

ADULT ADOPTION

1

To Request an Adult Adoption

Forms and Instructions

Law Library Resource Center

ADULT ADOPTION

CHECKLIST

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

- ✓ You, or the person you are asking to adopt, are a resident of the county where you are filing this request.
- ✓ You want to ask the Court to adopt either another adult person who is at least 18 years of age and not more than 21 years of age,

OR

You want to ask the Court to adopt an adult person who is your stepchild, niece, nephew, cousin or grandchild,

OR

You are a foster parent, and want to ask the Court to adopt an adult person who was placed in your care as a juvenile, and you have maintained a familial relationship with that person for five or more years, AND

- ✓ The adult you are asking to adopt consents to the adoption, AND
- ✓ (If applicable) The spouse of the Adoptor and/or Adoptee consent to the adoption, AND
- ✓ (If applicable) You understand that any name change that results from this adoption will neither harm your rights nor release you from any obligations or liabilities incurred from your current name.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. If you need to consult a Lawyer, the Pima County Bar Association offers a Lawyer Referral Service that provides half-hour consultations for a low cost.

<http://www.pimacountybar.org/>

The Clerk's office cannot provide legal advice. Employees may be able to offer instruction about how and where to file appropriate paperwork, but will not provide help on issues of law

Law Library Resource Center

ADULT ADOPTION

This packet contains court forms and instructions 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 copy or file those pages!

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1	PBAA1k	Checklist: <i>"You may use this packet if..."</i>	1
2	PBAA1t	Table of Contents (this page)	1
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7	PBAA18f	<i>"Notice of Hearing Regarding Petition for Approval of Adoption Agreement for an Adult and for Decree of Adoption"</i>	1
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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. It is strongly recommended that you verify on a regular basis that you have the most current documents.

PROCEDURES: HOW TO FILE FOR AN ADULT ADOPTION

STEP 1. Complete the following documents **and make at least 3 copies:**

- ***“Petition for Approval of Adoption Agreement for an Adult and for Decree of Adoption”***
- ***“Consent to Adult Adoption and Waiver of Notice”*** (to be completed by the spouse(s) of the Adoptor and Adoptee, if applicable)

STEP 2. Fill out the ***“Adult Adoption Cover Sheet”***.

STEP 3. FILE THE PAPERS AT THE COURT:

GO TO: GO TO THE CLERK OF COURT TO FILE YOUR PAPERS:

The Court is open from 8:00a.m. – 5:00p.m., Monday-Friday. You should go to the Court at least two hours before it closes. You may file your court papers at the following Superior Court locations:

Superior Court Building
110 W. Congress St., 1st floor
Tucson, AZ 85701
Tel: (520) 724-3200

PAPERS: Give 1 **Adult Adoption Cover Sheet** and 1 original **Petition for Approval of Adoption Agreement for an Adult and Decree of Adoption** and (if applicable) **Consent to Adult Adoption, and Waiver of Notice** plus you're your copies to the Clerk along with the filing fee, payable with cash, AMEX/VISA/MasterCard debit or credit cards.

If you cannot afford the filing fee and/or Investigative Fee, you may request a *deferral* (payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available at no charge from the Law Library Resource Center.

FEES: A list of current fees is available from the Clerk of Court's website.

Make sure the filing clerk stamps both of your copies and returns them to you.

STEP 4. GET A COURT HEARING DATE:

A. Before obtaining a court date, you will need to be prepared to provide the following documents:

- **Petition for Approval of Adoption Agreement for an Adult and Decree for Adoption (2 Copies)**
- **Consent to Adult Adoption and Waiver of Notice (if applicable) (2 Copies)**
- **Copies (NOT ORIGINALS or CERTIFIED COPIES) of the following (DO NOT FILE THESE DOCUMENTS):**
 - a. Birth Certificate of Adoptor (person adopting another)
 - b. Birth Certificate of Adoptor's spouse (if applicable)
 - c. Marriage License of Adoptor (if applicable)
 - d. Birth Certificate of Adoptee (person being adopted)
 - e. Marriage License of Adoptee (if applicable)

(NOTE: You will be required to bring Originals or Certified Copies of these documents to your hearing, as stated in STEP 6)

- **Bring your documents to the Probate Administration offices in- person to schedule the hearing.**
- **Present the documents listed above.**

Probate Administration will then provide you with a printout with information on when and where the hearing is, as well as the name of the assigned Judicial Officer.

THIS IS IMPORTANT INFORMATION. DON'T LOSE THIS DOCUMENT!

NOTE THE FOLLOWING:

- The hearing will be scheduled for 6-8 weeks from the date you submit your request.
- You may **FILE** at any of the Clerk of the Court locations listed above (see STEP 3); however, the hearing may be scheduled at a different court facility.

STEP 5. SERVE NOTICE:

Fill out the **Notice of Hearing form (PBAA18f)** with the information about time and place of the hearing that you obtained in Step 4 above and **SERVE NOTICE** to **everyone** who is legally entitled to know about the court case and what you have asked the Court to order concerning the person to be adopted. To “**serve**” notice means to deliver notice as required or permitted by law.

Persons entitled to notice may sign a notarized **Consent to Adult Adoption, and Waiver of Notice (PBAA13f)**, which will allow you to **NOT** serve notice to those persons, unless they later file to reverse that waiver.

READ THIS:

AFTER GIVING NOTICE TO ALL INTERESTED PERSONS:

- Complete the Declaration of Notice Provided stating how and when you gave notice.
- Make two (2) copies of the:
 - NOTICE OF HEARING
 - CONSENT TO ADULT ADOPTION, AND WAIVER OF NOTICE (if any)
 - DECLARATION OF NOTICE PROVIDED
- *If filing in-person, do so at least 5 days before the hearing.*
 - *If you file the documents before the hearing, the Clerk will stamp and keep one set, and return the copies for you to bring with you to the hearing.*
- *If you are MAILING these documents to the Court:*
 - **Make a copy before mailing to keep and bring to the hearing.**
 - It is recommended that you post them 10 full days before the hearing.
 - The Probate Clerk will file the originals for you and deliver the copies to the Judicial Officer assigned to the hearing.
 - *Remember to bring your copies of the documents to the hearing.*

STEP 6. ATTEND THE HEARING:

BY law, the person being adopted (Adoptee) and the person adopting (Adoptor) must appear at the adoption hearing unless it is impossible to do so. If they cannot appear at the hearing, they must either be prepared to appear telephonically (if permitted by the Judge) or they must be represented at the hearing by an attorney.

BRING THESE DOCUMENTS TO YOUR HEARING:

- **2 copies of “Decree of Adoption” for the Judge to sign. One copy will go in the Court file and the other will be prepared for certification and returned to you.**
 - **There is a court fee for each certified copy.***
- **Photo identification for the Adoptor and Adoptee.**
- **Originals or Certified Copies of the following:**
 - Birth Certificate of Adoptor (person adopting another)
 - Birth Certificate of Adoptor’s spouse (if applicable)
 - Marriage License of Adoptor (if applicable)
 - Birth Certificate of Adoptee (person being adopted)
 - Marriage License of Adoptee (if applicable)

NOTE: If the Court has ordered that the name on your Arizona birth records be changed, you will need to provide the “Office of Vital Records” with a *Certified Copy* of the Order. You may purchase a new birth certificate at the Office of Vital Records for a fee.

**To get a certified copy of your court order you will need to present your Judge-signed copy to the Probate Counter within 48 hours.*

The State 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. County Health Departments may be able to issue certified copies of Birth Certificates. Superior Courts maintain marriage records.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

**SUPERIOR COURT OF ARIZONA
IN PIMA COUNTY
ADULT ADOPTION COVER SHEET**

Case Number: _____

INFORMATION ABOUT THE ADOPTEE (person to be adopted)

NAME: _____	DATE OF BIRTH: _____
MAILING ADDRESS : _____	
STREET ADDRESS (if different): _____	
TELEPHONE (Home): _____	SSN: _____
TELEPHONE (Cellular): _____	EMAIL: _____

INFORMATION ABOUT THE ADOPTOR(s), the person filing these papers.

NAME: _____	
MAILING ADDRESS: _____	
TELEPHONE: _____	EMAIL: _____
INFORMATION ABOUT PETITIONER'S ATTORNEY: <input type="checkbox"/> Petitioner is not represented by an attorney, or	
NAME: _____	BAR # _____
TELEPHONE: _____	EMAIL: _____

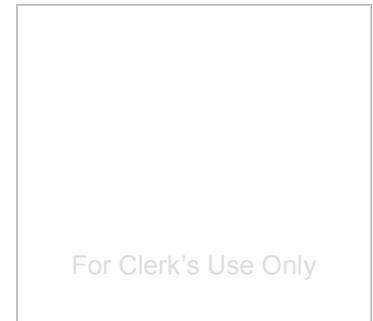
An INTERPRETER IS NEEDED for this language: _____ By _____
(List Names of) Persons who need interpreter: Name: _____
Name: _____ Name: _____

By signing below, I state to the Court under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Petitioner or Attorney Signature

NOTICE
SUBMIT THIS FORM WITH NEW CASES ONLY.
If there is already a (Pima County) Probate Court case number and you are filing in an existing Superior Court case in Pima County, **DO NOT SUBMIT THIS FORM**

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of the Adoption of

Case Number : _____

_____,
(Name of Adoptee)

PETITION FOR APPROVAL OF ADOPTION AGREEMENT FOR AN ADULT AND FOR DECREE OF ADOPTION

An Adult

UNDER OATH OR BY AFFIRMATION:

INFORMATION REQUIRED BY ARIZONA LAW (A.R.S. § 14-8101)

1. INFORMATION ABOUT THE PETITIONER / ADOPTOR (the person wishing to adopt another)

Name: _____
Address: _____
Telephone: _____ Date of Birth: _____

Marital Status: Married Unmarried

My interest in or relationship to the person to be adopted is: _____

(examples: stepparent, foster parent, uncle/aunt, cousin, grandparent, friend, etc.)

I am filing this petition to formalize a family situation which has existed for _____ years.
(Number of Years)

2. INFORMATION ABOUT THE ADOPTEE (the person being adopted)

Name: _____
Address: _____
Telephone: _____ Date of Birth: _____

Marital Status: Married Unmarried

3. INFORMATION ABOUT THE ADOPTEE’S NATURAL PARENTS:

Mother’s Name: _____
Address: _____
Telephone: _____

Father’s Name: _____
Address: _____
Telephone: _____

4. REASON FOR ADOPTION: The parties are requesting this adoption, and believe it is in the best interest of the person seeking to adopt, the adoptee, and the public, because:

5. INFORMATION ABOUT OTHER ADULT ADOPTIONS:

(Check one box.)

The Petitioner has never previously adopted another adult person.

OR

The Petitioner has previously adopted another adult person(s). (If “yes”, provide details below.)

Name: _____
Date of Adoption: _____
Place of Adoption (City, State, Nation): _____

Name: _____
Date of Adoption: _____
Place of Adoption (City, State, Nation): _____

Name: _____
Date of Adoption: _____
Place of Adoption (City, State, Nation): _____

Name: _____
Date of Adoption: _____
Place of Adoption (City, State, Nation): _____

Name: _____
Date of Adoption: _____
Place of Adoption (City, State, Nation): _____

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

6. PERSONS ENTITLED TO NOTICE of this matter and to whom I will give notice of this case:
(See instructions.)

	<u>Name</u>	<u>Address</u>	<u>Relationship to the Adoptee</u>
A.	_____	_____	_____
B.	_____	_____	_____
C.	_____	_____	_____
D.	_____	_____	_____

STATEMENTS TO THE COURT:

(Note: All of these statements must be true for this court to grant your Petition.)

7. TRUE **Venue** (the court in which you are filing this Petition) is proper in this county because either the Adoptor or Adoptee lives in this county.
8. TRUE The parties agree to assume toward each other the legal relation of parent and child. Adopting parent will hereafter treat adoptee as if he/she were the natural child of the adopting parent. Adoptee will hereafter treat the adopting parent as his/her natural parent. Both parties shall have all of the rights and be subject to all of the duties and responsibilities of parent and child.

REQUESTS TO THE COURT:

Petitioner asks the court to:

1. Make a finding that this adoption is in the best interests of the Adoptor, Adoptee, and the public.
2. Approve the Adoption Agreement between the Adoptor and Adoptee.
3. Issue a Decree of Adoption in this matter.
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	Middle	Last

I ask that the birth records be ordered changed to reflect the new name requested above.

5. Make any other orders the Court decides are in the best interests of the Adoptor, Adoptee, and the public.

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Dated this _____ day of _____, _____.

Signature of Adoptor

Signature of Adoptee

Case Number : _____

VERIFICATION

STATE OF ARIZONA)
) **ss.**
County of Maricopa)

_____, the above named **Adoptor** in this matter, being duly sworn, deposes and says:
(Name of Adoptor)

UNDER OATH OR BY AFFIRMATION

I swear or affirm that I am the **Adoptor** and Petitioner in this matter. By signing below, I state to the Court that I have read and understood the contents of this document, and that the information provided is true 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: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Case Number: _____

VERIFICATION

STATE OF ARIZONA)
) **ss.**
County of Maricopa)

_____, the above named **Adoptee** in this matter, being duly sworn, deposes and says:
(Name of Adoptee)

UNDER OATH OR BY AFFIRMATION

I swear or affirm that I am the **Adoptee** and named in this matter. By signing below, I state to the Court that I have read and understood the contents of this document, and that the information provided is true and correct to the best of my knowledge and belief.

(Signature of Adoptee)

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of the Adoption of _____

Case Number : _____

CONSENT TO ADULT ADOPTION and WAIVER OF NOTICE

(Name of Adoptee)
An Adult

UNDER OATH OR BY AFFIRMATION:

INFORMATION REQUIRED BY ARIZONA LAW (A.R.S. § 14-8101)

1. INFORMATION ABOUT ME:

Name: _____
Address: _____
Telephone: _____ Date of Birth: _____

I AM (Please check one):

- the Spouse of the Adoptor (person seeking to adopt another)
- the Spouse of the Adoptee (person being adopted)
- Natural Parent of the Adoptee
- Other (please describe): _____

2. I have read the Petition for Approval of Adoption Agreement for an Adult and for Decree of Adoption, and consent to the adoption of:

_____ by _____
(Name of Adoptee – Person to be Adopted) (Name of Adoptor – Person Adopting Another)

3. I waive notice of all further proceedings in this matter.

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by _____
(date)

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of the Adoption of:

Case Number : _____

_____,
(Name of Adoptee)

An Adult

NOTICE OF HEARING REGARDING PETITION FOR APPROVAL OF ADOPTION AGREEMENT FOR AN ADULT AND FOR DECREE OF ADOPTION

**THIS IS A LEGAL NOTICE; Your rights may be affected.
Éste es un aviso legal. Sus derechos podrían ser afectados.**

1. **NOTICE IS GIVEN** that the Petitioner has filed with the Court the following:

**PETITION FOR APPROVAL OF ADOPTION AGREEMENT FOR AN ADULT
AND FOR DECREE OF ADOPTION**

2. **COURT HEARING.** A court hearing has been scheduled to consider the Petition and matters in the court papers as follows:

DATE and TIME: _____

PLACE: _____

JUDICIAL OFFICER: _____

DATED: _____

Petitioner

You are not required to respond to this Petition, but if you choose to respond, you *may* do so by filing a written response *or* by appearing in-person at the hearing. *If you choose ~~to~~ file a written response:*

- File the original with the Court;
- Provide a copy to the office of the Judicial Officer named above; and
- Mail a copy to all interested parties at least five (5) business days before the hearing.

YOU ARE RESPONSIBLE FOR PROTECTING YOUR INTERESTS.

This matter may not be independently investigated or verified by the court. If you object to any part of the petition or motion that accompanies this notice, you must file (at least 3 days before the hearing) with the court a written objection describing the legal basis for your objection. Failure to file a written objection may jeopardize your interests. Without your written objections, you should expect that the requested relief will be granted. If you question any other action of the fiduciary, file an appropriate written petition or motion with the court.

This is a legal matter. If you have questions, seek legal advice from an attorney. You have the right to represent yourself. If you represent yourself you must correctly follow court procedures.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of: _____

Case Number: _____

DECLARATION OF NOTICE PROVIDED Regarding A Matter of an Adult Adoption

An Adult

UNDER PENALTY OF PERJURY

1. **DOCUMENTS PROVIDED:** I provided copies of the following court documents to the persons named below. (Check only those that apply.)



**PETITION FOR APPROVAL OF ADOPTION AGREEMENT FOR AN ADULT
AND FOR DECREE OF ADOPTION**

2. **TO WHOM I GAVE NOTICE:** These are the people to whom I gave copies of all the documents indicated above. State the relationship between the person who is being adopted and the person you gave the copies to.

- A. **Person Given Notice (Name):** _____
B. **Relation:** _____
C. **Date Mailed or Delivered:** _____
D. **Method of Delivery:** (Check at least one box and complete the information below)

- 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. **Person Given Notice (Name):** _____
B. **Relation:** _____
C. **Date Mailed or Delivered:** _____
D. **Method of Delivery:** (Check at least one box and complete the information below)

- 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. Person Given Notice (Name):** _____
B. Relation: _____
C. Date Mailed or Delivered: _____
D. Method of Delivery: (Check at least one box and complete the information below)

- 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. Person Given Notice (Name):** _____
B. Relation: _____
C. Date Mailed or Delivered: _____
D. Method of Delivery: (Check at least one box and complete the information below)

- 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. Person Given Notice (Name):** _____
B. Relation: _____
C. Date Mailed or Delivered: _____
D. Method of Delivery: (Check at least one box and complete the information below)

- 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) _____

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Petitioner's Signature

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of the Adoption of _____

Case Number : _____

(Name of Adoptee)

DECREE OF ADOPTION

An Adult

The Court has read the sworn "**Petition for Approval of Adoption Agreement for an Adult and for Decree of Adoption**" and held a hearing to determine whether the Court should enter the Order requested in the Petition.

THE COURT FINDS:

1. Petitioner is entitled to file the Petition under Arizona law, A.R.S. §14-8101(A);
2. Petitioner has given "**Notice of Hearing**" as required by law or "**Notice of Hearing**" was waived by all interested parties;
3. Venue in this county is proper;
4. Any reports by a court investigator have been considered by the Court;
5. Pursuant to A.R.S. §14-8101E, the Petition is in the best interest of the Adoptor, Adoptee, and the public.

IT IS ORDERED:

1. **ADOPTION FOR AN ADULT:** The Court issues this Decree approving the adoption for

_____, hereby decreed as the parent of
(Name of Adoptor)

_____, an adult.
(Name of Adoptee)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN PIMA COUNTY

In the Matter of the Adoption of _____

Case Number : _____

(Name of Adoptee)

DECREE OF ADOPTION

An Adult

The Court has read the sworn "**Petition for Approval of Adoption Agreement for an Adult and for Decree of Adoption**" and held a hearing to determine whether the Court should enter the Order requested in the Petition.

THE COURT FINDS:

1. Petitioner is entitled to file the Petition under Arizona law, A.R.S. §14-8101(A);
2. Petitioner has given "**Notice of Hearing**" as required by law or "**Notice of Hearing**" was waived by all interested parties;
3. Venue in this county is proper;
4. Any reports by a court investigator have been considered by the Court;
5. Pursuant to A.R.S. §14-8101E, the Petition is in the best interest of the Adoptor, Adoptee, and the public.

IT IS ORDERED:

1. **ADOPTION FOR AN ADULT:** The Court issues this Decree approving the adoption for

_____, hereby decreed as the parent of
(Name of Adoptor)

_____, an adult.
(Name of Adoptee)

