**Adult Adoption: Creating a Lifelong Family Bond**

**and *Legal* Connection**



Adult adoption is the process by which a legal relationship is created between two people who have grown to love and care for each other. Often times adults who serve as foster parents wish to create an everlasting sense of family with their foster child(ren) once these children age out of care. The process is fairly simple and the benefits are enumerable! Not only does the legal relationship created give foster children inheritance rights equal to those of a biological child, but more importantly the emotions attached to the permanent family bond created by adoption have been consistently demonstrated to have a beneficial impact on these children’s mental health and well-being.

Once a child is adopted by an eligible person, the law views the adopted child as if they were a biological child of their adoptive parent. A new birth certificate is issued with the adopted person’s name and the adoptive parent(s) is/are listed as the birth parent(s). Both the adoptive parent and the adopted child are then subject to all of the rights and privileges as well as the obligations that exist between a biological child and their natural parent.

**Sounds great, what do I do next?**

In order to complete an adult adoption, two forms must be completed at a minimum. The adoptive adult needs to complete the following Petition for Adult Adoption and sign the petition in the presence of a notary public. The adult being adopted must fill out the Consent of Adult Adoptee form attached and sign the form in the presence of a notary public and two witnesses. If the adult being adopted is married, then his/her spouse must fill out the Consent of Adult Adoptee’s Spouse form attached and sign the form in the presence of a notary public and two witnesses.

After all of the required forms have been filled out, signed in the presence of a notary public, notarized and you have obtained a certified copy of the order terminating the biological parent’s parental rights, you are ready to file your petition with your local circuit court. Your petition, the document that requests the court to create the legal relationship, should be filed in the circuit in which you live. The complete list of circuit courts located in the State of Florida is attached to this packet as Appendix “A”. Once you locate the correct circuit, you should contact your local Clerk of Court and inquire as to the amount of the required filing fee. The next step is to go to the courthouse and file your petition along with the supplemental documents, the order terminating parental rights and a check or money order for the proper amount according to your local circuit court’s fee schedule. If you need any help locating the proper circuit court clerk please visit <http://www.flcourts.org/courts/circuit/circuit.shtml> or contact your local legal aid office.

**Petition for Adult Adoption Instruction Sheet**

**Use this instruction sheet as a guide to help in filling out the following Petition for Adult Adoption and associated documents. After filling out the Petition, you must have the adult you are seeking to adopt fill out Appendix “B”- Adult Adoptee Consent form. If that adult is married, his/her spouse must fill out Appendix “C”- Consent of Adult Adoptee’s Spouse form. Make sure to keep in mind that everything that must be completed has to be signed in the presence of a Notary Public.**

|  |  |
| --- | --- |
| **Blank #:** | **What to write in the blank** |
| 1 | The judicial circuit for the county where you live. See Appendix A for a list of judicial circuits. |
| 2 | The county where you live and plan to file the petition. |
| 3 | Leave blank- to be filled in by the court. |
| 4 | Leave blank- to be filled in by the court. |
| 5 | The name of the adult to be adopted. If you want to change this adult’s last name to your last name, put the new legal name you want the adopted adult to have. |
| 6 | Your full legal name. This should be the name of the adult seeking to adopt another adult. |
| 7 | The name of the adult who is being adopted. |
| 8 | Date of birth of the person to be adopted. |
| 9 | Place of birth of person to be adopted. Write the city, county and state. |
| 10 | A short statement giving the reason or reasons why you want to adopt the person you are seeking to adopt. You do not need to list every reason you can think of here. |
| 11 | Your age. |
| 12 | Your current address. |
| 13 | Length of time you have lived at your current address. |
| 14 | The full legal name you wish to give to your adopted adult. If you want to give this adult your last name, put your last name after the adult’s first name. |
| 15 | Adopted adult’s biological father’s name and date of birth. |
| 16 | Adopted adult’s biological father’s address. |
| 17 | Adopted adult’s biological mother’s name and date of birth. |
| 18 | Adopted adult’s biological mother’s address. |
| 19 | **CONSENT*** Mark an “X” next to line “a”, and then go on to have the adult to be adopted fill out Appendix B- Consent of Adult Adoptee form. This form must be completed in order for the Petition for Adult Adoption to be processed.
* IF THE ADULT BEING ADOPTED IS MARRIED, list the full legal name of the adult’s spouse. Mark an “X” next to line “b”, and then go on to fill out Appendix C- Consent of Adult Adoptee’s Spouse form.
* IF THE ADULT BEING ADOPTED IS NOT MARRIED, mark an “X” next to line “c”.
 |
| 20-26 | **YOU MUST COMPLETE THIS PORTION IN THE PRESENCE OF A NOTARY**Printed name, address, telephone number, fax number (if applicable), date, and signature of the petitioner (the adult filling out this Petition and who is seeking to adopt the other adult named in the Petition). |
| 27+ | Leave these blank- to be filled in by the Notary Public (and non-lawyer if applicable). |

**FILL OUT ALL FORMS IN BLACK INK**

IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT,

 IN AND FOR COUNTY, FLORIDA

Case No.:

Division:

IN THE MATTER OF THE ADOPTION OF

 ,

*{name to be given to person being adopted}* Adoptee.

 **PETITION FOR ADOPTION OF ADULT BY ANOTHER ADULT**

Petitioner, *{full legal name}* , files this petition for adoption of the above-named adult, pursuant to Chapter 63, Florida Statutes, and states:

1. This is an action for adoption of an adult by another adult, Petitioner.

2. I desire to adopt *{adult’s full legal name}* ,

who was born on *{date}* , at *{city, county and state}*

.

3. I desire to adopt the adult because:

 .

4. I am years old, and I have resided at *{address}* ,

Florida for years.

5. The adoptee’s name shall be: .

6. The adoptee’s birth parents are:

Father’s Name Birth date

Address

Mother’s Name Birth date

Address

7. **Parental rights have been terminated.** The parental rights of the adoptee’s birth parents have been terminated pursuant to chapter 39, Florida Statutes. A certified copy of this order is attached hereto. *{You MUST attach a certified copy of the order terminating parental rights to this Petition in addition to the required supplemental forms}*

8. **Consent.**

[ √ **all** that apply]

        a. The consent of the adoptee is attached.

        b. The adoptee is married to *{full legal name of adoptee’s spouse}* ,

and the consent of the spouse is attached.

        c. The adoptee is not married.

9. Written notice of this final hearing was provided to the parents or proof of service of process showing notice has been served on the parents is attached.

WHEREFORE, I request that this Court enter a Final Judgment of Adoption of the adult by Petitioner and change the name of the adoptee.

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated:

Signature of Party

Printed Name:

Address:

City, State, Zip:

Telephone Number:

Fax Number:

STATE OF FLORIDA

COUNTY OF

Sworn to or affirmed and signed before me on by .

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

 Personally known

 Produced identification

Type of identification produced

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:** [ fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* ,

a nonlawyer, located at *{street}* , *{city}* ,

*{state}* , *{phone}* , helped *{name}* ,

who is the petitioner, fill out this form.

Appendix A

Judicial Circuits and their Associated Counties

Instructions:

Using this Appendix, find the county in which you live and the corresponding judicial circuit. Once you locate the number of the judicial circuit, write that number in the **FIRST BLANK** of the Petition for Adult Adoption.

* [First Circuit](http://www.firstjudicialcircuit.org/) - Escambia, Okaloosa, Santa Rosa and Walton
	+ [Second Circuit](http://www.2ndcircuit.leon.fl.us/) - Franklin, Gadsden, Jefferson, Leon, Liberty, and Wakulla
	+ [Third Circuit](http://www.jud3.flcourts.org/) - Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee and Taylor
	+ [Fourth Circuit](http://www.coj.net/Departments/Fourth%2BJudicial%2BCircuit%2BCourt/default.htm) - Clay, Duval and Nassau
	+ [Fifth Circuit](http://www.circuit5.org/) - Citrus, Hernando, Lake, Marion and Sumter
	+ [Sixth Circuit](http://www.jud6.org/) - Pasco and Pinellas
	+ [Seventh Circuit](http://www.circuit7.org/) - Flagler, Putnam, St. Johns and Volusia,
	+ [Eighth Circuit](http://www.circuit8.org/) - Alachua, Baker, Bradford, Gilchrist, Levy, and Union
	+ [Ninth Circuit](http://www.ninja9.org/) - Orange and Osceola
	+ [Tenth Circuit](http://www.jud10.org/) - Hardee, Highlands, and Polk
	+ [Eleventh Circuit](http://www.jud11.flcourts.org/) - Dade
	+ [Twelfth Circuit](http://www.jud12.flcourts.org/) - DeSoto, Manatee, and Sarasota
	+ [Thirteenth Circuit](http://www.fljud13.org/) - Hillsborough
	+ [Fourteenth Circuit](http://www.jud14.flcourts.org/) - Bay, Calhoun, Gulf, Holmes, Jackson and Washington
	+ [Fifteenth Circuit](http://15thcircuit.co.palm-beach.fl.us/web/guest/cadmin) - Palm Beach
	+ [Sixteenth Circuit](http://www.keyscourts.net/) - Monroe
	+ [Seventeenth Circuit](http://www.17th.flcourts.org/) - Broward
	+ [Eighteenth Circuit](http://www.flcourts18.org/) - Brevard and Seminole
	+ [Nineteenth Circuit](http://www.circuit19.org/) - Indian River, Martin, Okeechobee and St. Lucie
	+ [Twentieth Circuit](http://www.ca.cjis20.org/) - Charlotte, Collier, Glades, Hendry and Lee

Appendix B

Consent of Adult Adoptee\* form

\*The adult adoptee is the person who is being adopted.

**DO NOT SIGN THIS FORM OUTSIDE THE PRESENCE OF A NOTARY PUBLIC!**

**THIS FORM MUST BE SIGNED BY THE ADOPTEE AND THE NAMED WITNESSES**

**IN THE PRESENCE OF A NOTARY PUBLIC**

IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT,

IN AND FOR COUNTY, FLORIDA

Case No.:

Division:

IN THE MATTER OF THE ADOPTION OF

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 *{name of person to be adopted}* Adoptee.

 **CONSENT OF ADOPTEE**

1. I, *{full legal name}* , being over the age of 12,

consent to my adoption by *{name}* , to be his/her legal child and heir at law.

2. I have been told of my right to choose a person who does not have an employment, professional, or personal relationship with the adoption entity or prospective adoptive parents to be present when this affidavit is executed and to sign it as a witness. The witness I selected is: *{full legal name} .*

3. [ √ only one]

( ) I consent to my name being legally changed to *{specify new name that you wish to have upon completion of the adoption process}* .

( ) I do not consent to a name change.

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this consent and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated:

Signature of Adoptee

Printed Name:

Address:

City, State, Zip:

Telephone Number:

Fax Number:

Signature of Witness

Printed Name:

Business Address:

Home Address:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Witness

Printed Name:

Business Address:

Home Address:

Driver’s License or

State ID Card No.:

Driver’s License or

State ID Card No.:

STATE OF FLORIDA

COUNTY OF

Sworn to or affirmed and signed before me on by .

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

 Personally known

 Produced identification

Type of identification produced

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:** [ fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* ,

a nonlawyer, located at *{street}* , *{city}* ,

*{state}* , *{phone}* , helped *{name}* ,

who is the adoptee, fill out this form.

Appendix C

Consent of Adult Adoptee’s Spouse\* form

 \*The adult adoptee’s spouse is the husband/wife of the adult who is being adopted. If the person being adopted is married, this form must be completed by his/her spouse.

**DO NOT SIGN THIS FORM OUTSIDE THE PRESENCE OF A NOTARY PUBLIC!**

**THIS FORM MUST BE SIGNED BY THE ADOPTEE’S SPOUSE AND THE NAMED WITNESSES**

 **IN THE PRESENCE OF A NOTARY PUBLIC**

IN THE CIRCUIT COURT OF THE JUDICIAL CIRCUIT,

IN AND FOR COUNTY, FLORIDA

Case No.:

Division:

IN RE: THE ADOPTION OF

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ,

*{use name to be given to adult being adopted}* Adoptee.

 **ADULT ADOPTION: CONSENT OF ADULT ADOPTEE’S SPOUSE**

1. I, *{full legal name}* , am the (    ) wife (    ) husband of *{full legal name}* , who Petitioner, *{full legal name}* wishes to adopt.

2. I consent to the adoption of my spouse by Petitioner.

3. I understand my right to choose a person who does not have an employment, professional, or personal relationship with the adoption entity or the prospective adoptive parents to be present when this affidavit is executed and to sign it as a witness. The witness I selected is: *{full legal name} .*

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this consent and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated:

Signature of Spouse

Printed Name:

Address:

City, State, Zip:

Telephone Number:

Fax Number:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Witness Signature of Witness

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Printed Name:

Business Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Business Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Home Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Home Address:

Driver’s License or Driver’s License or

State ID Card No.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State ID Card No.:

STATE OF FLORIDA

COUNTY OF

Sworn to or affirmed and signed before me on by .

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk.]

 Personally known

 Produced identification

Type of identification produced

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:** [ fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* ,

a nonlawyer, located at *{street}* , *{city}* ,

*{state}* , *{phone}* , helped *{name}* ,

who is the , fill out this form.