

State of Minnesota

District Court

_____ County

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

In Re the Petition of:

_____, Petitioner/Parent
 and
 _____, Petitioner/Stepparent

**Communication and Contract
Agreement and Order**

To Adopt:

(child's current name)

(child's current name)

(child's current name)

1. This agreement is made between _____ *[name of
 Petitioner/Parent]* [hereinafter “parent”] and _____ *[name
 of Petitioner/Stepparent]* [hereinafter “stepparent”] and _____ *[non-
 petitioning parent's name]* [hereinafter “non-petitioning parent”] who is consenting to the
 adoption of:

the child named _____ *[child's name]*, a _____ *[male/female]*
 child born on _____ *[date of birth]*;

the child named _____ *[child's name]*, a _____ *[male/female]*
 child born on _____ *[date of birth]*; and

the child named _____ *[child's name]*, a _____ *[male/female]*
 child born on _____ *[date of birth]*.

2. This agreement is made pursuant to Minnesota Statutes § 259.58, which allows adoptive
 parents and birth relatives to make legally enforceable their agreement to have contact with
 one another after the adoption is finalized.

3. We understand that the law views adoption as the irrevocable severance of all parental rights
 of the birth parent with respect to the adopted child. We understand that legally adopted
 children are the children of the adoptive parents as if born to them. All parties to this
 agreement are committed to a relationship that is in the child's best interest now and in the
 future.

4. We understand that Minnesota Statutes § 259.58 allows a communication or contact agreement to be part of the written order finalizing an adoption. We also understand that failure to comply with the communication or contact agreement will never be a reason for a court to rescind the adoption. We understand that any differences about this agreement, or any changes needed because of new circumstances, will have to be settled directly by the parties or resolved in family court.
5. **WHEREAS** parent is the birth mother and non-petitioning parent is the birth father of the above-named child(ren); and
6. **WHEREAS** the child(ren) has/have been in the home of the Petitioners (parent and stepparent) since _____ [date child(ren) began living with adoptive parents]; and
7. **WHEREAS** the stepparent plans to adopt the child(ren) as soon as possible; and
8. **WHEREAS** the non-petitioning parent wishes to continue to have contact with the parent, stepparent, and child(ren) after the adoption is finalized; and
9. **WHEREAS** all parties agree that such contact is in the best interests of the minor child(ren);
10. **NOW THEREFORE**, the parties agree as follows:
 - a. **Current Contact Information:** Until each child reaches the age of 18, the parties shall provide current addresses and phone numbers to each other and shall update this information as it changes. Current contact information is as follows:

Name	Address	Phone Number
Birth mother		
Birth father		
Adoptive mother		
Adoptive father		

b. Photographs and Letters for Birth Parents:

- i. The parent and stepparent agree to provide the non-petitioning parent with letters and photos when the child(ren) is/are ages _____.

- ii. After the child(ren) reaches age _____, the parent and stepparent agree to provide photos and letters _____ times each year until the child(ren) reaches age _____.
 - iii. After the child(ren) reaches age _____, the parent and stepparent agree to provide photos and letters _____ times each year until the child(ren) reaches age _____.
 - iv. The photos will include a collection of snapshots from throughout the year and posed portraits, such as school photos. The photos will include some of the child(ren) with family and other people in the child(ren)'s life, and some of the child(ren) alone.
- c. Photographs and Letters for the Child(ren):** The non-petitioning parent agrees to provide letters and photographs of the non-petitioning parent to the parent and stepparent to give to the child(ren). The non-petitioning parent may also provide the parent and stepparent with occasional gifts for the child(ren).
- d. Face-to-Face Meetings Between Parents:** The non-petitioning parent and the parent and stepparent want to have ongoing visitation with each other. The visitation will take place at a mutually agreed upon location. The parties agree to visit _____ times during the next _____ [period of time]. Visitation between parents will continue until the point at which it becomes confusing for the child(ren) or uncomfortable for the parties.
- e. Future Face-to-Face Contact With Child:** The parent and stepparent agree to arrange for the child(ren) to meet the non-petitioning parent at an appropriate age and time, if the child(ren) so desires. The parent and stepparent and non-petitioning parent are open to discussing visitation between the non-petitioning parent and child(ren).
- f. Notification of Death or Serious Illness to Birth Parent:** The parent and stepparent agree to notify the non-petitioning parent of the death or serious illness of either of them or the child(ren) as soon as it is reasonably possible to do so.
- g. Notification of Death or Serious Illness to Adoptive Parents:** The non-petitioning parent agrees to notify the parent and stepparent of the death or serious illness of the non-petitioning parent [and his/her siblings and/or parents] as soon as it is reasonably possible to do so.
11. The above terms and conditions of communication and contact constitute the entire agreement between the parties concerning the non-petitioning parent's rights to communicate with or contact the child(ren) after the adoption is finalized.

Dated: _____

Signature of non-petitioning parent
[sign only in front of notary public]

Printed name of non-petitioning parent

Dated: _____

Signature of petitioning parent
[sign only in front of notary public]

Printed name of petitioning parent

Dated: _____

Signature of petitioning stepparent
[sign only in front of notary public]

Printed name of petitioning stepparent

On this _____ day of _____, _____,
before me personally appeared the persons described
herein who executed the foregoing communication
and contact agreement.

Notary Public

FINDINGS

Based upon the above representations and agreements of the parties, this Court finds that the terms of the communication and contact agreement set forth above are in the best interest of the child(ren) who is/are the subject(s) of this adoption proceeding.

ORDER

1. The Court hereby enters the terms of the above agreement as its order for ongoing communication and contact between the non-petitioning parent, parent, stepparent, and the child(ren).

2. Disputes about or enforcement of this Communication and Contact Agreement Order shall be brought in Family Court.

Dated: _____

Judge of District Court