

State of Minnesota

County _____

District Court

Judicial District: _____
Court File Number: _____
Case Type: Adoption – Stepparent

In Re the Petition of:

_____, Petitioner/Parent
and
_____, Petitioner/Stepparent

**Petition for
Stepparent Adoption
(Uncontested)**

To Adopt:

_____,
(child's current name)
_____,
(child's current name)
_____,
(child's current name)

Petitioners, upon their oaths or affirmations, and to the best of their information and belief, represent to the Court the following:

PETITIONERS

1. Petitioners' full names are _____ (parent's name) [hereinafter "parent"] and _____ (stepparent's name) [hereinafter "stepparent"].
2. Petitioners' respective dates of birth are _____ (parent's date of birth) and _____ (stepparent's date of birth).
3. Petitioners were married on _____ (date of marriage) in the City of _____ (city), County of _____ (county), State of _____ (state).
4. Petitioners presently reside at _____ (street address) in the City of _____ (city), County of _____, State of Minnesota.
5. Petitioners have resided in Minnesota since _____ (date began residing in Minnesota), which (check one):

- has been for at least one year as required under Minnesota Statutes § 259.22.
- has not been for at least one year as required under Minnesota Statutes § 259.22, but, pursuant to that statute, Petitioners ask the Court to reduce the residency requirement to 30 days as requested in the Motion, Affidavit, and Proposed Order included with this Petition for Stepparent Adoption.

CHILD(REN) TO BE ADOPTED

6. Stepparent desires to adopt the following child(ren):

Child's Current Full Name	Child's Current Age and Date of Birth	Child's County and State of Birth	Full Name of Child's Birth Mother	Full Name of Child's Birth Father

7. The above named child(ren) own(s) no real estate, savings or bank accounts, bonds, securities or personal property other than clothing and personal effects of inconsequential market value, except as shown on attached list.

8. Included with this petition is a certified copy of each child's birth certificate.

9. The child(ren) (*check one*) is or is not an Indian child(ren) (an Indian child is a child who is either a member of an Indian tribe or eligible for membership in an Indian tribe) and the Indian Child Welfare Act (ICWA) (*check one*) does or does not apply.



STOP If the child to be adopted is an Indian child and the Indian Child Welfare Act applies, you cannot use this packet of forms because of the additional notice and other requirements involved in the adoption of an Indian child.

10. The Stepparent of the above named child(ren) obtained physical custody of said child(ren) at the time of Petitioners' marriage).

11. The child(ren) has/have lived in the Petitioners' home since the date of Petitioners' marriage.

CONSENT

12. Each child to be adopted who is age 14 or older, if any, has consented to be adopted by his/her Stepparent. The written consent is included with this Petition for Stepparent Adoption and was executed before two competent witnesses and acknowledged by the child before a notary public.

13. _____ (*nonpetitioning parent's name*), the nonpetitioning parent of the child(ren), has consented to the adoption of the child(ren) by the stepparent. The written consent is included with this Petition for Stepparent Adoption and was executed before two competent witnesses and acknowledged by the nonpetitioning parent before a notary public.

RESULTS OF SEARCH OF FATHERS' ADOPTION REGISTRY

14. Pursuant to Minnesota Statutes § 259.52, the Fathers Adoption Registry has been searched pursuant to a request of the county social services agency and certification that the registry has been searched, and the results of that search, have been filed with the Court.

PARTIES TO ADOPTION PROCEEDING

15. Pursuant to Adoption Rule 35.05, subd. 2(k), following are the names and addresses of the parties to this Stepparent Adoption proceeding:

Category	Name	Address (Street, City, State)
Parent		
Stepparent		
Child 1 (if age 10 or older)		
Child 2 (if age 10 or older)		
Child 3 (if age 10 or older)		
Child 4 (if age 10 or older)		
Child 5 (if age 10 or older)		
Child's Guardian Ad Litem	If there is one, he/she will be appointed by the court	
Child's legal custodian (if different from parent)		
Child's legal guardian (if different from parent)		

ADOPTION HOME STUDY AND POST-PLACEMENT ASSESSMENT

16. Petitioners understand that, pursuant to Minnesota Statutes § 259.41, subd. 1(b), an adoption home study is not required in this stepparent adoption because the adoption is with an individual who is related to the child.

17. Petitioners understand that Minnesota Statutes § 259.53 requires a post-placement assessment in stepparent adoption, but that assessment may be waived upon request to the court. Petitioners (*check one of the following*):

- Do not request waiver of the post-placement assessment and ask the Court to forward this petition to the appropriate agency to conduct the post-placement assessment, including the required background study and fingerprint check.
- Ask the Court to waive the post-placement assessment as requested in the Motion, Affidavit, and Proposed Order included with this Petition for Stepparent Adoption. Petitioners understand that even if the Court waives the post-placement assessment, the Court cannot waive the required background study and fingerprint check which must be conducted on every adult in the home age 18 and older.

COMMUNICATION AND CONTACT AGREEMENT

18. Petitioners understand that Minnesota Statutes § 259.58 allows them to enter into a communication or contact agreement with the nonpetitioning parent. Petitioners (*check one*):

- Do not wish to enter into a communication or contact agreement with the nonpetitioning parent.
- Wish to enter into a communication or contact agreement with the nonpetitioning parent and such agreement is included with this Petition for Stepparent Adoption.

REQUEST FOR ADOPTION

- 19. Petitioners desire that the relationship of parent and child be established between the above-named child(ren) and Stepparent.
- 20. Petitioners freely undertake the obligation fully to support and care for the above-named child(ren) until the child(ren)'s maturity.
- 21. It is in the best interests of the above-named child(ren) that the child(ren) be adopted by Stepparent.

22. **WHEREFORE**, Petitioners request that this Court issue a decree of adoption of the above-named child(ren) by stepparent , and for a change of the child(ren)'s name(s) as follows:

a. From _____ (*child's current name*) to _____ (*child's desired name*).

b. From _____ (*child's current name*) to _____ (*child's desired name*).

c. From _____ (*child's current name*) to _____ (*child's desired name*).

23. Included with this Petition for Stepparent Adoption, or otherwise filed in the Court file, are the following properly executed documents (*check all that apply*):

- Results of Search of Fathers Adoption Registry
- A certified copy of the birth certificate of each child to be adopted
- Original consent signed by the non-petitioning parent, if the rights of the parent have not already been terminated
- Original consent signed by each child to be adopted age 14 or older (if any)
- List of personal property belonging to each child
- Ex Parte Motion, Affidavit, and Proposed Order Reducing Residency Requirement
- Ex Parte Motion, Affidavit, and Proposed Order Waiving Post-Placement Assessment
- Communication and Contact Agreement and Proposed Order

Dated: _____
Petitioner/Parent (*sign only in front of notary public*)

Dated: _____
Petitioner/Stepparent (*sign only in front of notary public*)

VERIFICATION AND ACKNOWLEDGEMENT

State of Minnesota)

) **SS**

County of _____)

The above-named Petitioner/Parent, _____ (*parent*), being first duly sworn on oath states that Petitioner has read the foregoing Petition for Stepparent Adoption subscribed by him/her, that Petitioner knows the contents thereof, and that the same is true to Petitioner’s best information and belief.

_____ (*parent name*)

Petitioner/Parent

_____ (*signature*)

(sign only in front of notary public)

Subscribed and sworn to before me this
___ day of _____, _____

Notary Public

State of Minnesota)

) **SS**

County of _____)

The above-named Petitioner/Stepparent, _____ (*stepparent*), being first duly sworn on oath states that Petitioner has read the foregoing Petition for Stepparent Adoption subscribed by him/her, that Petitioner knows the contents thereof, and that the same is true to Petitioner’s best information and belief.

_____ (*stepparent name*)

Petitioner/Stepparent

_____ (*signature*)

(sign only in front of notary public)

Subscribed and sworn to before me this
___ day of _____, _____

Notary Public