereby consent to the request to terminate the parental rights to custody and control of the minor by the natural mother/father, _____, and to the adoption request by the Petitioner.

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

Dated: _____

Print name: _____

1 *Name, Address & Telephone Number*

2
3
4 *In Propria Persona*

5
6
7
8 **STANISLAUS COUNTY SUPERIOR COURT, STATE OF CALIFORNIA**

9
10 In re the Matter of the Petition of

Case No.:

11
12 [Adopting Parent(s)]

CITATION TO PARENT

13 to declare _____, a minor

[Child's Name]

Date:

Time:

Dept.:

14 to be free from the custody and control of

15
16 [Name(s)]

THE PEOPLE OF THE STATE OF CALIFORNIA

17 TO: _____ (Biological Parent Name)

18 By order of this court you are hereby advised that you may appear before the judge
19 presiding in Department ____ of this court on _____, 20__, at 8:30 a.m. then and
20 there to show cause, if any you have, why _____ (Child's Name) should
21 not be declared free from your custody and control according to the petition filed with this
22 Citation for the purpose of freeing said child for adoption. The following information concerns
23 rights and procedures that relate to this proceeding for the termination of custody and control of
24 said minor as set forth in Family Code Section 7860 et seq.:

25 1. At the beginning of the proceeding the court will consider whether of not the interests
of the minor child require the appointment of counsel. If the court finds that the interests of the

1 minor do require such protection, the court will appointment counsel to represent him/her,
2 whether or not he/she is able to afford counsel. The minor will not be present in court unless he
3 requests or the court so orders.

4 2. If a parent of the minor appears without counsel and is unable to afford counsel, the
5 court must appoint counsel for the parent, unless the parent knowingly and intelligently waives
6 the right to be represented by counsel. The court will not appoint the same counsel to represent
both the minor and his parent.

7 3. The court may appoint either the public defender or private counsel. If private counsel
8 is appointed, he or she will receive a reasonable sum for compensation and expenses, the amount
9 of which will be determined by the court. That amount must be paid by the real parties in
10 interest, but not by the minor, in such proportions as the court believes to be just. If, however, the
11 court finds that any of the real parties in interest cannot afford counsel, the amount will be paid
12 by the county.

13 4. The court may continue the proceeding for not more than thirty (30) days as necessary
14 to appoint counsel to become acquainted with the case.

15 Date:

_____, Clerk

17 By: _____

18 Deputy Clerk

1 *Name, Address & Telephone Number*

2
3
4
5 *In Propria Persona*

6
7
8 **STANISLAUS COUNTY SUPERIOR COURT, STATE OF CALIFORNIA**

9
10 In re the Matter of the Petition of

CASE NO.

11 _____
[Adopting Parent(s)]

JUDGMENT TO DECLARE MINOR
FREE FROM PARENTAL CUSTODY
AND CONTROL

12 to declare _____, a minor
[Child's Name]

13 to be free from the custody and control of

14 _____
15 [Name(s)]

16 The petition of _____, for a judgment declaring

17 _____, a minor, free from the custody and control of

18 _____, came on regularly for hearing on

19 _____, 20 __, petitioner appearing in Pro Per. The court having examined

20 petitioner, _____ and other witnesses, and other evidence both
21 oral and documentary having been introduced, and good cause appearing therefore, the court
22 finds:

23 1. Notice of the hearing on the petition was given by citation to

24 _____, as prescribed by Family code Section 7881;
25

1 2. The Court Investigator of Stanislaus County Superior Court, California, has filed a
2 written report of his/her investigation of the circumstances of the child as required by Family
3 Code Section 7851, in which he/she recommends the _____
4 be declared free from the custody and control of _____.
5 Further, _____ has executed a consent to the Step-
6 Parent Adoption by _____.

7 3. There is clear convincing evidence that _____ should be
8 declared free from the custody and control of his/her parent(s), _____
9 _____, pursuant to Family Code Section 7820 et seq.

10 4. The child is adoptable.

11 5. It is in the best interests of the child that he be declared free from the custody and
12 control of his/her biological parent(s), _____,
13 and there is no less detrimental alternative to provide for the child's best interests.

14 WHEREFORE IT IS ORDERED that the child, _____ is
15 freed from the custody and control of _____, and that
16 _____ is hereby appointed guardian of the child.

17 Dated:

18 _____
19 Judge of Superior Court
20
21
22
23
24
25

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

In the Matter of the Petition of

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*

Petitioner

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.

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
STANISLAUS
1100 I STREET
P.O. BOX 1098
MODESTO, CA 95354

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. 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.

3. This inquiry (*check one*):

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

☐ gave me no reason to believe the child is or may be an Indian child.

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 eligible for membership 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 of or eligible for membership in a tribe.

Name of tribe(s):

Location of tribe(s):

b. ☐ The child's parents, grandparents, or great-grandparents are or were members 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):

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)

INDIAN CHILD INQUIRY ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS STREET ADDRESS: 1100 I STREET MAILING ADDRESS: P.O. BOX 1098 CITY AND ZIP CODE: MODESTO, CA 95354 BRANCH NAME: _____	
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 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 of, or eligible for membership 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 of, or eligible for membership in, a federally recognized Indian tribe.
 Name of tribe(s) (name each): _____
 Location of tribe(s): _____
 - c. ☐ One or more of my parents, grandparents, or other lineal ancestors is or was a member 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 on a reservation, rancheria, Alaska Native village, or other tribal trust land.
 - e. ☐ The child is a resident of or is domiciled on a reservation, rancheria, Alaska Native village, or other tribal trust land.
 - f. ☐ The child is or has been a ward of a tribal court.
 - 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. Further inquiry may be required by the Indian Child Welfare Act.

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
STANISLAUS
1100 I STREET
P.O. BOX 1098
MODESTO, CA 95354

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*):
- ☐ Is 12 or older and agrees to the adoption
 - ☐ Is under 12
 - ☐ 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:
- 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.
 - Each adopting parent:
 - Is at least 10 years older than the child or meets the criteria in Family Code section 8601(b);
 - Will treat the child as their own;
 - Will support and care for the child;
 - Has a suitable home for the child; *and*
 - 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

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
STANISLAUS
1100 I STREET
P.O. BOX 1098
MODESTO, CA 95354

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

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:

- a. Be adopted and treated as our legal child (Fam. Code, § 8612(b)) and
- b. 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:

- a. Be adopted and treated as my/our legal child (Fam. Code, § 8612(b)) and
- b. 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

COURT REPORT OF ADOPTION

NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

STATE FILE NUMBER

LOCAL REGISTRATION NUMBER

TYPE OR PRINT CLEARLY IN BLACK INK ONLY

PART I The information provided in this section must be the information as it was at birth. Without this data, it may be impossible to prepare a new Certificate of Birth.

FACTS OF BIRTH	1A. NAME OF CHILD—FIRST		1B. MIDDLE		1C. LAST (BIRTH)	
	2. SEX	3. DATE OF BIRTH—MM/DD/CCYY	4. NAME OF PHYSICIAN (OR ATTENDANT, CERTIFIER, OR OTHER PERSON WHO ATTENDED THIS BIRTH)			
	5A. PLACE OF BIRTH—NAME OF HOSPITAL OR FACILITY			5B. CITY		5C. STATE OR COUNTRY
PARENTS' DATA	6A. FULL NAME OF PARENT—FIRST		6B. MIDDLE		6C. LAST (BIRTH)	6D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT
	7A. FULL NAME OF PARENT—FIRST		7B. MIDDLE		7C. LAST (BIRTH)	7D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT

PART II Adoptive parents must furnish personal information about themselves as it was on the child's date of birth. This information is used to prepare the new Certificate of Birth.

PARENT INFORMATION	CHECK THE APPROPRIATE BOX: ADOPTIVE PARENT <input type="checkbox"/> BIOLOGICAL PARENT <input type="checkbox"/>				
	8A. NAME OF PARENT—FIRST		8B. MIDDLE	8C. LAST (BIRTH)	8D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT
	9. STATE/FOREIGN COUNTRY OF BIRTH		10. DATE OF BIRTH—MM/DD/CCYY		
PARENT INFORMATION	CHECK THE APPROPRIATE BOX: ADOPTIVE PARENT <input type="checkbox"/> BIOLOGICAL PARENT <input type="checkbox"/>				
	11A. NAME OF PARENT—FIRST		11B. MIDDLE	11C. LAST (BIRTH)	11D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT
	12. STATE/FOREIGN COUNTRY OF BIRTH		13. DATE OF BIRTH—MM/DD/CCYY		
14. PLEASE CHECK ONE I want the original birth certificate sealed, and a new birth certificate established. <input type="checkbox"/> Pursuant to Health and Safety Code Section 102640, I choose not to have a new birth certificate established. <input type="checkbox"/>					
15. Do you want the name of the hospital or other facility where birth occurred omitted from the new birth certificate as provided for in Section 102645 of the Health and Safety Code? (PLEASE CHECK ONE) YES <input type="checkbox"/> NO <input type="checkbox"/>					

VERIFICATION OF PART II	16. SIGNATURE OF PARENT VERIFYING DATA IN PART II ▶	17. MAILING ADDRESS OF PARENT VERIFYING DATA IN PART II
AGENCY OR DEPARTMENT	18A. NAME OF AGENCY OR DEPARTMENT	18B. MAILING ADDRESS OF AGENCY/DEPARTMENT THAT INVESTIGATED/HANDLED THE ADOPTION
ATTORNEY	19A. SIGNATURE AND PRINTED NAME OF ATTORNEY ▶	19B. MAILING ADDRESS OF ATTORNEY

PART III The court clerk must obtain as much information as is available to complete Parts I and II before completing Part III and forwarding the record and Court Order/Final Decree to the State Registrar as required by law.

COURT CLERK	20. I HEREBY CERTIFY THAT THE INDIVIDUAL DESCRIBED ABOVE WAS ADOPTED BY THE ABOVE NAMED ADOPTIVE PARENTS ON THE _____ DAY OF _____, 20_____, AS SET FORTH IN THE DECREE OF ADOPTION MADE ON THAT DATE IN CASE NUMBER _____		
	21A. NEW NAME AS SET FORTH IN THE DECREE OF ADOPTION - FIRST	21B. MIDDLE	21C. LAST
	22. SIGNATURE AND SEAL OF COURT CLERK ▶		BY:
	23. CLERK IN AND FOR THE COUNTY OF:	24. DATE SIGNED—MM/DD/CCYY	25. DATE PETITION FOR ADOPTION FILED—MM/DD/CCYY
NAME AND MAILING ADDRESS OF PERSON TO WHOM CERTIFIED COPY IS TO BE SENT	NAME		
	ADDRESS—Street and Number	CITY, STATE, ZIP CODE	DAYTIME TELEPHONE NUMBER ()

GENERAL INFORMATION

The Court Clerk shall complete and transmit a court report of adoption to CDPH - Vital Records for each decree of adoption granted by any court in the State of California.

CDPH - Vital Records shall transmit court reports of adoptions for births that occurred in another state, the District of Columbia, any territory of the United States, or Canada to the appropriate registration authority.

The information contained in Part I and Part II of this certificate is required in order to identify and seal the original birth certificate and prepare a new birth certificate. Once the original birth certificate is sealed, it is only available upon order of a Superior Court.

INSTRUCTIONS

The agency or department handling the adoption should fill out Parts I and II, but the Court Clerk may complete any incomplete items in Part I or Part II from the information furnished in the court record.

When requested by the adoptive parents, the CDPH - Vital Records shall **not** establish a new birth certificate for the child. (Health & Safety Code Section 102640.) The adoptive parents should indicate in Item 14 whether they DO want a new birth certificate established (by checking the "Yes" Box) or whether they DO NOT want a new birth certificate established (by checking the "No" Box).

The adoptive parents may request CDPH – Vital Records to omit the specific name and address of the hospital or other facility where the birth occurred by checking the "Yes" Box in Item 15. (Health & Safety Code Section 102645.)

A deceased spouse of an adopting single parent can be listed on the new birth certificate if both adopting parents were in the home at the time of the initial placement of the child for adoption. Refer to Health & Safety Code Section 102660 for additional requirements.

One of the adopting parents should verify the information in Part II, sign in Item 16, and enter his or her mailing address in Item 17. The name and address of the agency or department and the attorney handling the adoption should be entered in Items 18 and 19.

The applicable fee shall be paid to the Court Clerk at the time of filing the petition in an adoption proceeding for the services required by statute of the State Registrar. (Health & Safety Code Section 103730.)

For cases in which the petition for adoption was filed on or after January 1, 1972, and the individual was born in California or a foreign country, a certified copy of the new birth record will be furnished without additional fee as provided in Health & Safety Code Section 102710.

For adoptions that occurred prior to January 1, 1972, or in another state, a fee must be submitted for processing the new birth certificate, which includes one certified copy.

Additional certified copies may be obtained from CDPH – Vital Records, but there is an additional fee for each additional certified copy requested. Please contact CDPH – Vital Records for the current fees, or visit our website at www.cdph.ca.gov. Please do not order additional copies until you have reviewed the original copy for accuracy. The mailing address for CDPH – Vital Records is:

California Department of Public Health – Vital Records
MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME, ADDRESS, PHONE)	
Attorney for: IN PRO PER	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS Street Address: 800 11th Street, Modesto, CA 95354 Civil Clerk' Office: 1100 I Street, P.O. Box 1098, Modesto, CA 95353	
Petitioner/Plaintiff: Respondent/Defendant:	
REQUEST TO SET DEFAULT OR UNCONTESTED MATTER FOR HEARING	Case No.:

This proceeding is set for hearing on _____, at the hour of _____ a.m./p.m. in
Department _____.

Nature of Proceeding:

___ Default: ___ Civil

___ Default: ___ Dissolution** ___ Nullity** ___ Legal Separation** ___ Paternity**

___ Uncontested: ___ Dissolution ___ Nullity ___ Legal Separation ___ Paternity

****IMPORTANT NOTE: Family law default cases must follow the instructions on the Checklist for Default Hearing included with this Request to Set Hearing.**

☐ Order to Show Cause

☐ Stepparent Adoption ☐ Adoption ☐ Minors Compromise

☐ Freedom from Parent Control

☐ Other: _____

Executive Officer/Clerk of the Court

Dated: _____

By: _____

Deputy