

STEPARENT 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 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** Form 12.981 (c)(1) Please read all directions and complete the petition in its entirety. Please pay particular attention to the following:
 - Child must reside in the county where case is filed [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
 - Prior divorces of petitioner(s) must be listed
 - Reasons why the biological parent's rights should be terminated MUST be listed if consent is not given

- **Designation of Current Mailing and Email Address** Form 12.915

- **UCCJEA Affidavit** Form 12.902 (d) - MUST include child(ren)'s residence for last 5 years

- **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**
 - Parent's Consent 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

- **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. Pursuant to Florida Statute 63.054(7)(a) a search of the Putative Father Registry shall be done in ALL adoption cases **NOTE: A hearing CANNOT be set until the results have been filed**

Service of Process on Responding Party

Personal Service - Personal service is required if the party's whereabouts are known.

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

Alternatively, the Respondent may file an Answer to Petition and Waiver of Service of Process Forms are available at www.circuit5.org

Service by Publication or Posting - You must attempt personal service at the Respondent's last known address before filing an affidavit of diligent search.

- **Affidavit of Diligent Search** - Form 12.913 (b)

NOTE: This affidavit must be filled out completely with supporting documentation attached to the affidavit.

- **By Publication:** Must publish once a week for four (4) consecutive weeks in a publication in the county of the Court [See Florida Statute 49.10 (1)(a)]. -
PETITIONER RESPONSIBLE FOR PUBLISHING IN NEWSPAPER
- **By Posting:** If the Petitioner is found indigent by the Clerk of Court – CLERK WILL POST FOR PETITIONER

If Serving by Publication or Posting you must first complete a Stepparent Adoption -- Affidavit of Diligent Search Form 12.981 (a)(4) AFTER proof of non-service has been filed. *NOTE: This affidavit must be filled out completely with supporting documentation attached to the affidavit.*

- **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
- **Motion to Set Final Hearing** Form available at www.marioncountyclerk.org

PLEASE DO NOT FILE THIS MOTION UNTIL ALL THE ABOVE ITEMS HAVE BEEN FILED