

## ADOPTION OF AN ADULT

### UNDER CHAPTER 63 OF THE FLORIDA STATUTES

|                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|  | <b>Document/Pleading Checklist</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                   | A Joint Petition for Termination of Parental Rights and Adoption is verified and signed by the petitioner or if the Court has previously entered a TPR order, a <i>certified copy</i> of the TPR order has been filed along with the petition for adoption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                   | The petitioner is listed as a party who may adopt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                   | The petitioner is NOT the spouse of the adoptee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                   | The petition lists the date and place of birth of the adoptee; the name to be given to the adoptee; date petitioner acquired custody; the marital status of the petitioner (date and place of marriages); if stepparent adoption, divorces of petitioner; name, age and place and duration of residence of petitioner; description and estimate of the value of any property held by of adoptee; the case style and date of entry of the judgment terminating parental rights; or the address of any person whose consent to the adoption is required; if consent has not been obtained, the facts or circumstances that excuse the lack of consent to justify a termination of parental rights; and reasons why petitioner desires to adopt adult adoptee. |
|                                                                                   | Adoptee's consent is executed by adoptee and notarized by a notary public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                   | If consent is required from adoptee's spouse, consent is signed by adoptee's spouse and notarized by a notary public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                   | Are there any facts or circumstances alleged in the pleadings asking the Court to excuse consent?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                   | The Notice of Hearing has been given to each party in accordance with Florida Rules of Civil Procedure 1.080(a) and 1.090(d) and section 63.122(2) of the Florida Statutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                   | Written notice of the Final Hearing has been provided to the adult's (adoptee's) parents <b>or</b> proof of service of process is provided to adult's parents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|  | If adult's parent(s) is/are deceased, a <i>certified copy</i> of the death certificate has been provided to the Court.                                                                                                                                                                                                      |
|  | Are there any persons who are not expressly entitled to be given notice of an adoption but have a direct, financial, and immediate interest? If yes, persons are entitled to Notice of Hearing. (The person must show the Court that he or she will gain or lose by the direct legal operation and effect of the judgment). |
|  | Service of process has been made upon each party as required by Florida Rule of Civil Procedure 1.070 and section 63.122(2) of the Florida Statutes.                                                                                                                                                                        |
|  | If personal service was not obtained, an affidavit of diligent search has been filed with the Court.                                                                                                                                                                                                                        |
|  | Constructive Service – publication was in the correct county with the specific requirements as required by statute.                                                                                                                                                                                                         |
|  | Petitioner is present at the Final Hearing (or a Motion has been filed and the Court excused Petitioner's presence).                                                                                                                                                                                                        |
|  | Adoptee is present at the Final Hearing (or a Motion has been filed and the Court excused adoptee's presence).                                                                                                                                                                                                              |
|  | Any forms requiring two witnesses (signature and contact information provided) are properly executed and notarized by a notary.                                                                                                                                                                                             |
|  | Notary completed all sections on the forms (county, type of identification produced, date, and if applicable, time of execution).                                                                                                                                                                                           |
|  | Is an adoption entity requesting fees? Are the fees itemized?                                                                                                                                                                                                                                                               |
|  | If a declaratory statement has been previously entered by the Court, it has been filed along with the petition for adoption.                                                                                                                                                                                                |
|  | The Court may require a Preliminary Home Study for good cause shown.                                                                                                                                                                                                                                                        |
|  | Are there any issues that need to be further examined or investigated prior to entry of the final judgment? If yes, the Court may continue the hearing.                                                                                                                                                                     |
|  | The Petitioner has complied with the statutory requirements of Chapter 63 of the Florida Statutes.                                                                                                                                                                                                                          |