

Petitioners _____ Adoptee _____
Attorney _____ Case Number _____

**ADOPTION CHECKLIST WHERE ADOPTEE IS AN ADULT
(Effective July 1, 2012)**

_____ **Since termination of parental rights proceeding is included in petition for adoption, final hearing should be held.**

1. Residency/Employment Requirements

- a. Petitioner(s) is either:
- _____ 1. A husband and wife petitioning jointly;
 - _____ 2. An unmarried adult;
 - _____ 3. A married person not joined by his or her spouse and the other spouse is the parent of the person to be adopted and has consented (step-parent); **or** failure of the other spouse to join the petition is excused by the court for good cause or in the best interest of the child. § 63.042(2)(c)
- b. _____ Petitioner is not the spouse of the adoptee. § 63.042(2)(c)

2. Time Requirements

_____ If an order terminating parental rights pending adoption has been entered, wait until the appeal period passes before entering the final judgment. § 63.142(4)

3. Presence Requirements

- a. _____ Petitioner is present, or court has excused such presence. § 63.142(1)
- b. _____ Adoptee is present, or court has excused such presence. § 63.142(1)

4. Petition Requirements § 63.112

- a. _____ Contains date and place of birth of adoptee
- b. _____ Contains name to be given to adoptee if adopted
- c. _____ Date petitioner acquired custody, and
- d. _____ Marital status, and date and place of marriages of petitioners
- e. _____ Divorces of petitioner, if applicable to **stepparent** adoption
- f. _____ Name, age and place and duration of residence of petitioner
- g. _____ Contains description and estimated value of any property held by adoptee
- h. _____ Case style and date of entry of order terminating parental rights, or since adult adoption, address if known of any person whose consent is required:
 - i. _____ Adoptee's consent
 - ii. _____ Adoptee's spouse's consent (if there is a spouse), unless waived by the court for good cause, OR
 - iii. _____ If haven't consented, facts excusing lack of consent and justifying TPR
- j. _____ Reasons why petitioner desires to adopt adoptee

5. **Documents filed with Petition § 63.112(2):**
- a. _____ Certified copy of termination of parental rights order, if any, or consents unless consent excused by court
 - b. _____ Any declaratory statement entered under § 63.102
6. **Consent/Notice Requirements**
- a. _____ Notice of hearing must be given to each party in accordance with Florida Rules of Civil Procedure. § 63.122(2), Rules 1.080(a) and 1.090(d).
 - b. _____ Service of process must be made upon each party as prescribed by law for civil actions. § 63.122(2) & Rule 1.070.
 - c. _____ Petition to adopt adult may be granted if: § 63.062(8)
 1. _____ Adult's consent is filed;
 2. _____ Adult's spouse's consent is filed, if any (unless excused by court for good cause)
 3. _____ Written notice of final hearing is provided to adult's parents, if any,
OR
_____ Proof of service of process is provided to adult's parents (personal service or affidavit of diligent search and publication in Alachua County under Chapter 49)
 4. _____ If adult's parent(s) is deceased, certified copy of death certificate is filed
7. **Case Management Hearing (Rule 12.200(2)) is required within 60 days of filing petition if:**
- a. _____ There is a request for a waiver of consent to an adoption by those persons required to consent by § 63.062
 - b. _____ Notice of hearing on the petition to adopt is not afforded a person whose consent is required but who has not consented
 - c. _____ An affidavit of diligent search and inquiry is filed in lieu of personal service
 - d. _____ The court is otherwise aware that any person having standing objects to the adoption

Updated 2/13/2015