

INTRAFAMILY ADOPTION CHECKLIST

Name of Attorney or Filing Party: _____

Caption of Adoption: _____

Docket No. _____

Part I.

PETITIONERS MUST MEET THE FOLLOWING ELEMENTS:

- | | | |
|--|---|--|
| <input type="checkbox"/> Related by blood or affinity to a parent having parental rights | <input type="checkbox"/> Over the age of 18 | <input type="checkbox"/> Had legal or physical custody for 6 months before filing petition |
|--|---|--|

NOTE: If the biological parents were *NOT* married at the time of the child’s birth, the child is illegitimate. As a result, the parent of the child married to the petitioning spouse *MUST* join as a petitioner. See *Ch.C. arts. 1243-1244* and Part III of this checklist for required forms.

Part II.

NOTE: *Ch.C. art. 1246* governs Intrafamily Adoptions; Petition; Contents; Form.

However, additional information is requested by the 4JDC to exercise its discretion to determine if the adoption is in the best interest of the child. All information in “Part II” may be listed in Exhibit A of the petition.

FOR EACH PETITIONER:

- Full name
- Address
- Age
- Occupation
- Marital history and status of each Petitioner
- States of domicile since age of majority
- Verification of Petition

CHILD:

- Birth name
- Name known to petitioners
- Place of birth
- Date of birth – if unknown, the approximate age of the child

OTHER:

- Date the child entered the home of the petitioner
- Circumstances under which child entered the home of the petitioner
- Any relationship existing between the petitioner and the child
- The date any order of custody relating to the child was rendered

Part III.

The following documents **MUST** be **referenced in the Petition, labeled, and attached as exhibits:**

- Child’s birth certificate – must be an original or certified copy
- Petitioner’s marriage license → copy
- Divorce decree(s) from any prior marriages of the petitioner(s) (if any) → copy
- Death certificate(s) from any prior spouses of petitioner(s) when the marriage ended because of the death of that spouse (if any) → copy
- Custody order regarding the child (if any) → copy. (see *Ch.C. art. 1245*) If non-stepparent petitioner, then you must include custody judgment granted by court. (see *Ch.C. art. 1245(A)*)

If the child is born out of marriage, the following must also be included:

- A Certificate of No Acknowledgement. (see *Ch.C. art. 1141*)
- A Certificate from the state of birth’s Putative Father Registry. The attorney must receive this by mail. (see *Ch.C. art. 1141*)

Part IV.

- Judgment of termination of parental rights. (see *Ch.C. art. 1015*)
- The name of every parent whose consent to the adoption is required pursuant to *Ch.C. art. 1193* **AND** authentic act of consent (*Ch.C. art. 1244*), **OR** the name of every parent and factual basis why such consent is not necessary pursuant to *Ch.C. 1245(B) or (C)*.
- If the identity of the father is unknown, then the Petition and supporting exhibits should allege sufficient facts as to why his identity is unknown. (see *Ch.C. art. 1135*)

Part V.

MUST BE REQUESTED IN PETITION AND ORDER:

- Child Abuse Clearances for all states of domicile since the age of majority
- Confidential report from DCFS [home study]

REQUIRED FORMS – see 4jdc.com

- Non-Support Inquiry → must file in record
- Completed criminal records forms → must deliver to Judge’s Chambers