

**LIVINGSTON COUNTY CIRCUIT COURT – FAMILY DIVISION – ADOPTION UNIT
STEPPARENT ADOPTION PACKET**

The Petitioner(s) and/or the adoptee(s) must be a resident of Livingston County

This is a legal proceeding; however, the Court cannot give legal advice and/or assist in completing any forms in this packet. The Petitioner(s) must determine whether or not they need the assistance of an attorney.

The biological custodial parent who is married to the petitioning adoptive parent is also an adoptive petitioner as they are joining their spouse in the petition for adoption; therefore, must fill out the packet as such.

The petitioning custodial parent of the adoptee must have custody by way of a court order of the adoptee per MCL 710.51(6) to have standing to file a petition for adoption where Consent by the other parent cannot be obtained.

The adoptee must be aware of the adoption process, as an age appropriate interview about the adoption will be conducted during the home study investigation and the adoptee will be asked about the adoption.

The following items are required with the submission of your Petition for Adoption and must be filled out completely including signatures. If more than one child is being adopted, the following needs to be submitted for each child, as each child will be opened as a separate file:

- Petition for Stepparent Adoption (form PCA 301b)
- Birth Certificate of Adoptee (copy)
- Birth Certificates of both Adoptive Petitioner Parents (copies)
- Photo Copies of both Adoptive Petitioner Parents' drivers licenses or state identification cards
- Marriage License of Adoptive Petitioner Parents (copy)
- Court order showing petitioning custodial parent custody of adoptee, if seeking to involuntarily terminate the other parent's rights
- Death Certificate of other biological parent, if applicable (copy)
- Petitioner's Verified Accounting (form PCA 347)
- Supplement to Petitioner's Verified Accounting (form PCA 347a)
- Attorney's Statement of Services, if applicable
- LEIN Request Form
- DHHS Clearance Request Form
 - o Signatures on this form must be witnessed by a person over the age of 18
- Attorney's Statement of Services, if applicable
- All Judgment(s) of Divorce (copy), if applicable, for both petitioning parents
- Adoption Home Study Questionnaire
- Adoption Report Required to Establish New Michigan Birth Record

***If the adoptee was not born in the State of Michigan, you must contact the state in which the adoptee was born and request the form to Establish a New Birth Record and provide it with your packet, along with the appropriate fee in a check or money order made payable to the appropriate state and/or department**

***You can obtain information on who to contact regarding this information at <http://www.cdc.gov/nchs/w2w.htm>**

- Filing Fee of \$185.00, by check or money order, made payable to: **Livingston County Juvenile Court** (this fee applies per child being adopted)
- Adoption Home Investigation fee of \$100.00, check or money order, made payable to: **Livingston County Juvenile Court** (this fee applies per household, not per adoptee)
- New Birth Certificate fee of \$50.00 (includes (1) certified copy), if adoptee was born in the State of Michigan, by check or money order made payable to: **State of Michigan**

***Each additional certified copy is an additional \$16.00**

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***If the adoptee was not born in the State of Michigan, please contact the state in which the adoptee was born on the fee associated with Establishing the New Birth Record**

Additional PCA forms not found in this packet can be found at:

<http://courts.mi.gov/Administration/SCAO/Forms/Pages/Adoption-Index.aspx>

If the other legal parent of the adoptee is willing to Consent to the adoption and voluntarily terminate their parental rights, then a Consent to Adoption by Parent must be signed in Court at a private hearing by the adoptee's other legal parent. The Consent hearing will be scheduled after the Petition for Adoption has been filed and the home study investigation has been completed. If the consenting legal parent lives out of the State of Michigan, ask the Adoption Caseworker prior to submitting the Adoption Packet about how to obtain the Consent. If the legal parent of the adoptee is willing to Consent to the adoption, you must also provide the following:

- Proof that the person who is consenting to the adoption is the legal parent (this can be accomplished through any of the following):
 - Affidavit of Parentage / Acknowledgement of Paternity
 - Order of Filiation
 - If biological parents were married at the time of adoptee's birth and are listed on the birth certificate
 - You must also provide the marriage certificate for this marriage
 - Order of Adoption

It is the responsibility of the the petitioner(s) to obtain and provide the complete current address of the other parent who is willing to Consent to the adoption and provide it to the Court. Upon accepting the legal parent's consent, the Court will enter an Order Terminating Parental Rights.

If you are seeking to involuntarily terminate the parental rights of the legal parent of the adoptee, you must also provide the following:

- Supplemental Petition and Affidavit to Terminate Parental Rights of Noncustodial Parent (form PCA 302)
- Proof that the person whose rights in which you seek to terminate is the legal parent (this can be accomplished through any of the following):
 - Affidavit of Parentage / Acknowledgement of Paternity
 - Order of Filiation
 - If biological parents were married at the time of adoptee's birth and are listed on the birth certificate
 - You must also provide the marriage certificate for this marriage
 - Order of Adoption
- Court Order showing that petitioning parent has **Custody** of the adoptee
 - If the petitioning parent does not have **Custody by way of a Court order**, then the adoption process cannot proceed.
- Valid current address of legal parent whose rights you seek to terminate
- If the current address of the legal parent cannot be obtained, you must provide proof that you completed a diligent search and were unable to obtain a current address of the other parent.
- Most current Custody & Support Order, if applicable (copy)
- Friend of the Court Statement showing current arrearages of non-custodial parent for the last 2 years prior to the filing of the adoption petition, if applicable
- Statement of Contact between non-custodial legal parent and adoptee over the 2 years prior to the filing of the adoption petition.

A Court hearing will be scheduled upon receiving the filing of the above petition on termination of rights. The Petitioner(s) and/or their attorney will be responsible for personally serving the birth parent with the notice of hearing and petition to terminate rights. The Court will not be responsible for personally serving a legal parent with the notice of hearing or petition to terminate their rights.

All forms must be filled out completely, including signatures; packets that are not filled out completely with all necessary supporting documentation will be returned.

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If proper service of the notice of hearing cannot be effectuated on the person whose rights you are seeking to terminate, the Court may order service by alternate means. The petitioners will be responsible for service by alternate means and any costs associated (i.e. publication).

If you are seeking to terminate the parental rights of Unknown or Putative Father of the adoptee, you must provide the following (this also applies to anonymous sperm donors):

- Petition for Hearing to Identify Father and Determine or Terminate His Rights (form PCA 310)
- Valid current address of Putative Father whose rights you seek to terminate, or
- Completed Notice to Putative Father and Custody Statement (form PCA 316)
- If the current address of the Putative Father cannot be obtained, you must provide proof that you completed a diligent search and were unable to obtain a current address of the other parent.
- If the Identity of the Father is Unknown, you must provide a Declaration of Inability to Identify/Locate Father (form PCA 315)
- Verification from sperm donor bank of anonymous donation, if applicable

A Court hearing will be scheduled upon receiving the filing of the above Petition for Hearing to Identify Father and Determine or Terminate His Rights. The Petitioner(s) and/or their attorney will be responsible with providing the Putative Father notice for the hearing.

If proper service of the notice of hearing cannot be effectuated on the person whose rights you are seeking to terminate, the Court may order service by alternate means. The petitioners will be responsible for service by alternate means and any costs associated (i.e. publication).

Adoptions can be finalized either of the following ways:

- o By Confirmation Hearing (held before the Judge who handles the Adoption Docket)
- o Administratively (the Court will finalize the adoption when the time comes and mail the orders to the petitioners once they have been signed).

Adoptees over the age of 14 must consent to the adoption. If the petitioners have elected to have the adoption confirmed at a hearing, the adoptee's consent can be done at that time. If the petitioners have elected to have the adoption confirmed administratively, then the Adoption Caseworker will contact the petitioners to schedule the private consent hearing, after the petition has been filed with the Court.

There will be an adoption investigation completed before the adoption can be finalized. The Adoption Caseworker will contact the petitioners to schedule this. If there are any other adults over the age of 18 residing in your home, a LEIN request form and DHHS Clearance Request form must be filled out for each additional adult residing in the home.

If the adoptee is a member of, or is eligible to be a member of any Native American Tribe or Band, you must indicate so on the paperwork submitted and notify the Adoption Caseworker upon filing.

The whole adoption process can take several months to complete, depending on each situation. The adoption process will not be rushed to meet any personal deadlines (i.e. starting of a new school year, holidays, etc.).

If you would like to meet with the Adoption Caseworker prior to submission of your packet, please call and schedule an appointment. The Court cannot guarantee that the Adoption Caseworker will be available on a walk-in basis.

Completed packets may be dropped off at the address below or delivered to the Court via mail:
Livingston County Circuit Court – Family Division – Adoption Unit
204 S. Highlander Way, Suite 3
Howell, MI 48843
(517) 546-1500

All forms must be filled out completely, including signatures; packets that are not filled out completely with all necessary supporting documentation will be returned.