

STEPPARENT ADOPTION (MINOR CHILD(REN))

This checklist is designed to help persons seeking to represent themselves in court without the assistance of an attorney. It is meant to serve as a guide only. It is not guaranteed that either the instructions or the forms will achieve the result desired by the parties. It is not ensured that any individual judge will follow the procedures exactly or accept each form drafted. Any person using these instructions and forms does so at their own risk.

Please note, the Family Court Case Management Self-Help Office provides procedural information and cannot give legal advice.

All forms listed below can be found at WWW.FLCOURTS.GOV under Self Help, Family Law Forms, unless otherwise noted.

- **Joint Petition for Adoption by Stepparent** - Form 12.981(b)(1) Please read all directions and complete the petition *entirely*.
- **Designation of Current Mailing and E-Mail Address** - Form 12.915
- **Cover Sheet for Family Court Cases** - Form 12.928
- **Notice of Related Cases** - Form 12.900(h)
- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit** - Form 12.902(d)
- **Indian Child Welfare Act Affidavit** - Form 12.981(a)(5)
- **Stepparent Adoption: Consent of Adoptee** - Form 12.981(a)(2) – Must be completed if the adoptee is over 12 years old.
- **Stepparent Adoption: Consent and Waiver by Parent** - Form 12.981(a)(1) – Filed by natural parent whose parental rights are being terminated. If there is no agreement refer to Service of Process below.
- **Motion for Search of the 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, regardless of joint petitioner being the natural father. After the Court has signed the order granting the motion, a **certified** copy from the Clerk's Office must be obtained and mailed to Florida Department of Health, Bureau of Vital Statistics along with the application and fee to perform the search. For more information and to download the application visit: http://www.floridahealth.gov/certificates/certificates/birth/Putative_Father/index.html or contact the Bureau of Vital Statistics at 904-359-6900, extension 9001.
- **Stepparent Adoption: Affidavit of Nonpaternity** Form 12.981(a)(3) – Use of this form is **required only** when a stepfather is adopting his wife's minor child, **and** the mother and natural father were never married and paternity has **not** been established by a valid acknowledgement or court proceeding.
- **Certified Copy of Adoptee(s) Birth Certificate(s)**

SERVICE OF PROCESS IS REQUIRED ON THE NATURAL PARENT UNLESS A CONSENT AND WAIVER BY PARENT (FORM 12.981(a)(1)) IS SIGNED BY LEGAL PARENT WHOSE PARENTAL RIGHTS ARE BEING TERMINATED.

REFER TO THE [SERVICE OF PROCESS](#) INFORMATIONAL DOCUMENT LOCATED ON WWW.CIRCUITS.ORG. ADDITIONAL INFORMATION IS PROVIDED ON THE GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS DOCUMENT LOCATED ON WWW.FLCOURTS.GOV.

Personal Service

- **Summons: Personal Service on an Individual - Form 12.910(a)**
- **Process Service Memorandum - Form 12.910(b)**

Constructive Service

****MUST** attempt Personal Service at respondent's last known address BEFORE proceeding with this type of service**

This is a complicated area of the law and you may want to consult with an attorney before using constructive service.

- **Affidavit of Diligent Search - Form 12.913(c)** – Attach all supporting documentation.
- **Notice of Action for Termination of Parental Rights and Stepparent Adoption - Form 12.913(a)(3)** – Read instructions thoroughly. Publication is required.

• **Additional Forms:**

- **Motion for Default and Default - Forms 12.922 (a and b)** Filed when more than twenty (20) days from service has passed and Responding party has NOT filed an Answer.
- **Notice for Trial - Form 12.924**