

REQUIRED ITEMS FOR PETITION FOR ADOPTION BY STEPPARENT

NOTE: Unless otherwise noted, all forms listed below can be found at www.flcourts.org under Self Help - Family Law Forms

___ **Joint Petition** *Form 12.981(b)(1)* Please read all directions and complete the petition **entirely**.
Please pay particular attention to the following:

- Child must reside in the county where case is filed [*Florida Statute 63.087 (2) (a)*]
- Date and place of birth of adoptee must be listed
- Name to be given to adoptee (should also be listed in the case style)
- Adoptee has been in the Petitioner's custody for at least 90 days
- Marital status of petitioner(s), including date and place of marriages must be listed
- Reasons why petitioner desires to adopt adoptee (DO NOT LEAVE NO. 3 OF THE PETITION BLANK)
- Reasons why the biological parent's rights should be terminated MUST be listed if consent is not given (SEE paragraph 10 of Petition)

___ **UCCJEA Affidavit** *Form 12.902 (d)* - MUST include child(ren)'s residence for last 5 years (or since birth if under age 5)

___ **Certified Copy of ALL Adoptee(s) Birth Certificate(s)**

___ **Indian Child Welfare Act Affidavit** *Form 12.981 (a)(5)*

___ **Necessary Consents** Pursuant to Florida Statute 63.082(1)(a) all consents must be witnessed by two (2) witnesses AND be notarized -- **NOTE: The notary CANNOT be a witness**

- Consent and Waiver by Parent *Form 12.981 (a)(1)*
- Adoptee's Consent (required if child is over age 12) *Form 12.981 (a)(2)*

___ **Notice of Related Cases** *Form 12.900 (h)*

___ **Motion for Search of Putative Father Registry** *Form 12.981 (a)(6)* Pursuant to Florida Statute 63.054(7)(a) a search of the Putative Father Registry shall be done in **ALL** adoption cases (Required when Natural Father is petitioning party or when Natural Father files necessary consent)

___ **Results of Putative Father Registry Search** You may send your application to the Office of Vital Statistics to search the Putative Father Registry **after** you receive an Order Granting Motion for Search of Putative Father Registry. ****Results are automatically sent to the Clerk of Court. If Results are sent directly to YOU, PLEASE file them with the Clerk of Court as soon as possible****

NOTE: A hearing CANNOT be set until the results have been filed regardless if all other documents have been submitted

___ **Service of Process** on each Parent/Responding party(ies) – Filed when one or both parent(s) does NOT sign a Waiver and Consent

- **PERSONAL SERVICE - Summons *Form 12.910 (a)*** - personal service is required if the other party's whereabouts are known **OR** a **Waiver of Service** may be signed by the Responding parties (Form is available on Circuit5.org)
- **CONSTRUCTIVE SERVICE* – Affidavit of Diligent Search *Form 12.913 (a) (4)* and *Notice of Action Form 12.913 (a)(3)*** - **BEFORE YOU REQUEST THIS TYPE OF SERVICE, YOU MUST ATTEMPT PERSONAL SERVICE AT THE RESPONDENT'S LAST KNOWN ADDRESS** ****NOTE: This form must be filled out COMPLETELY with supporting documentation to be attached to the affidavit.** After approval of the Diligent Search the Clerk will issue the Notice of Action which will be constructively served one of two ways:
 - **By Publication:** Must publish once a week for four (4) consecutive weeks in a publication in the county of the Court is located [See Florida Statute 49.10 (1)(a)]. Publishing is the Petitioner's responsibility once the Notice of Action has been issued
 - **By Posting:** if the Petitioner is found indigent by the Clerk of Court, the Clerk of Court will post on Petitioner's behalf

Please refer to instructions for information on what the court can order when using constructive service

___ **Motion to Set Final Hearing** Forms are available at www.circuit5.org **PLEASE DO NOT FILE THIS MOTION UNTIL ALL THE ABOVE ITEMS HAVE BEEN FILED**