

INSTRUCTIONS FOR STEPPARENT ADOPTION WITH CONSENTS

CAUTION

These forms are only to be used when a stepparent is adopting a minor child with the consent of all living legal parents and consent of the minor child if over 14 years old. These forms are NOT to be used:

- when a parent objects to or contests the adoption;
- when a parent is unknown or cannot be located; or
- when the child or one of the legal parents of the child is a member of or eligible for membership in an Indian tribe.

These adoption forms are basic forms for simple stepparent adoptions with consent. Adoptions can be complicated and using legal forms without an attorney's help can harm your legal rights.

Courts require that persons filing adoptions follow court rules. Failure to follow court rules may prevent you from finishing your case. Self-represented persons are expected to know and follow the same rules that attorneys are required to follow.

The Clerk of the District Court cannot help you complete these forms or give you legal advice. The Clerk can provide you very limited information about the adoption process. If you have questions you should contact an attorney.

Read Instructions Completely – Please Type or Print Neatly

1. Complete a ***Civil Cover Sheet***.
2. Complete the ***Petition for Adoption by Stepparent with Consents***. This form is filled out by the person who wants to adopt the child (the stepparent). The Clerk of the District Court will assign a case number when the petition is filed.
3. Sign the **Petition** before a notary. Your signature is your affirmation that all of the information in the petition is accurate to the best of your knowledge.
4. Complete the ***Parent's Consent to the Adoption of Minor Child by Stepparent***, and have the parent who is giving up parental rights sign the consent in front of a judge or notary. (If the other parent is deceased, his or her consent is not required.)

5. Complete the ***Consent of Spouse to the Adoption of Minor Child by Stepparent***, and have the legal parent who is the spouse of the stepparent who wants to adopt the child sign the consent before a judge or a notary.
6. If the minor child to be adopted is over 14, complete the **Consent by Child Over 14 Years of Age to Adoption by Stepparent**, and have the child sign the consent before a judge or a notary. This consent form needs to be completed ONLY IF the child is over 14 years of age.
7. If either of the legal parents does not wish to be notified of the adoption hearing, have the parent sign an **Entry of Appearance and Waiver of Notice** before a notary.
8. Complete the **Accounting of Consideration and Disbursements**. This form is filled out and signed by the person filing the petition (stepparent). On this form you must disclose any amounts paid or requested to be paid in connection with this adoption.
9. File the **Petition**, with all **Consents attached**, the **Accounting** and any **Entries of Appearance and Waivers of Notice** with the Clerk of the District Court in the county where you reside and pay the required docket fee. (Check with the Clerk for the amount of the fee and to find out if additional copies of the documents are required).
10. Contact the Clerk of the District Court or the Administrative Assistant for the Judge to whom the case has been assigned to find out how to obtain a date and time for a hearing and the Judge's notice requirements. Then fill out and present the **Order for Hearing and for Notice** to the Clerk or Administrative Assistant as directed for the Judge's signature.
11. Complete the **Notice of Hearing on Petition for Stepparent Adoption with Consents** and send a copy by certified mail, return receipt requested, to every person directed by the Court in the **Order for Hearing and for Notice** at least 10 days before the hearing date. If the legal parents have completed and filed **Entries of Appearance and Waivers of Notice**, the Court may order that no further notice is required. If that happens, you will not need to send a **Notice of Hearing** to anyone.
12. Some Judges may require that you provide additional documents or information in order to adopt. You should ask the Clerk of the District Court or the Judge's Administrative Assistant whether the Judge has any specific requirements to adopt as a stepparent. Some additional requirements may include:
 - a) Written proof of a valid marriage and length of marriage.
 - b) A Home Study or Waiver of Home Study.

- c) A Kansas Department of Children and Families Abuse and Neglect Clearance, which can be requested at the following link:
<http://www.dcf.ks.gov/services/PPS/Pages/Child-Abuse-and-Neglect-Central-Registry.aspx>.
 - d) A Kansas Bureau of Investigation Background Check, which can be requested at the following link: <http://www.kansas.gov/kbi/criminalhistory/>.
 - e) A Kansas Offender Registration Act search, which will show if an individual is subject to register as an offender in Kansas and which can be conducted at the following link: <https://www.kbi.ks.gov/registeredoffender/>.
13. Complete the **Affidavit of Service** and attach a copy of the **Notice of Hearing** and each “green card” (return receipt card) that has been returned to you if the Court ordered you to provide notice of the adoption hearing. You may file this document with the Clerk before the final hearing or bring it with you to the final hearing.
14. Complete the **Decree of Adoption by Stepparent with Consents** and bring it with you to the final hearing.
15. Complete the **Report of Adoption** and bring it with you to the final hearing. This form is available in a fillable format at <https://www.kdhe.ks.gov/1166/Adoptions>. The child’s name is the name wanted after adoption. The parents’ information for new birth certificate is that of the adopting stepparent and spouse that remains the legal parent after adoption. You will also need to include the information requested from the original birth certificate. The court will send the Report of Adoption to the Office of Vital Statistics. The Office of Vital Statistics will then contact you about the next step.