

INSTRUCTIONS

Petition to Access Adoption Case Records (ADO600)

Important Notices and Resources

The Court has forms and instructions, for some types of cases, as a general guide to the court process. These instructions explain the steps in more detail and answer common questions, but are not a full guide to the law. Court employees may be able to give general information on court rules and procedures, but they cannot give legal advice.

Have questions about court forms or instructions?

- Visit [MNCourts.gov/SelfHelp](https://mncourts.gov/SelfHelp)
- Call the Statewide Self-Help Center at 651-435-6535

Not sure what to do about a legal issue or need advice?

- Talk with a lawyer
- Visit [MNCourts.gov/Find-a-Lawyer.aspx](https://mncourts.gov/Find-a-Lawyer.aspx)

Helpful materials may be found at your public county law library. For a directory, see mn.gov/law-library/research-links/county-law-libraries.jsp. For more information, contact court administration or call the Minnesota State Law Library at 651-297-7651.

Forms You Will Need

- *Petition to Access Adoption Case Records (ADO601)*

Forms are available online at [MNCourts.gov/forms](https://mncourts.gov/forms) under the “Adoption” category or [MNCourts.gov/GetForms.aspx?c=1&p=115](https://mncourts.gov/GetForms.aspx?c=1&p=115).

What You Need to Do

1. Complete the *Petition to Access Adoption Case Records (ADO601)* following the instructions below.
2. Make copies for your records.
3. File the *Petition* with the court.
4. View or request copies of the records if your request is granted by the judicial officer.

General Information about Petitioning to Access Adoption Case Records

The information contained in this document is not intended as legal advice but as a general guide to you to explain the legal process. If you do not understand any of these procedures, talk to an attorney. Court staff cannot give legal advice.

Many court records are accessible to the public but there are some court records that are confidential or sealed from public view. Depending on the situation, sometimes a court order is needed to access adoption case records. If you asked for a copy of a document or for information about an adoption, and were not able to get access, you can use these forms to ask a judicial officer to allow you to access the confidential or sealed record.

Note: If you want original birth record information, contact the Minnesota Department of Health and submit a *Request for Original Birth Record Information* form. Information is available on the [MN Department of Health Birth Records and Adoption website](http://www.health.state.mn.us/people/vitalrecords/adoption.html) (www.health.state.mn.us/people/vitalrecords/adoption.html)

Step 1

Fill Out the *Petition to Access Adoption Case Records (ADO601)*

The Caption

| | |
|---|----------------------------|
| See Instructions (ADO600) for help in filling out this form. | |
| State of Minnesota | District Court |
| County of: _____ | Court File Number: _____ |
| Judicial District: _____ | Case Type: <u>Adoption</u> |
| In the Matter of the Petition of: _____ | |
| Petition to Access Adoption Case Records (ADO601) Minn. Stat. § 259.61 and Rule 7.02 of the Rules of Adoption Procedure | |

- Fill in the county where you are filing the petition. Generally, you file the petition in the county where the adoption was done. If you don't know what county the adoption was done in, you may need to make your best guess based on the information you have or get legal advice from an attorney. Court staff will not be able to help you decide what county you should file in.
- Fill in the Judicial District. There are 10 judicial districts in Minnesota. Most judicial districts have more than 1 county in them. To see a map of judicial districts, visit the court's website at MNCourts.gov/Find-Courts.aspx.
- Fill in the court file number for the adoption case, if known. If you do not know the court file number, leave this blank.
- Fill in your full name – first, middle, and last.

Petitioner's Information

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| <p>Petitioner's Information</p> <p>1. My name is _____, and I am related to the adopted person as follows:</p> <p><input type="checkbox"/> I am the adopted person</p> <p><input type="checkbox"/> I am a sibling of the adopted person</p> <p><input type="checkbox"/> I am a biological parent of the adopted person</p> <p><input type="checkbox"/> I am an adoptive parent of the adopted person</p> <p><input type="checkbox"/> Other: _____</p> |
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1. Fill in your full name – first, middle, last. Check the box to show how you are related to the adopted person.

Procedural History

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| <p>2. a. The name and date of birth of the adopted person whose adoption records are being requested:</p> <p>Name: _____</p> <p>Date of Birth: _____</p> <p><input type="checkbox"/> I am unsure of the name and/or date of birth of the adopted person</p> <p>b. The names of the adoptive parents: _____</p> <p>_____</p> <p><input type="checkbox"/> I am unsure of the name of the adoptive parents</p> <p>c. The names of the biological parents: _____</p> <p>_____</p> <p><input type="checkbox"/> I am unsure of the names of the biological parents</p> <p>3. The adoption took place in _____ County, Minnesota.</p> <p><input type="checkbox"/> I am unsure of the county in which the adoption took place.</p> <p>4. The adoption occurred on the following date: _____.</p> <p><input type="checkbox"/> I am unsure of the date of the adoption.</p> |
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- 2-4. Do your best to fill in as much information as possible in questions 2-4. If you have tried to get the information, but were unable to get it, you can check the box telling the court you are unsure about that piece of information.

Information Being Requested

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| <p>5. I am requesting access to the following information (check all that apply):</p> <p><input type="checkbox"/> Adoption Petition</p> <p><input type="checkbox"/> Adoption Order</p> <p><input type="checkbox"/> Identity of adopted person's tribal affiliation (adopted person is at least 18 years of age)</p> <p><input type="checkbox"/> Other: _____</p> |
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1. Check the boxes next to the type of information you are requesting access to:
 - Adoption petition – this is the document that started the adoption case.
 - Adoption order: This is the court order that finalized the adoption.
 - Identity of adopted person’s tribal affiliation: This is information about any tribal connection either birth parent may have had.
 - Other: if you want some other kind of information, check the “other” box and describe the information you want.

Impact of Request for Access

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| <p>6. The names and addresses of all persons who may be affected by this request: _____ _____ _____</p> <p>7. The benefit of allowing me the information that I am asking for outweighs the importance of keeping the information confidential because: _____ _____</p> |
|--|

2. Fill in the names and addresses, if known, of any people who may be affected by your request to access the information. This could possibly include birth parents, birth siblings, adoptive parents, and/or someone else. Court staff cannot tell you who to list.
3. Explain how the information will benefit you and why that benefit is more important than keeping the information confidential.

Signature

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| <p>I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.</p> | |
| Date: _____ | Signature: _____ |
| County and state where signed: _____ | |
| Name: _____ | |
| Address: _____ | |
| City, State, Zip: _____ | |
| Phone: _____ | |
| Email: _____ | |

- Date and sign the *Petition to Access Adoption Case Records (ADO601)*. Add the county and state you are in when you sign the form. Fill out your personal contact information under your signature.
- By signing the *Petition* under penalty of perjury, you are stating that the information in the *Petition* is true to the best of your knowledge. If you give false information on the form, you may be charged with a crime.

Step 2

Make copies for your records

You will file the original forms with the court, so it is a good idea to make copies of the forms for your own records before filing.

Step 3

File the forms with the court

File the *Petition to Access Adoption Case Records* (ADO601) with the court in the county where you believe the adoption case is located. There is no filing fee to file this request.

You can file the forms with Court Administration either at the courthouse or electronically:

- **At the Courthouse** (addresses for courthouses are online at Mncourts.gov/Find-Courts.aspx):
 - In person; or
 - By mail.
- **Electronic Filing through the eFS System:**
 - Information about eFiling is on the MN Judicial Branch website at Mncourts.gov/eFile under the “eFile and eServe Training” tab.
 - Once you choose to eFile, you will need to continue to use the eFS System for the rest of the case. See Minn. Gen. R. Prac. 14.01(b)(5)(i) (revisor.mn.gov/court_rules/gp/id/14/)

Step 4

Wait to see if the judicial officer grants your request

After you file the *Petition to Access Adoption Case Records* (ADO601) with the court, your request will be sent to a judicial officer to decide whether to grant your request.

The amount of time it takes for a judicial officer to make a decision can depend on many factors.

If the judicial officer grants your request and signs an order, court administration will send you a copy of the order.

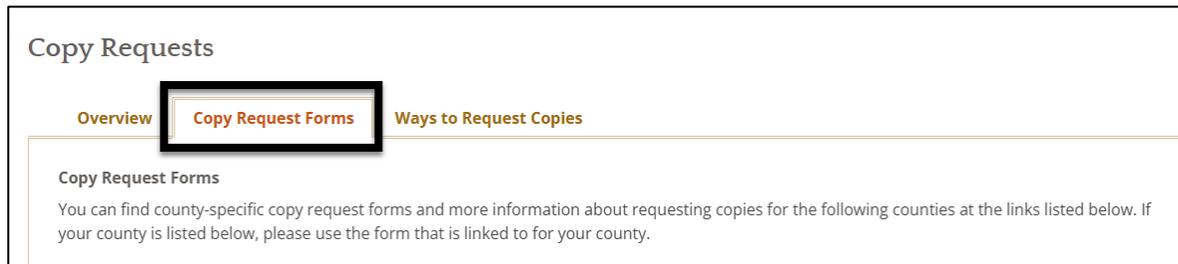
Step 5

Access the records

If the judicial officer grants your request, and you haven't already submitted a copy request, you can ask court administration for a copies of records that have been granted.

Information about copy requests is available on the Minnesota Judicial Branch website Mncourts.gov/Help-Topics/Copy-Request.aspx.

Go to the “**Copy Request Forms**” tab in the Help Topic to see if your county has a specific request form you can use.



If your county is not listed in this tab, you can use the statewide copy request form.

- Be sure to include a copy of the order with your request.
- **NOTE:** Use of the copy request form is not required (you may contact the court in some other way, such as in person or writing a letter). But using the copy request form may help court staff process your request correctly and more quickly.

Copy Fees for Some Court Records

There are a couple types of copies of court records that are commonly requested:

- **Uncertified copies** are plain photocopies that do not have a court seal, so they cannot be used for official purposes (for example, updating your name on a driver’s license after a name change). It is a good idea to keep plain copies of documents from your case for your own records. There is no fee for an uncertified copy.
- **Certified copies** are photocopies that have a court seal or an image of a court seal that allows them to be used for official purposes (for example, updating your name on a driver’s license after a name change). Certified copies generally cost \$14 per document, unless the judicial officer has waived your fees in the case.