Adult Adoption

Adult adoption is a legal procedure in which an older adult adopts a younger adult. Once an adult adoption is complete, the parties assume toward each other a legal parent-child relationship, with all associated rights and responsibilities of such a relationship, including inheritance rights. Adult adoption cannot be used for lmmigration (http://www.uscis.gov/adoption/immigration-through-adoption/other-adoption-related-immigration) purposes.

Information included in this guide does not apply to independent, agency, international, or stepparent adoptions. Stepparent Adoption forms can be accessed through the Sacramento Superior Court at the following link: Stepparent Adoption Forms (https://www.saccourt.ca.gov/family/adoptions.aspx).

An adult adoption severs all existing parent-child relationships, unless the adopting parent is the adoptee's stepparent. When a stepparent adopts an adult stepchild, the adopting parent's spouse retains his/her parent-child relationship with the adoptee. The procedures for adopting an adult in California are found in the California Family Code (Fam.) §§ 9300-9340

(http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=9300.) .

The required documents for an adult adoption are:

- The Adoption Agreement. This document states that the parties agree to assume toward each other the legal relationship of parent and child, and to have all the rights and be subject to all the duties and responsibilities of that relationship.
- The *Petition for Approval of Adoption Agreement*. This is the formal request that the court approve the Adoption Agreement. This document must provide specific details, including the ages of the parties, the nature and length of their relationship, and the reasons the parties are seeking this adoption. Be clear and specific about why the adoption would be in the best interest of the parties.
- The *Order of Adoption*. This is the formal court order granting the adoption. Present this at the adoption hearing for the judge to sign.
- Spousal Consent(s). If either party is married, consent of the spouse(s) is required.

Step-by-Step Instructions

1. Complete the required forms

There is no Judicial Council form for this procedure. Instead, the relevant documents must be typed on 28-line pleading paper. Customizable templates may be downloaded from these links:

- Petition for Approval of Adoption Agreement (https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-petition-2/)
- Adoption Agreement (https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-agreement/)
- Consent of Spouse of Adopted Person (https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-spouse-of-adoptee-2/)

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- Consent of Spouse of Adopting Parent (https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-spouse-of-adopting-person-2/) (https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-spouse-of-adopting-person-2/)
- Order of Adoption_(https://saclaw.org/resource_library/adult-adoption/sbs-adult-adoption-order/)

Sample filled-in forms with instructions are available at the end of this Guide.

2. Make copies and organize

Make copies for all parties and for the Court. Your *Adoption Agreement* and *Spousal Consents* should be attached to your *Petition* as exhibits.

Exhibits should be separated by a blank piece of pleading paper with their exhibit letter or number typed or written at the bottom of the page.

3. Obtain Form VS-44, Court Record of Adoption

Form VS-44, *Court Report of Adoption*, is required for all types of adoptions. The court completes this form and forwards it to the Office of Vital Records. In many courts, the clerk will provide the form. Otherwise, you may request the form by mail from the California Department of Public Health, Office of Vital Records.

A VS-44 web form is also available online. (https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx)

California Department of Public Health, Office of Vital Records

MS 5103 P.O. Box 997410, Sacramento, CA 95899-7410

4. File your documents

File your *Petition for Approval of Adoption Agreement*, including exhibits, along with the blank VS-44. You may file in the county where either party resides.

The clerk will stamp "endorsed filed" on your *Petition* including all copies, assign your case number, and set a hearing date.

The court does not impose a filing fee for adoption papers, but you will have to pay \$20, which is forwarded to the Registrar of Vital Statistics for preparing and maintaining the official records Code § 103730 (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=103730.).

Where Do I File in Sacramento?

William R. Ridgeway Family Relations Courthouse 3341 Power Inn Road Sacramento, CA 95826

NOTE: If the adoptee is a developmentally disabled adult, you must give a 30-day notice of the hearing to the director of the regional center for the developmentally disabled. The center will file a written report with the

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court regarding the suitability of the adoption. Fam. § 9327

5. Attend the adoption hearing

Bring your *Adoption Agreement* and *Order of Adoption* to your hearing. The Court will ask you the reasons for this adult adoption. Make sure that the statements in your *Petition* are clear and specific and refer to the *Petition* as you speak to the judge. Both parties must be present at the hearing.

6. File your signed order of adoption

After your hearing, file your signed *Order of Adoption*. The clerk can provide you with certified copies of the *Order of Adoption* upon your request.

7. Amend your birth certificate

After the adoption is final, the court will mail the VS-44 to the State Office of Vital Records. On this form, you may request an amended birth certificate that reflects this adoption. It may take several months for the Office of Vital Records to process your amendment.

For help

SH@LL (Self-Help at the Law Library) (https://saclaw.org/services/civil-self-help/) (formerly Civil Self Help Center) 609 9th Street, Sacramento CA 95814 (916) 476-2731 (Appointment Request Line)

Services Provided: SH@LL provides general information and basic assistance to self-represented litigants on a variety of civil legal issues, including name changes. All assistance is provided by telephone. Visit "What we can help with (https://saclaw.org/services/civil-self-help/#canhelp)" for a list of qualifying cases.

Eligibility: Must be a Sacramento County resident or have a qualifying case (https://saclaw.org/services/civil-self-help/#who) in the Sacramento County Superior Court.

For more information

At the Law Library:

California Forms of Pleading and Practice KFC 1010 .A65 C3 (Ready Reference)

Vol. 2, Chap. 12C, Adoption: Adults and Unmarried Minors.

Electronic Access: On the Law Library's computers, using Lexis Advance.

California Transactions Forms: Family Law

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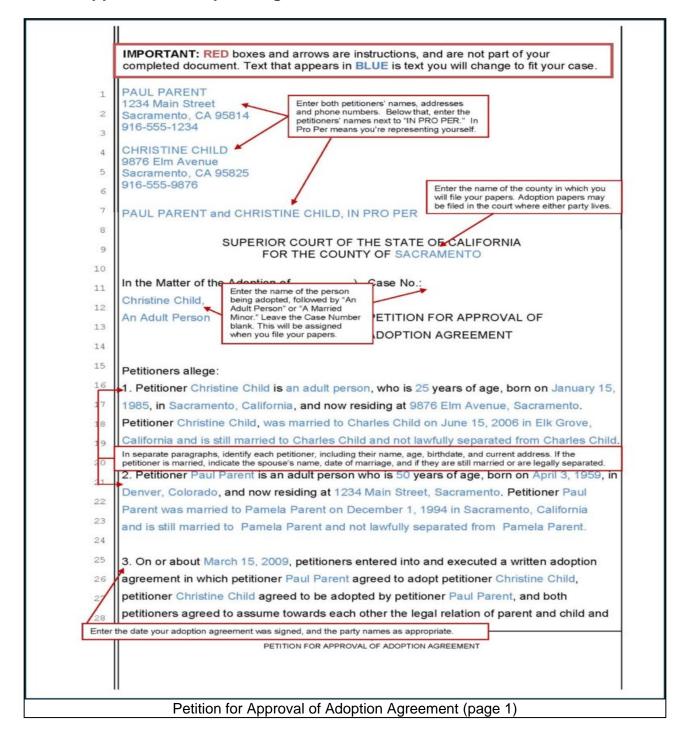
KFC 68 .F3

Chap. 6, § III: Adoption of Adult or Unmarried Minor.

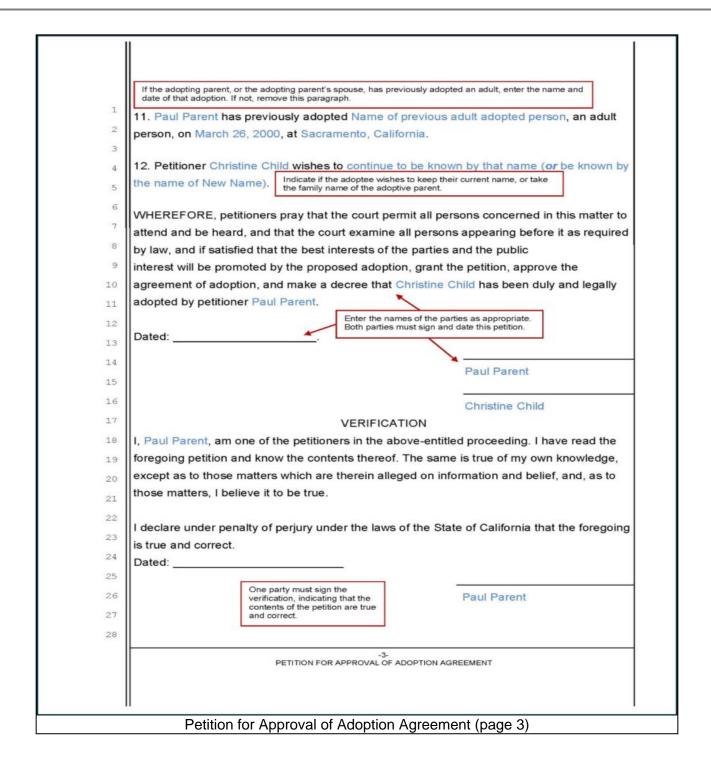
Summary of California Law KFC 80 .W57 (Ready Reference) Vol. 10, Parent and Child, §§ 154 – 156.

Samples

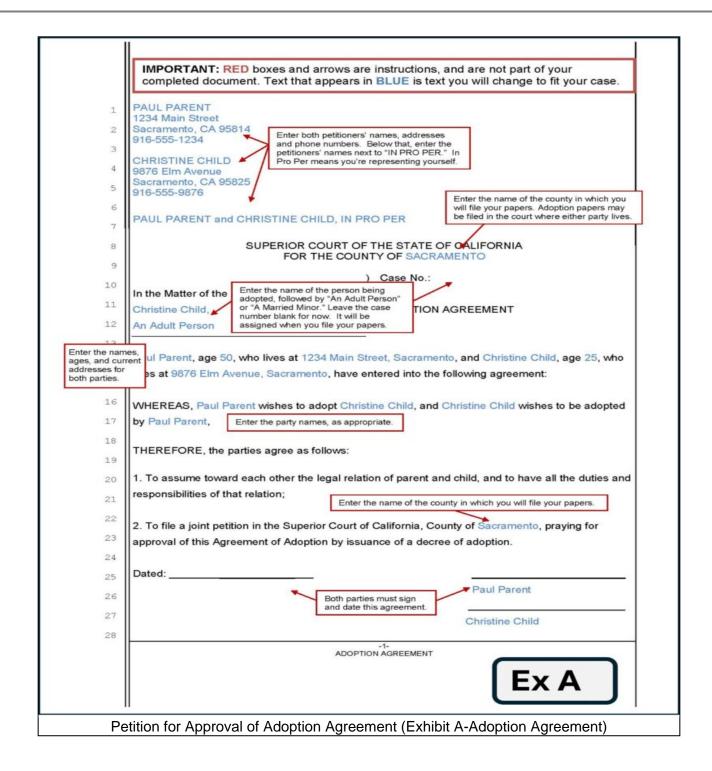
Petition for Approval of Adoption Agreement



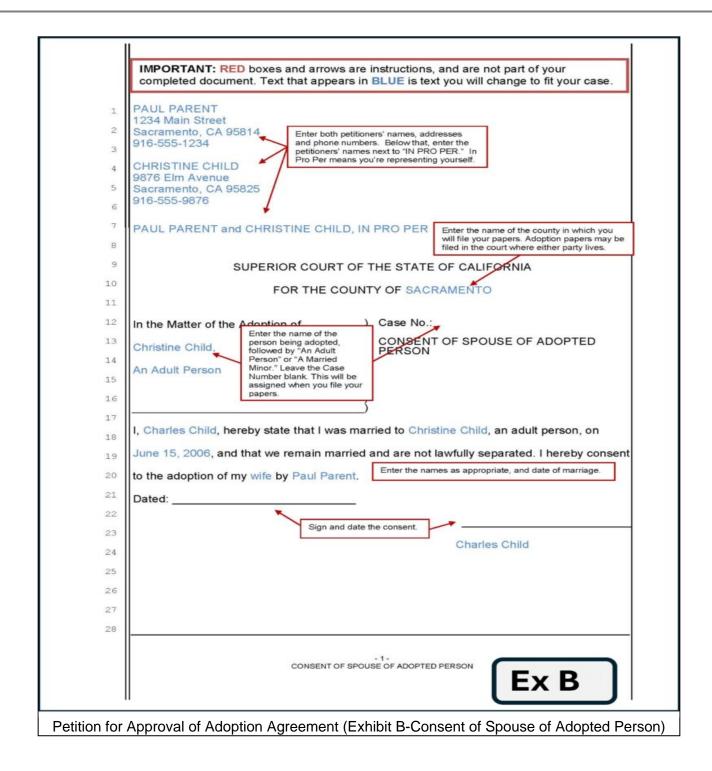
	to have all the rights and be subject to all the duties and responsibilities of that relation. A
1	copy of the Adoption Agreement is attached hereto as Exhibit A and made a part hereof.
2	copy of the Adoption Agreement is attached hereto as Exhibit A and made a part hereor.
3	4. The spouse of Christine Child, Charles Child, has duly consented in writing to the
5	adoption sought herein. A copy of his/her consent is attached hereto as Exhibit B and made a part hereof. If the adoptee is married, spousal consent is required. Enter the names as appropriate to indicate that spousal consent has been obtained. If the adoptee is unmarried, remove this paragraph.
6	E The annual of David County Demails Demails has duly accounted in writing to the adoption
7	5. The spouse of Paul Parent, Pamela Parent, has duly consented in writing to the adoption
В	sought herein. A copy of his/her consent is attached hereto as Exhibit C and made a part hereof. If the adopting parent is married, spousal consent is required. Enter the names as appropriate to indicate
	that spousal consent has been obtained. If the adopting parent is unmarried, remove this paragraph.
	6. Petitioner Paul Parent desires to adopt petitioner Christine Child, and petitioner Christine
	Child desires to be so adopted. Enter the names of the petitioners as appropriate, to indicate that both parties desire this adoption.
2	7. Petitioner Christine Child is a stepdaughter of petitioner
cribe	the length and nature of the relationship between the parties.
	8. Petitioner Paul Parent has known Christine Child for 15 years. Petitioner Christine Child
	came to live with petitioner Paul Parent at the age of 10 when her mother married petitioner
5	and resided in his home until her marriage. No adoption was completed during the
)	minority of Christine Child because the birth father would not give his consent to the
	adoption.
3	State reasons why this adoption is sought and is in best interests of the parties and the public.
	9. The Petitioners seek this adoption in order to establish a legal relationship that exists in
	fact, and because it is in their best interests that petitioners have between them the legal
	rights and obligations of parent and child, including rights relating to inheritance and duties
	of support. This adoption is in the public interest for the same reasons, and particularly
	because it will create legal duties of support between the petitioners and thereby reduce the
	likelihood of either petitioner becoming a public charge in the future.
	10. The names and addresses of the living parents and adult children of petitioner Christine
	Child are as follows: List the names and addresses of the adoptee's parents and adult children. If none, remove this paragraph.
	Father's name and address
	Mother's name and address
	-2- PETITION FOR APPROVAL OF ADOPTION AGREEMENT
	PETITION FOR AFFROYAL OF ABOF HON AGREEMENT



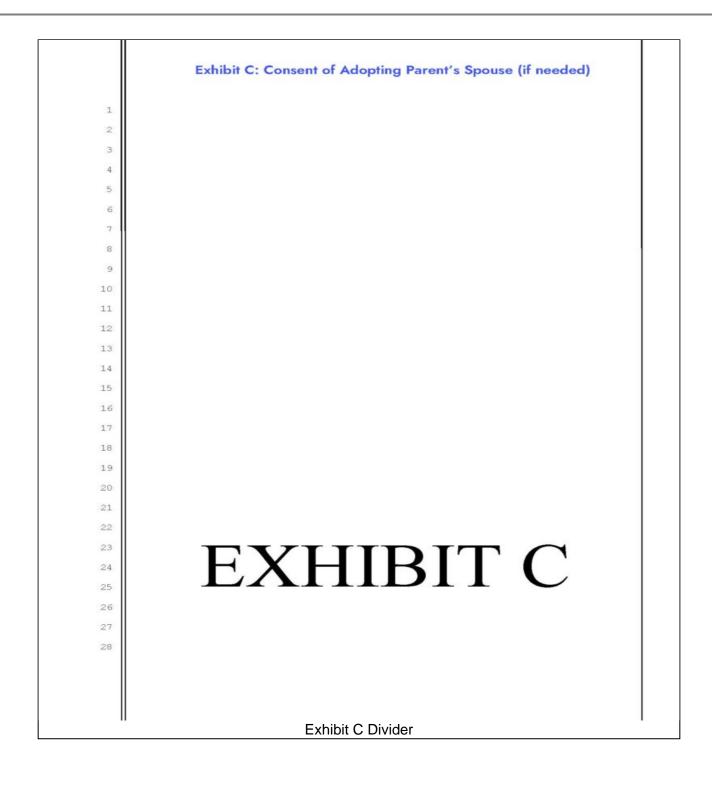


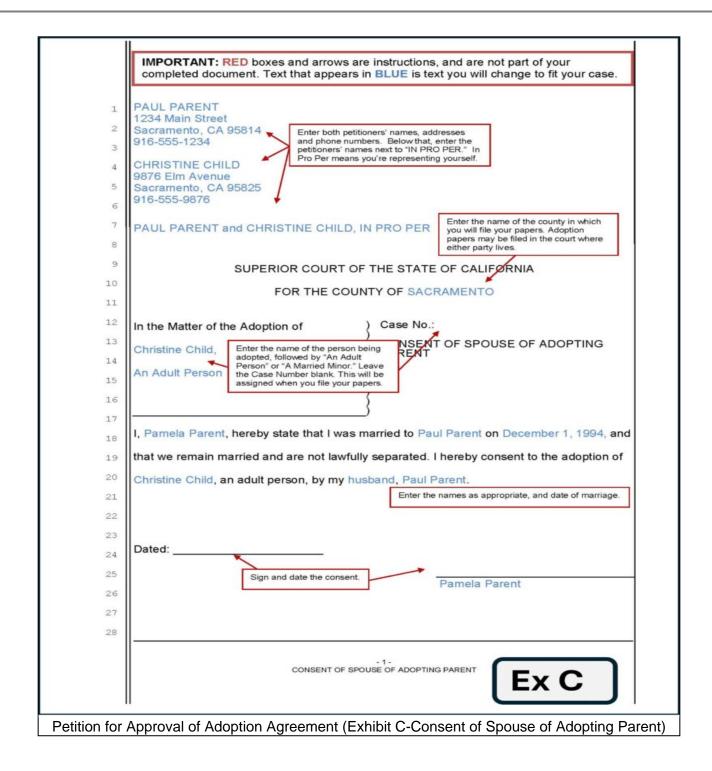




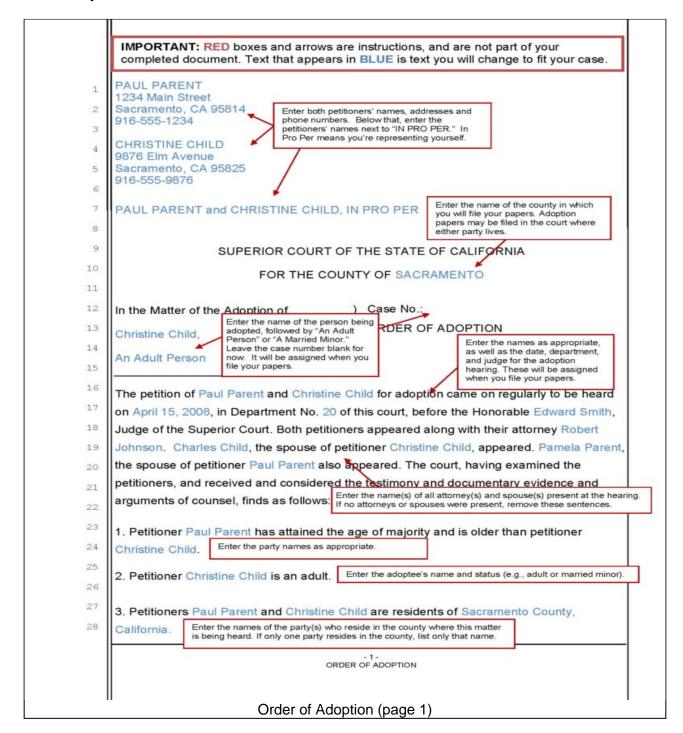








Order of Adoption





4. On or about March 15,	2009, petitioners entered into a written agreeme	ent by which
petitioner Paul Parent agr	eed to adopt petitioner Christine Child, and the la	atter agreed to
	d the petitioners agreed to assume toward each	other the rela
of parent and child.	er the date the Adoption Agreement was signed, and the party na	ames as appropriat
5. Charles Child, the spou	use of petitioner Christine Child, has consented in	n writing to the
	names as appropriate. If the party is not married, remove this pa	
6. Pamela Parent, the spo	ouse of petitioner Paul Parent, has consented in	writing to the
adoption herein. Enter the	e names as appropriate. If the party is not married, remove this p	oaragraph.
7. The court is satisfied a	nd finds that the adoption will be for the best inte	rest of the par
and in the public interest,	and that there is no reason why the petition should	uld not be grar
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Date Created 03/30/2023