

5. Sample Adoption Petition and Forms

- a. Petition for Adoption
- b. Vital Records Form
- c. Adoption Information Sheet
- d. Proposed Final Decree
- e. Proposed Notice of Issuance of Final Decree

This sample pleading is for informational purposes only. It should be used only in conjunction with an attorney's own primary research and independent reading of cited statutes, rules, regulations, cases, and other materials in order to ensure accuracy and completeness. This is especially important as the law as well as "common practices" may have changed since the pleading was initially written. In addition, arguments and strategies that were helpful or appropriate in the sample case may be inapplicable or detrimental in your situation, because every case has its own facts and circumstances. Please note that the names and facts in this pleading have been changed to maintain the anonymity of the parties.

NOTE:

The adoption petition and accompanying documents (adoption information sheet and vital records form) are NOT served on the parties to the case. They are confidential pleadings and only are filed with the court. The adoption judge's orders in response to the filing of an adoption petition put the other parties on notice of the filing of the adoption petition.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT DOMESTIC RELATIONS BRANCH -- ADOPTION

) Adoption Case No
)
) Judge/Magistrate Judge [NAME]
)

PETITION FOR ADOPTION

The Petitioner, [PETITIONER] ("[PETITIONER]" or the "Petitioner"), represents to the court as follows:

- This Court has jurisdiction pursuant to D.C. Code § 16-301, et seq. (2009) in that the
 prospective adoptee, [CHILD] ("[CHILD]"), is in the legal care, custody, or control of
 the Child and Family Services Agency ("CFSA"). The Court's jurisdiction also derives
 from D.C. Code § 11-1101(9) (2011).
- 2. [PETITIONER] was born on [PETITIONER DOB] and is [AGE] years old. [HE/SHE] is [RACE] and is a member of the [RELIGIOUS AFFILIATION] religion. [PETITIONER] is self-employed as a [PROFESSION], and has been [PROFESSION] since [YEAR]. [HE/SHE] has never been married.

- 3. [PETITIONER] resides at [ADDRESS]. [HE/SHE] owns this residence, which has five bedrooms, and has lived there since [YEAR]. [PETITIONER]'s parents, [PARENT 1] and [PARENT 2], and [PETITIONER]'s niece and her child, [NIECE] and [NIECE'S CHILD] also reside at this address.
- 4. [CHILD] is a [AGE]-year-old boy, born on [DOB] in [CITY STATE]. [CHILD] is [RACE] and [HIS/HER] religious affiliation is unknown.
- 5. [PETITIONER] is the licensed foster parent of [CHILD]. [CHILD] was placed in the care of [PETITIONER] on [DATE] by the D.C. Child and Family Services Agency. [HE/SHE] has lived with [PETITIONER] continuously since that time, which is over half of [HIS/HER] life, and has thrived in [HIS/HER] care. [PETITIONER] and [CHILD] enjoy a close and loving parent-child relationship.
- 6. [PETITIONER] is requesting an adoption subsidy. [CHILD] has special needs and has been diagnosed as developmentally delayed. An adoption subsidy agreement has not been entered into prior to the filing of this petition, but [PETITIONER] expects that one will be entered into prior to finalization.
- [PETITIONER] has not received the complete medical, social, or background information on the prospective adoptee.
- [CHILD]'s birth mother is [BIO MOM]. Her last known address is [ADDRESS]. [BIO MOM] is [RACE]. Her religious affiliation is unknown.
- 9. On information and belief, [CHILD]'s putative birth father/father is [BIO DAD]. [BIO DAD] is believed to be [RACE] and his religious affiliation is unknown. His address is unknownbut it is anticipated the CFSA's Dilligent Search Unit will attempt to locate him.

- 10. There are no executed original written consents signed by the birth mother or birth father.
 Upon information and belief, there are no relinquishments of parental rights signed by the birth parents. Upon information and belief there are no orders terminating parental rights by a court of competent jurisdiction.
- 11. The name and address of the agency responsible for securing any required consent or relinquishment of birth parents is the D.C. Child and Family Services Agency, 200 I Street, SE, Washington, DC, 20003 [and PRIVATE AGENCY NAME/ADDRESS [if any]].
- 12. The Interstate Compact on the Placement of Children (ICPC), D.C. Code § 4-1421 et seq. (2009), is applicable to this adoption due to the fact that the Petitioner resides in Maryland. Approval has not been received prior to the filing of this petition, but Petitioner expects that ICPC approval will be obtained prior to finalization.
- 13. The Indian Child Welfare Act, 25 U.S.C. § 1901 *et seq.*, is not applicable to this adoption.
- 14. [CHILD] is the subject of a neglect case, N-[###]-[##], before Judge/Magistrate Judge [NAME]. [PETITIONER] is not aware of any other pending court action involving [CHILD].
- 15. In addition to the ongoing neglect case regarding [CHILD], N-[###]-[##], during the past ten years, [PETITIONER] has been a party in the following civil matter:
 - a. [YEAR], [CASE NAME], Case No. [#########] in the [COURT AND JURISDICTION], [TYPE OF CASE], [DISPOSITION].
- 16. Upon information and belief, [CHILD]'s combined assets do not exceed \$3,000.00.
- 17. [CHILD] is physically, mentally, and otherwise suitable for adoption by [PETITIONER]

- 18. [PETITIONER] is fit and able to give [CHILD] a proper home and education.
- 19. [PETITIONER] desires to adopt and treat [CHILD] as [HIS/HER] natural child.
- 20. The adoption is in the best interest of [CHILD].

WHEREFORE, the Petitioner prays:

- that a final decree of adoption be entered establishing the relationship of natural parent and natural child for all purposes between the Petitioner, [PETITIONER], and the prospective adoptee, [CHILD].
- 2. that the name of the prospective adoptee be changed to [CHILD'S NEW NAME].
- 3. that an order of reference with a copy of the Petition attached be served upon Child and Family Services Agency for the purpose of verifying the allegations contained in the Petition. A report is to be made to the Court within 90 days regarding the advisability of the proposed adoption.
- that the the consent of the biological parents is not required pursuant to D.C. Code § 16-304.

5.	For such other and further relief as may seem just and proper to the Court.		
	Date	Signature of Petitioner	

DISTRICT OF COLUMBIA, ss:

[PETITIONER] , being first sworn, states that [HE/SHE] has read the Petition for Adoption and understands its terms and that the statements contained in this Petition are true to the best of [HIS/HER] information and belief.

	[PETITIONER]
Subscribed and sworn to before me	this day of [MONTH YEAR].
	Deputy Clerk/ Notary Public
	[PETITIONER ATTY] D.C. Bar No. ##### [FIRM] Counsel for [PETITIONER] [ADDRESS] [CITY, STATE ZIP] [TEL/FAX] [EMAIL]

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF HUMAN SERVICES

PERSONAL DATA IN ADOPTION PROCEEDINGS

The following information is needed for the purpose of locating the original record of birth in the office files.

1. Original name of child [CHILD]

2.	Date of birth [CHILD DOB] Place of birth [CITY STATE]		
3.	Name of putative natural father [BIO DAD]		
4.	Name of natural mother (including maiden name) [BIO MOM]		
5.	Birth certificate number if known		
	6. Name of child-placing agency		
we	order that there may be a complete record of the history of the adoptive parents as if they re the natural parents on the new certificate, it will be necessary that the information quested below be furnished.		
	ADOPTIVE PARENT		
Fu	ll name [PETITIONER]		
Race [RACE] Age [AGE]			
Bir	thplace [CITY, STATE]		
Oc	cupation [OCCUPATION]		
Us	ual residence_[ADDRESS]		
Ot	her children born to, or adopted by this mother (Do not include this child):		
No	. now living # No. born alive but now dead # No. born dead #		
	e items regarding the age, occupation, and residence of the adoptor is to be furnished as the date that the adoptee was born.		
	Signed:		
	Address:		

Commented [RG1]: If two adoptive parents, include both parents' information

ADOPTION NO.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT DOMESTIC RELATIONS BRANCH -- ADOPTION

Ex P	Parte in the Matter of) Adoption Case No. XXXXXX	
	The Petition of) Adoption Calendar	
	[PETITIONER'S NAME]) Magistrate Judge [NAME]	
For:	adoption of a minor child.))	
1.	Petitioner's Full Name:	[PETITIONER]	
2.	Petitioners' Address: [ADI	DRESS]	
3.	Petitioner's Phone Number: [###-####]		
4.	Petitioner's Date of Birth: [PETITIONER DOB]		
5.	. Petitioner's Social Security Number: [###-####]		
6.	Petitioner's Driver's Licen	se No.: [NUMBER] ([STATE])	
7.	Minor Child's Full Name:	[CHILD]	
8.	Minor Child's Address: [A	.DDRESS]	
9.	Minor Child's Phone No.: Same as Petitioner's		
10.	Minor Child's Date of Birth: [CHILD DOB]		
11.	. Minor Child's Place of Birth: [CITY, STATE]		
12.	Minor Child's Social Secu	rity No.: Unknown	
13.	Neglect Case Number: N-[#	###]-[##]	
14.	Neglect Social File Number: [##	F]-JS-[####]	

16. Is the Mother's Affidavit of Paternity Attached [YES/NO] Has the Mother's Affidavit of Paternity been filed: [YES/NO] 17. 18. Please provide the case number of the case in which the affidavit was filed: [##]-NEG-[###] 19. Mother's Full Name: [BIO MOM] 20. Mother's Last Known Address: [ADDRESS] 21. Mother's Phone Number: [###-####] 22. Mother's Date of Birth: [BIO MOM DOB] Mother's Social Security No.: [###-####] 23. 24. Mother's Driver's License No.: [######] ([STATE]) 25. **Putative Father's Full Name:** [BIO DAD] 26. Father's Last Known Address: Unknown 27. Father's Phone Number: Unknown 28. Father's Date of Birth: Unknown; approximate age [AGE] 29. Father's Social Security No.: Unknown 30. Father's Driver's License No.: Unknown **Consent from Mother:** [YES/NO] 31. 32. **Consent from Father:** [YES/NO]

Magistrate Judge [JUDGE]

15.

33.

34.

35.

36.

37.

Relinquishment from Mother:

Relinquishment from Father:

Social Worker's Agency: [AGENCY]

Termination of Mother's Parental Rights: [YES/NO]

Termination of Father's Parental Rights: [YES/NO]

Neglect Judge's Name:

[YES/NO]

[YES/NO]

38.	Social Worker's Name: [SOCIAL WORKER]
39.	Neglect Hearing Date: [DATE] at [TIME] [AM/PM]
40.	Place of Hearing: Courtroom of Magistrate Judge [JUDGE] ([RM #]) D.C. Superior Court, 500 Indiana Avenue, N.W. Washington, D.C. 20001
41.	Petitioners' Counsel's Name: [PETITIONER ATTY], [FIRM]
42.	Address: [ADDRESS, CITY STATE ZIP]
43.	Phone Number: ([###]) [###-####], extension [###]
44.	Fax, if any: ([###]) [###-####]
45.	Email, if any: [EMAIL]
46.	Petitioners' Additional Contact Information if not Represented by Counsel:
47.	Fax, if any: N/A
48.	Email, if any: N/A
49.	Mother's Counsel's Name: [BIO MOM ATTY]
50.	Address: [ADDRESS]
51.	Phone Number: ([###]) [###-####]
52.	Email: [EMAIL]
53.	Father's Counsel's Name: [BIO DAD ATTY]
54.	Address: [ADDRESS]
55.	Phone Number: ([###]) [###-####]
56.	Fax: ([###]) [###-####]
57.	Email: [EMAIL]
58.	Guardian ad Litem's Name: [GAL]
59.	Address: [ADDRESS]
60.	Phone Number: ([###]) [###-####]

- 61. Email: [EMAIL]
- **62. Petitioner's Relationship to Adoptee:** [RELATIONSHIP]
- **63**. **Child has Lived with Petitioner since:** [DATE]
- 64. **Petitioner's Marital Status**: [MARITAL STATUS]
- 65. **Jurisdiction in Which Petitioner Resides:** [JURISDICTION]
- 66. **Competing Case:** Yes; open custody case, consolidated with neglect case.
- 67. If yes, Competing Case Number: [####][####]

GOVERNMENT OF THE DISTRICT OF COLUMBIA CHILD AND FAMILY SERVICES AGENCY VITAL RECORDS FORM FOR ADOPTION PROCEEDINGS

1.	Original name of child			
2.	Date of birth	Place of birtl	1	
3.	Name of Natural father			
4.	NI CNI (I d (' I I' 'I)			
5.	Birth certificate number if known			
6.	Name of child-placing agency (required only when the	e names of the natura	l parents are unknown)	
	order that there may be a complete record of the history of the adorhe new certificate, it will be necessary that the information reque			
Ful	ADOPTIVE PARENT 1 I Name	Full Name	ADOPTIVE PARENT 2	
	Date of birth	Race	Date of birth	
	ihplace			
	cupation			
Usu	all residence			
	er children born to, or adopted by these parents (do not include t			
No.	now living No. born alive but now dead		No. born dead	
	e items regarding the age, occupation, and residence of the ad date that the adoptee was born.	opters are to be fur	nished as of	
	Signed:			
	Address:			
ΔD	OPTION NO			

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT DOMESTIC RELATIONS BRANCH -- ADOPTION

Ex P	Parte in the Matter of	Adoption Case No. XXXXXX	
	The Petition of) Adoption Calendar	
	[PETITIONERS INITIALS]))	
For	For adoption of a minor child[REN].)		
	ADOPTION	INFORMATION SHEET	
1.	Petitioner's Full Name:		
2.	Petitioners' Address:		
3.	Petitioner's Phone Number:		
4.	Petitioner's Date of Birth:		
5.	Petitioner's Social Security Number:		
6.	Petitioner's Driver's License No.:		
7.	7. Minor Child's Full Name:		
8.	Minor Child's Address:		
9.	Minor Child's Phone No.:		
10.	Minor Child's Date of Birth:		
11.	Minor Child's Place of Birth:		
12.	Minor Child's Social Security No.:		
13.	Neglect Case Number:		
14.	Neglect Social File Number:		
15.	Neglect Judge's Name:		

16.	Is the Mother's Affidavit of Paternity Attached:	
17.	Has the Mother's Affidavit of Paternity been filed:	
18.	Please provide the case number of the case in which the affidavit was filed:	
19.	Mother's Full Name:	
20.	Mother's Last Known Address:	
21.	Mother's Phone Number:	
22.	Mother's Date of Birth:	
23.	Mother's Social Security No.:	
24.	Mother's Driver's License No.:	
25.	Putative Father's Full Name:	
26.	Father's Last Known Address:	
27.	Father's Phone Number:	
28.	Father's Date of Birth:	
29.	Father's Social Security No.:	
30.	Father's Driver's License No.:	
31.	Consent from Mother:	
32.	Consent from Father:	
33.	Relinquishment from Mother:	
34.	Relinquishment from Father:	
35.	Termination of Mother's Parental Rights:	
36.	Termination of Father's Parental Rights:	
37.	Social Worker's Agency:	
38.	Social Worker's Name:	

39.	Neglect Hearing Date:
40.	Place of Hearing: Courtroom of Judge [JUDGE] ([RM #]) D.C. Superior Court, 500 Indiana Avenue, N.W. Washington, D.C. 20001
41.	Petitioners' Counsel's Name:
42.	Address:
43.	Phone Number:
44.	Fax, if any:
45.	Email, if any:
46.	Petitioners' Additional Contact Information if not Represented by Counsel:
47.	Fax, if any:
48.	Email, if any:
49.	Mother's Counsel's Name:
50.	Address:
51.	Phone Number:
52.	Email:
53.	Father's Counsel's Name:
54.	Address:
55.	Phone Number:
56.	Fax:
57.	Email:
58.	Guardian ad Litem's Name:
59.	Address:
60.	Phone Number:
61.	Email:

- 62. Petitioner's Relationship to Adoptee:
- 63. Child has Lived with Petitioner since:
- 64. **Petitioner's Marital Status**:
- 65. Jurisdiction in Which Petitioner Resides:
- 66. Competing Case:
- 67. If yes, Competing Case Number:

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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT DOMESTIC RELATIONS BRANCH -- ADOPTION

EX PARTE IN THE MATTER OF	
THE PETITION OF)
[PETITIONER'S NAME]) Adoption Case No. A-XXXXX
FOR ADOPTION OF A MINOR CHILD)
)
)

FINAL DECREE OF ADOPTION

Upon consideration of the Petition for Adoption filed by [PETITIONER] for the adoption of a minor child born [CHILD DOB], in [CITY/STATE], and the report and recommendation of the Child and Family Services Agency of the District of Columbia, it appears to the satisfaction of the court that: (1) the court has jurisdiction pursuant to D.C. Code § 16-301 (2001); (2) the adoptee is physically, mentally, and otherwise suitable for adoption by the petitioner; (3) the petitioner is fit and able to give the adoptee a proper home and education; (4) the adoption will be in the best interests of the adoptee; (5) the adoptee has resided with the petitioner since [DATE], which is more than six months preceding the date of this Final Decree; and (6) the adoption form has been completed pursuant to Section 10 of the Vital Records Act of 1981, D.C. Code § 7-209 (Supp. 2003).

Accordingly, it is now by the court this	day of _	, [YEAR],
ORDERED, ADJUDGED, AND DECREED that:		

2

1. A Final Decree of Adoption be and is hereby entered establishing the legal

relationship of natural parent and natural child for all purposes between

[PETITIONER], the petitioner, and the adoptee, to the same extent as if the adoptee

had been naturally born to the petitioner;

2. The [name of the adoptee be and is hereby legally changed to [new name of

child]/legal name of adoptee shall remain [current name of child]]; and

3. The Clerk of the court is hereby authorized and directed to furnish four certified

copies of this Final Decree of Adoption to the petitioner through the petitioner's

counsel of record in this matter.

[JUDGE NAME] (Signed in Chambers)

Copies to:

[ATTORNEY NAME] [ADDRESS] Counsel for Petitioner

[CFSA SENIOR MANAGER] Adoptions Program Manager Child and Family Services Agency 200 I Street S.E. Washington, D.C. 20003

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SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FAMILY COURT DOMESTIC RELATIONS BRANCH -- ADOPTION

EX PARTE IN THE MATTER OF	ADOPTION CASE NO. [XXXXX]	
THE PETITION OF) ADOPTION CALENDAR	
[PETITIONER INITIALS]	JUDGE [NAME]	
FOR ADOPTION OF MINOR CHILD		
LIMITED CONSOLIDATION WITH		
IN THE MATTER OF	NEGLECT CASE NO. [XXXX]	
[CHILD] DOB: [CHILD DOB]) SOCIAL FILE NO. [XXXX]	
-	NEGLECT REVIEW CALENDAR	
RESPONDENT)) JUDGE [NAME])	

NOTICE OF ISSUANCE OF FINAL DECREE OF ADOPTION

PLEASE TAKE NOTICE that on this date in the above-captioned adoption case, this court has issued and signed a Final Decree of Adoption for the child [CHILD], born [CHILD DOB].

In an Order issued [DATE], this Court waived the consent of the biological parents, [BIO MOM] and [BIO DAD], pursuant to D.C. Code § 16-304 (2005). On [DATE], this Court issued an Order granting petition for adoption in favor of Petitioners.

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The biological parents have the right to file an appeal within ten (10) days of the docketing of the Final Decree of Adoption, which shall be docketed on the same date as this Notice.

Accordingly, it is now hereby this _____ day of [MONTH] [YEAR],

ORDERED that the Clerk of the court shall file the Final Decree of Adoption and this Notice of the Issuance of Final Decree of Adoption in the above-captioned adoption case and shall docket both the Final Decree and the Notice on the same date. The Clerk shall send only this Notice to the counsel, social workers, and persons listed below in the distribution list to advise them as to the status of the child and of appeal rights.

MAGISTRATE JUDGE [JUDGE]	

Copies to:

[ATTY NAME], Esq.
[ADDRESS]
Counsel for [BIO MOM]

[ATTY NAME], Esq. [ADDRESS]
Counsel for [BIO DAD]

[SOCIAL WORKER NAME] Ongoing Social Worker Child and Family Services Agency 200 I Street S.E. Washington, D.C. 20003

[AAG NAME], Esq. Assistant Attorney General

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200 I Street S.E. Washington, D.C. 20003

[GAL NAME], Esq.
[ADDRESS]
[PHONE/FAX]
[EMAIL]
Guardian ad Litem