ADULT ADOPTION

To Request an Adult Adoption

Instructions and Forms

Law Library Resource Center

Adult Adoption

Checklist

For purposes of this checklist, "Adoptee" means an adult who is being adopted and "Adopter" means a person who is adopting that adult.

You may use this packet if all the following conditions apply to your situation:

- ✓ The Adoptee or the Adopter resides in the county where the petition is being filed.
- ✓ The Adoptee is at least 18 years of age and not more than 21 years of age,

OR

The Adoptee is a current stepchild, previous stepchild, niece, nephew, cousin, or grandchild of the Adopter,

OR

The Adoptee was a foster child of the Adopter when the Adoptee was a juvenile, and the Adoptee and the Adopter have maintained a continuous familial relationship with each other for five or more years.

- ✓ Both the Adopter and Adoptee consent to the adoption.
- ✓ If the Adopter is married and not legally separated from the Adopter's spouse, the Adopter's spouse consents to the adoption.
- ✓ If the Adoptee is married and not legally separated from the Adoptee's spouse, the Adoptee's spouse consents to the adoption.

Important Information:

Any name change that results from the adoption will not release the Adoptee from any obligations or liabilities under the Adoptee's current name.

Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your case or to perform specific tasks can be found on the Law Library Resource Center website.

Law Library Resource Center

Adult Adoption

Table of Contents

This packet contains instructions and forms to file a request to adopt an adult. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures; do not file those pages with the Court!

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. On a regular basis, you should verify that you have the most current documents.

Law Library Resource Center

Procedures: How to File for an Adult Adoption

Warning: Read all of these instructions in their entirety. Failure to follow these instructions may result in the proposed adoption being delayed and, in some cases, denied.

- STEP 1. Complete the form titled Agreement of Adoption and Petition for Decree of Adoption of an Adult, and then make at least 3 copies of the completed document.
- STEP 2. If the adult who is being adopted (the "Adoptee") or the person who is adopting that adult (the "Adopter") is married, have that person's spouse complete the form titled Consent to Adult Adoption and Waiver of Notice, and then make at least 3 copies of the completed document.
- STEP 3. Fill out the following documents (no additional copies are necessary)
 - Adult Adoption Cover Sheet
 - Information Sheet to Court Investigator
- STEP 4. File Documents with the Clerk of Superior Court:

When and Where: The Clerk of Superior Court is open from 8:00a.m. – 5:00p.m., Monday-Friday. You should go at least two hours before closing time. The Clerk has filing counters at the following Superior Court locations:

Downtown Phoenix: Northeast Phoenix:

Central Court Building, 1st Floor Northeast Regional Court Facility

201 West Jefferson 18380 North 40th Street Phoenix, AZ 85003 Phoenix, AZ 85032

Surprise: Mesa:

Northwest Regional Court Facility Southeast Court Facility, 1st Floor

14264 West Tierra Buena Lane 222 East Javelina Avenue

Surprise, AZ 85374 Mesa, AZ 85210

You may file the documents at any of the locations listed above; however, your hearing may be scheduled at a different court facility.

What: Give the Clerk of Superior Court originals of the following documents to file:

- Adult Adoption Cover Sheet,
- Agreement of Adoption and Petition for Decree of Adoption of an Adult, and
- (if applicable) Consent to Adult Adoption and Waiver of Notice

Provide the Clerk with the copies of the Agreement of Adoption and Petition for Decree of Adoption of an Adult and, if applicable, the Consent to Adult Adoption and Waiver of Notice and ask the Clerk to stamp those copies and return them to you (tell the Clerk you would like "conformed copies").

Fees: When you file the documents, the Clerk of Superior Court will charge you certain fees that are required by Arizona law. You may pay those fees by cash, credit card, or money order. If you cannot afford the fees, you may request a deferral (payment plan) or waiver of the fees. Deferral and waiver applications are available at no charge from the Law Library Resource Center. A list of current fees is available from the Clerk of Superior Court's website.

STEP 5. Gather Documents Before Obtaining a Hearing Date:

Before obtaining a hearing date, gather the following documents, which you need to bring with you when you request your hearing date:

- Information Sheet to the Court Investigator (1 original—do not file this document with the Clerk)
- Agreement of Adoption and Petition for Decree of Adoption of an Adult (2 copies)
- (if applicable) Consent to Adult Adoption and Waiver of Notice (2 copies)
- Photocopy (not certified copy) of the Adoptee's birth certificate (do not file this document with the Clerk).

(Note: You will be required to bring a certified copy of the Adoptee's birth certificate to your hearing, as stated in STEP 8.)

STEP 6. Obtaining a Hearing Date:

- A. Provide all of the documents listed in STEP 5 to Probate Court Administration at any of the following locations and ask for a hearing date:
 - Downtown Phoenix Court Complex—Go to the Probate Court Administration window on the 3rd floor of the East Court Building, 101 West Jefferson in Phoenix.
 - Northeast Regional Court Facility, 18380 North 40th Street in Phoenix—the Clerk of Superior Court will either contact Probate Court Administration for you or will provide you with further instructions on how to contact Probate Court Administration.
 - Southeast Regional Court Facility—Go to the Court Administration Office at the west end of the 1st floor at 222 East Javelina in Mesa.
 - Northwest Regional Court Facility—Go to the Court Administration window, directly across from the Clerk of Superior Court filing counter at 14264 West Tierra Buena Lane in Surprise.

- B. If you are at any one of the Regional Court Facilities (Northeast, Southeast, or Northwest) and Probate Court Administration is not available to assist you, you can do either of the following:
 - Bring your documents to the Downtown Phoenix Court Complex, East Court Building, 101 West Jefferson in Phoenix, 3rd floor, present your documents, and obtain a hearing date,

OR

• Wait 2 to 3 business days after completing STEP 4 (File Documents with the Clerk of Superior Court) and then call 602-506-5510 to obtain a hearing date. The 2 to 3 business days allows time for the Clerk to process and scan your filings so that Probate Court Administration can view your documents.

Probate Court Administration will e-mail you an English version and a Spanish version of a Notice of Initial Hearing Regarding: Agreement for Adoption and Petition for Decree of Adoption of an Adult (the "Notice of Hearing"). It will contain the date, time, and location of the hearing, as well as the name of the Judicial Officer (judge or commissioner) assigned to your case and instructions as to how any interested person who wishes to object to the proposed adoption may do so. If you would like printed copies of the Notice of Hearing, you may request them when you ask for the hearing date. Do not lose the Notice of Hearing. The hearing likely will be scheduled approximately 6 to 8 weeks from the date you submit your request.

STEP 7. Provide Notice of the Hearing:

If the Court requires you to give notice of the hearing to one or more persons, you must do so by sending the person(s) entitled to notice a copy of both the Agreement of Adoption and Petition for Decree of Adoption of an Adult and the Notice of Hearing. Unless the Court tells you differently, you may send those documents to the person by any of the following methods at least 14 calendar days before the hearing date:

- Personal service (using a process server, Sheriff's deputy, or constable)
- 1st class mail, postage prepaid
- Certified mail, with or without return receipt
- Hand-delivery

After sending the documents, complete the Proof of Notice (Form PBAA15f) and file it with the Clerk of Superior Court at least 7 calendar days before the hearing.

STEP 8. Cooperate with the Court Investigator:

Prior to the hearing date, the Court Investigator will contact the Adopter and the Adoptee and, possibly, other persons. The investigator will then file with the

Court a written report regarding the welfare, competency, and best interests of the Adopter, the Adoptee, and the public. A.R.S. § 14-8101(D). To avoid any unnecessary delays with your case, be sure to cooperate with the Court Investigator and provide that person with any requested information and documentation.

STEP 9. Attend the Hearing:

NOTE: Arizona law requires that the adult being adopted (Adoptee) and the person adopting that adult (Adopter) must attend the hearing in person. The only exception is that an attorney may appear on behalf of the Adoptee or the Adopter if the Adoptee or Adopter is unable to attend the hearing in person and the attorney has that person's written authorization. A.R.S. § 14-8101(D).

Bring These Documents to Your Hearing:

- 2 copies of Approval of Agreement of Adoption and Decree of Adoption of an Adult for the Judicial Officer to sign. One copy will be filed with the Clerk of Superior Court and the other will be prepared for certification and returned to you.
 - There is a court fee for each certified copy. *
- Government-issued photo identification for the Adopter and Adoptee (e.g., driver license, state-issued identification card, passport, etc.).
- Certified copy of the Adoptee's birth certificate.

Note: If the Court has ordered that the name on the Adoptee's Arizona birth records be changed, you will need to provide the "Office of Vital Records" with a certified copy of the "Approval of Agreement of Adoption and Decree of Adoption of an Adult." You may purchase a new birth certificate at the Office of Vital Records for a fee.

*To obtain a certified copy of your court order you will need to present your Judge-signed copy to the Clerk of Superior Court's filing counter within 48 hours after your hearing. If you need additional copies after that time, you will need to go to the Court's Customer Service Center at 601 W. Jackson Street in Phoenix.

The State of Arizona Vital Records Office at 1818 W. Adams, Phoenix, AZ. 85007, is only available for mail-in service. Vital Records' general telephone number is 602-364-1300. Please call for another walk-in location. A fee is required for a change to any birth certificate.

Person Filing:		
Address (if not protected):		
City, State, Zip Code:		
Telephone:		
Email Address:		
Lawyer's Bar Number:		For Clerk's Use Only
Licensed Fiduciary Number:		
Representing Self, without a Law	yer OR Attorney for	
	MARICOPA COUNTY DOPTION COVER SHE Case Number: ADOPTEE (person to be adopte	
Name:		
Mailing Address:		
Street Address (if different):		
Telephone (Home):		
Telephone (Cellular):		
Information about adoptee's attorne		•
Name:	BAR #	
Telephone: Em	nail:	
INFORMATION ABOUT THE A	ADOPTER(s) (person adopting t	the adult)
Name:	Date Of Birt	h:
Mailing Address:		
Street Address (if different):		
Telephone (Home):	SSN:	
Telephone (Cellular):	EMAIL:	
Information about adopter's attorney	y: Adopter is not represented	by an attorney, or
Name:	BAR #	

	Cas	se Number:
Telephone:	Email:	
An interpreter is need	ed for this language:	
Person(s) who nee		
Name:		
Name:		
Name:		
STAFF USE ONLY	: REASON FEES NOT PAID:	Government Charge Deferred
Nature of action: place ar	"X" next to number which descri	ibes the nature of the case. Check only
	209 ADULT ADOP <u>X</u> 291 Adult Ado	
	to the Court under penalty of perjet of my knowledge and belief.	rjury that the contents of this document a
	Petitioner	or Attorney Signature
Notice: Submit this form	with new cases only. If there is a	already a (Maricona County) probate cas

Notice: Submit this form with new cases only. If there is already a (Maricopa County) probate case number and you are filing in an existing Superior Court case in Maricopa County, do not submit this form.

Person Filing:		_
Address (if not protected)):	_
		For Clerk's Use Offly
Licensed Fiduciary Numb	ber:	_
Representing Self, w	ithout a Lawyer OR Attorney for	or
	Case Numb	per:
	Information Sheet to Court Inv	restigator
all parties involved in thi hearing on your Petition.		e information may delay the Court
	ne adoptee (the person to be adopted):	
Address: Email Addres	ss:	
Place of Birth:		Date of Birth: / /
Social Security #:	Gende	r: Male Female
Is the Adoptee married	? Yes No	
If "Yes", write the spot	ıse's name:	
2. Information about the	e adopter(s):	
	Petitioner	Petitioner's Spouse (Co-Petitioner)
Name:		
Address:		
City, State, Zip		
Home Telephone:		
Work Telephone:		
Email Address:		
Social Security #:		
Date of Birth:	/ /	/ /
Place of Birth:		

Name:			Phone:	
Address:				
Email				
4. Information al	bout adopter'	's attorney (if applicable):		
Name:			Phone:	
Address:				
Email				
5. Information al		otee's biological parents:		Biological Father
Name:		1010gicai ivionici		Bl010gicai Fautor
Address:				
City, State, Zip				
me Telephone:				
ork Telephone:				
e the biological rents aware of he adoption?	Yes	☐ No	Yes	☐ No
the biological arents approve the adoption?	Yes	No Unknown	Yes	□No □ Unknown
For Court Use Or	nly:			
Date and Time o	f Hearing:			

Case No.

Person Filing:	
Address (if not protected):	
City, State, Zip Code:	
Telephone:	
Email Address:	For Clerk's Use Only
Lawyer's Bar Number:	
Licensed Fiduciary Number:	
Representing Self, without a Lawyer OR	Attorney for
801 ==== 011 0	OURT OF ARIZONA COPA COUNTY
In the Matter of the Adoption of	Case Number:
(Name of Adoptee) an Adult.	AGREEMENT OF ADOPTION AND PETITION FOR DECREE OF ADOPTION OF AN ADULT
	on 14-8101, we, the adopting person(s) (the (the "Adoptee"), provide the following information
1. INFORMATION ABOUT THE A	DOPTER(S)
Name of Adopter 1:	
Marital Status: Married	
If married, spouse's name:	
-	ed:
(Examples: stepparent, former stepp friend, etc.)	arent, foster parent, uncle/aunt, cousin, grandparent,

	Case Number:
Name of Adopte	er 2:
	e of Residence:
Marital Status:	Married Unmarried
If married, spous	se's name:
=	he adult to be adopted:
(Examples: stepper friend, etc.)	parent, former stepparent, foster parent, uncle/aunt, cousin, grandparen
We are filing thi years.	s Petition to formalize a family relationship that has existed for
INFORMATIC	ON ABOUT THE ADOPTEE
Name:	
	ence:
	tus: Married Unmarried
If married, spou	se's name:
	:
	Yes No
Were Mother's	parental rights as to the adoptee ever terminated by court order?
	☐ Yes ☐ No
	If yes, name of court, case number, and date of that court order:
If living and par	rental rights were not terminated, Mother's address:
Father's Name:	
	$\square_{\mathbf{V}_{\mathbf{G}}}$ $\square_{\mathbf{N}_{\mathbf{G}}}$
Still Living?	∐ Yes
	oarental rights as to the adoptee ever terminated by court order?
	parental rights as to the adoptee ever terminated by court order?

	Case Number:
If li	ving and parental rights were not terminated, Father's address:
INF	ORMATION ABOUT THE ADOPTEE'S ADULT CHILDREN
Chi	ld 1 Name:
	ld 1 Address:
Chi	ld 2 Name:
	ld 2 Address:
Chi	ld 3 Name:
Chi	ld 3 Address:
Chi	ld 4 Name:
	ld 4 Address:
	(If more spaces are required, make an additional copy of this page and attach.)
	ASON FOR ADOPTION: The parties are requesting this adoption, and believe it is ne best interest of the person seeking to adopt, the adoptee, and the public, because:
	ORMATION ABOUT OTHER ADULT ADOPTIONS eck one box.)
	The Adopter and the Adopter's spouse have never previously adopted another adult
OR	
	The Adopter and/or the Adopter's spouse has previously adopted another adult. (If "yes", provide details below.)

Name of Adult Adopted:
Name of Person Who Adopted That Adult:
Place of Adoption (City, State, Country):
Name of Adult Adopted:
Name of Person Who Adopted That Adult:
Place of Adoption (City, State, Country):
Name of Adult Adopted:
Name of Adult Adopted: Name of Person Who Adopted That Adult: Place of Adoption (City, State, Country):
Name of Person Who Adopted That Adult: Place of Adoption (City, State, Country):
Name of Person Who Adopted That Adult: Place of Adoption (City, State, Country): Name of Adult Adopted:
Name of Person Who Adopted That Adult: Place of Adoption (City, State, Country):

Case Number:

7. AGREEMENT OF ADOPTION

The Adopter and the Adoptee agree to assume toward each other the legal relation of parent and child and to have all the rights and to be subject to all of the duties and responsibilities of that relation. *See* A.R.S. § 14-8101(B).

(If more spaces are required, make an additional copy of this page and attach.)

Case Number:

REQUESTS TO THE COURT

5.

We ask the Court to do all the following:

- 1. Make a finding that the proposed adoption will be for the best interests of the Adopter and the Adoptee and is in the public interest.
- **2.** Approve the adoption agreement between the Adopter and Adoptee.
- **3.** Make a Decree of Adoption declaring that the Adoptee is the child of the Adopter.
- **4.** (If desired by the Adoptee. If no name change is desired, leave blank.) Order that the Adoptee's name be changed to the following:

First	Mide	dle	Last	
We ask that requested a	-	records be ch	anged to reflect the no	ew name
Make any other Adoptee, and th		ecides are in	the best interests of	the Adopto
ted this	day of		.,	
		Signature of	of Adopter	

	Case Number:	
ADOPTER'S OATH OR AI	FFIRMATION	
, the above-named Adopter (Name of Adopter)	, being duly sworn, dep	poses, and says:
I swear or affirm that I am the Adopter in this matter. have read and understood the contents of this docume and correct to the best of my knowledge and belief.		
	(Signature	of Adoptor)
STATE OF		
COUNTY OF		
Subscribed and sworn to (or affirmed) before me this _	(date)	by

(Notary seal)

Deputy Clerk of Superior Court or Notary Public

	Case Number:	
ADOPTEE'S OATH O	OR AFFIRMATION	
, the above-named Ac(Name of Adoptee)	doptee, being duly sworn, depose	s and says:
I swear or affirm that I am the Adoptee in this man have read and understood the contents of this document and correct to the best of my knowledge and believed.	cument and that the information p	
·	(Signature of	Adoptee)
STATE OF		
COUNTY OF		
Subscribed and sworn to (or affirmed) before me to		by
	(date) 	
(Notary seal)	Deputy Clerk of Superior Court o	r Notary Public

Person Filing:	
Address (if not protected):	
City, State, Zip Code:	
Telephone:	
Email Address:	For Clerk's Use Only
Lawyer's Bar Number:	
Licensed Fiduciary Number:	
Representing Self, without a Lawye	OR Attorney for
	R COURT OF ARIZONA ARICOPA COUNTY
In the Matter of the Adoption of	Case Number:
	CONSENT TO ADULT ADOPTION and WAIVER OF NOTICE
(Name of Adoptee) an Adult	
1. My name, contact information, and r	elationship are as follows:
Name:	
Telephone:	
I am (check only one box):	
the Spouse of the Adopter (pe	rson seeking to adopt an adult)
the Spouse of the Adoptee (the	adult being adopted)
2. I consent to the adoption of:	
(Name of Adoptee – Person to be Ad	by by
3. I waive notice of all further proceeding	gs in this matter.

	Case N	umber:	
OATH OR A	AFFIRMATION	N	
I swear or affirm under penalty of perjury that to the best of my knowledge and belief.	the contents of t	his document are tr	ue and correct
Date	Signature		
STATE OF			
COUNTY OF			by
	_•	(date)	· · y

Deputy Clerk of Superior Court or Notary Public

(Notary seal)

Pers	on Filir	ng:		
		not protected):		
City	, State,	Zip Code:		
Tele	phone:			For Clerk's Use Only
Ema	il Addr	ess:		
		ar Number:		
Lice	ensed Fi	duciary Number:		
Rep	resentin	g Self, without a Lawyer	OR Attorney for	
		-	R COURT OF ARIZONA RICOPA COUNTY	\
In t	he Mat	ter of the Adoption of	Case Number:	
			PROOF OF NOTICE	
		doptee) an Adult.		
Und	er the p	enalty of perjury, I,	, state	e the following:
1.		ments Provided: I provided of below. (Check only those the	copies of the following documentat apply.)	nts to the persons
		Agreement for Adoption an	nd Petition for Decree of Adoption	on of an Adult
		Notice of Initial Hearing Re Decree of Adoption of an A	egarding: Agreement for Adopt	ion and Petition for
2.		Whom I Gave Notice: I proviously persons: Name of Person:	ded copies of all the documents	
	В.	Relation:		
	C.	Date Document(s) Were Ma	ailed or Delivered:	
	D.	Method of Delivery: (check applicable)	x at least one box and complete t	he information below as
		Personal service (fill 1st class mail, posta	le affidavit of process server or s	sheriff)

	Certified mail (if applicable, attach green return receipt card to this paper)
	Hand delivery by: (name)
A.	Name of Person:
В.	Relation:
C.	Date Document(s) Were Mailed or Delivered:
D.	Method of Delivery: (check at least one box and complete the information below as applicable)
	Personal service (file affidavit of process server or sheriff)
	1st class mail, postage prepaid
	Certified mail (if applicable, attach green return receipt card to this paper)
	Hand delivery by: (name)
A.	Name of Person:
В.	Relation:
C.	Date Document(s) Were Mailed or Delivered:
D.	Method of Delivery: (check at least one box and complete the information below as applicable)
	Personal service (file affidavit of process server or sheriff)
	1st class mail, postage prepaid
	Certified mail (if applicable, attach green return receipt card to this paper)
	Hand delivery by: (name)
Α.	Name of Person:
В.	
С.	Relation: Date Document(s) Were Mailed or Delivered:
D.	Method of Delivery: (check at least one box and complete the information below as applicable)
	Personal service (file affidavit of process server or sheriff)
	1st class mail, postage prepaid
	Certified mail (if applicable, attach green return receipt card to this paper)

Case Number:

	Case Number:
	Hand delivery by: (name)
A.	Name of Person:
В.	Relation:
C.	Date Document(s) Were Mailed or Delivered:
D. Method of Delivery: (check at least one box and complete the information applicable)	
	Personal service (file affidavit of process server or sheriff)
	1st class mail, postage prepaid
	Certified mail (if applicable, attach green return receipt card to this paper)
	Hand delivery by: (name)
	OATH OR AFFIRMATION
	affirm under penalty of perjury that the contents of this document are true and the best of my knowledge and belief.
Date	Petitioner's Signature
	1 contours a signature

D ET	
Person Filing:	
Address (if not protected):	
City, State, Zip Code:	
Telephone:	For Clerk's Use Only
Email Address:	
Lawyer's Bar Number:	
Licensed Fiduciary Number:	
Representing Self, without a Lawyer OF	Attorney for
2	COURT OF ARIZONA RICOPA COUNTY
In the Matter of the Adoption of	Case Number:
	APPROVAL OF AGREEMENT OF ADOPTION AND DECREE OF
	ADOPTION OF AN ADULT

Having read and considered the Agreement of Adoption and Petition for Decree of Adoption of an Adult (the "Petition") and having considered the testimony presented at the hearing on the Petition and the Court Investigator's report,

THE COURT FINDS as follows:

- 1. Notice of the Initial Hearing on the Petition was given as required by law.
- 2. Venue in this county is proper.
- 3. As required by Arizona Revised Statutes ("A.R.S.") section 14-8101(B), the adult person to be adopted (the "Adoptee") and the adult person(s) who wishes to adopt that person (the "Adopter(s)") both have signed an agreement of adoption stating that they agree to assume toward each other the legal relation of parent and child and to have all of the rights and to be subject to all of the duties and responsibilities of that relation.
- 4. The proposed adoption will be for the best interests of the Adopter(s) and the Adoptee and is in the public interest.

 Accordingly, pursuant to A.R.S. section 14-8101(E),

IT IS ORDERED as follows:

1. APPROVAL OF AGREEMENT OF ADOPTION: The Court approves the agreement of adoption between the Adopter(s) and the Adoptee. ADOPTION OF AN ADULT 2. ____, hereby is decreed as the parent(s) of (Name of Adopter(s)) ____ , an adult. (Name of Adoptee) 3. **NAME CHANGE** (check only one box below) The Adoptee's current legal name shall remain unchanged. OR The Adoptee's current legal name of Middle First Last Date of Birth: Day Month Year Place of Birth: City State Nation **IS CHANGED TO:**

4. **AMENDMENT OF BIRTH RECORDS** (check only one box below)

Middle

For a person born in the State of Arizona, the Office of Vital Records is ordered to amend the Adoptee's birth record to reflect the adoption (and, if applicable, new name) as ordered above.

OR

First

For a person born in any other state, to the extent that the agency that maintains birth records in that state is authorized to honor an order of this Court, that agency is requested or ordered to amend its birth records to reflect the adoption (and, if applicable, new name) as ordered above.

Last

5.	This Decree does not release any property rights of, the Ac	the Adoptee from any obligations incurred by, or impair doptee.
6.	Other orders:	
DON	E IN OPEN COURT:	
Date		Judge/Commissioner/Judge Pro Tempore

Case No.