

ADOPTION CHECKLIST

Agency Adoptions

- ___ **Petition for Adoption** of Minor Child (DSS-1800). G.S. 48-2-301 to 48-2-306.

- ___ **Attachments to Petition.** G.S. 48-2-305. (omitted information may be filed before final decree. G.S. 48-2-306).
 - ___ **Affidavit of Parentage** (DSS-1809). G.S. 48-3-206.

 - ___ **Agency's consent to** adoption by petitioner(s) (DSS-1801).

 - ___ **Any relinquishment to** agency for adoption (DSS-1804).

 - ___ **Certified copy of** any court order terminating the rights of a parent or guardian of adoptee.

 - ___ **Any denial of** paternity (DSS-5118).

 - ___ **Consent of minor** child 12 years or older unless dispensed with in writing by clerk under G.S. 48-3-603(b)(1). (DSS-1803).

 - ___ **Certified copy of** any court order or pleading in a pending proceeding concerning custody of or visitation with the adoptee.

 - ___ **Copy of the preplacement assessment** certified by agency that prepared it or affidavit stating why assessment not available. Assessment must have been completed or updated within 18 months of placement.

 - ___ **Any consent to an agency** by a placing parent and adopting parents to release identifying information under G.S. 48-9-109. (DSS-5218).

 - ___ **Certified copy of background information** document on adoptee and adoptee's birth family (DSS-5102 and 5103) or affidavit stating why document is not yet available. G.S. 48-3-205.

___ **Any signed copy** of 100A form required by Interstate Compact on Placement of Children (ICPC) authorizing minor to come into North Carolina or affidavit stating why authorization is not available.

___ **A writing that** states the name of any individual whose consent may be required, but who has not executed a consent or relinquishment or whose parental rights have not been terminated.

Proof of Service of Notice by Petitioner(s) to appropriate persons or certified copies of any written waivers of that notice by those persons. G.S. 48-2-401; G.S. 48-2-407.

___ **Notice of adoption** proceeding mailed or otherwise delivered by Clerk no later than 5 days after petition filed to any agency that has undertaken but not yet completed a preplacement assessment and any agency ordered to make a report to the court. G.S. 48-2-403.

___ **Order for Report** on Proposed Adoption mailed or otherwise delivered to (1) agency that placed minor or (2) agency that prepared preplacement assessment or (3) another agency. (DSS-1807).

___ **Report on Proposed Adoption** (DSS-1808), including any supplemental reports filed if the initial report indicated a concern with the adoption and the time for final decree was extended to allow resolution of those concerns. The supplemental report must indicate whether and how the concerns have been satisfied. G.S. 48-2-502 and 503.

___ **Affidavit accounting for** any payments or disbursements made or agreed to be made by petitioner in connection with adoption. (DSS-5191) Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree in order to give clerk time for review. G.S. 48-2-602; 48-2-603(9); 48-10-103.

___ **Final Decree of Adoption** (DSS-1814)

- Time and date for hearing (if contested) or disposition of petition set no later than 90 days after petition filed. Requirement that 90 days have elapsed since petition filed may be waived for cause. Hearing or disposition must take place no later than 6 months after petition filed unless time extended. G.S. 48-2-601; 48-2-603.

___ **Report to Vital Records** (DSS-1815)

ADOPTION CHECKLIST

Foreign Adoptions

- ___ **Petition for Adoption** of Minor Child (DSS-1800). G.S. 48-2-301 to 48-2-306.

- ___ **Report on Proposed** Adoption (DSS-1808), including any supplemental reports filed if the initial report indicated a concern with the adoption and the time for final decree was extended to allow resolution of those concerns. The supplemental report must indicate whether and how the concerns have been satisfied. G.S. 48-2-502 and 503.

- ___ **Consent of minor** child 12 years or older unless dispensed with in writing by clerk under G.S. 48-3-603(b)(1). (DSS-1803).

- ___ **Certified Copy of Foreign Adoption Decree** with Translation

- ___ **Certified Copy of Foreign Birth Certificate** with Translation

- ___ **Copy of the preplacement assessment** certified by agency that prepared it or affidavit stating why assessment not available. Assessment must have been completed or updated within 18 months of placement.

- ___ **Affidavit accounting for** any payments or disbursements made or agreed to be made by petitioner in connection with adoption. (DSS-5191) Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree in order to give clerk time for review. G.S. 48-2-602; 48-2-603(9); 48-10-103.

- ___ **Final Decree of Adoption** (DSS-1814)
 - Time and date for hearing (if contested) or disposition of petition set no later than 90 days after petition filed. Requirement that 90 days have elapsed since petition filed may be waived for cause. Hearing or disposition must take place no later than 6 months after petition filed unless time extended. G.S. 48-2-601; 48-2-603.

- ___ **Report to Vital Records** (DSS-1815)

ADOPTION CHECKLIST

Independent Adoptions

- ___ **Petition for Adoption** of Minor Child (DSS-1800). G.S. 48-2-301 to 48-2-306.

- ___ **Attachments to Petition.** G.S. 48-2-305. (omitted information may be filed before final decree. 48-2-306).
 - ___ **Affidavit of Parentage** (DSS-1809). G.S. 48-3-206.
 - ___ **Any consent to** petitioner(s) for adoption (DSS-1802)
 - ___ **Certified copy of** any court order terminating the rights of a parent or guardian of adoptee
 - ___ **Any denial of** paternity (DSS-5118).

- ___ **Consent of minor** child 12 years or older to adoption unless waived in writing by clerk under G.S. 48-3-603(b)(1). (DSS-1803).

- ___ **Certified copy of** any court order or pleading in a pending proceeding concerning custody of or visitation with the adoptee.

- ___ **Copy of the preplacement assessment** certified by agency that prepared it or affidavit stating why assessment not available. Assessment must have been completed or updated within 18 months of placement.

- ___ **Certificate of delivery of preplacement assessment** to placing parent or guardian, if child's placement preceded completion of preplacement assessment. Placing parent may revoke consent at any time until five business days after receipt of completed assessment. G.S. 48-3-307(c). (DSS-5219)

- ___ **Certified copy of background information** document on adoptee and adoptee's birth family (DSS-5102 and 5103) or affidavit stating why document is not yet available. G.S. 48-3-205.

- ___ **Any signed copy** of 100A form required by Interstate Compact on

Placement of Children (ICPC) authorizing minor to come into North Carolina or affidavit stating reason why authorization is not available.

— **A writing that** states the name of any individual whose consent may be required but who has not executed a consent or whose parental rights have not been terminated.

— **Proof of Service** of Notice by Petitioner(s) to appropriate persons or certified copies of any written waivers of that notice by those persons. G.S. 48-2-401; G.S. 48-2-407.

When notice is given and a possible father does not respond within 30 days, 40 days to notice by publication, 48-3-603(a)(7) provides that his consent to the adoption is not required. The clerk then enters an order finding his consent is not necessary because he did not respond. G.S. 48-2-207(a). If publication is used, the petitioner must file an affidavit showing due diligence in trying to find the father. Rule 4(j1) and (j2) of the Rules of Civil Procedure.

If a father or possible father does respond, the clerk must hold a hearing to determine whether his consent is required under G.S. 48-3-601, which sets out steps fathers must have taken to prior to the filing of the petition to preserve their rights in an adoption. G.S. 48-2-207(b). This hearing may be transferred to a district court judge pursuant to G.S. 48-2-601(a1).

— **Notice of adoption** proceeding mailed or otherwise delivered by Clerk no later than 5 days after petition filed to any agency that has undertaken but not yet completed a preplacement assessment and any agency ordered to make a report to the court. G.S. 48-2-403.

— **Order for Report** on Proposed Adoption (DSS-1807)

- If preplacement assessment filed with petition and child was placed with petitioner(s) after the completion of that assessment, order for report on proposed adoption is mailed or delivered within 5 days after petition filed to agency that prepared assessment or another agency. G.S. 48-2-403; 48-2-501.
- If preplacement assessment filed with petition but child was placed with petitioner(s) before completion of that assessment, order for report on proposed adoption is not sent for at least 30 days after completion of assessment. G.S. 48-3-301(c)(2).
- If no preplacement assessment filed with petition, then order for report on proposed adoption is not sent for at least 30 days

after completion of assessment. G.S. 48-3-301(c)(2).

- **Report on Proposed Adoption (DSS-1808)**, including any supplemental reports filed if the initial report indicated a concern with the adoption and the time for final decree was extended to allow resolution of those concerns. The supplemental report must indicate whether and how the concerns have been satisfied. G.S. 48-2-502 and 503.

- **Affidavit accounting for** any payments or disbursements made or agreed to be made by petitioner in connection with adoption. (DSS-5191) Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree to give clerk time for review. G.S. 48-2-602; 48-2-603(9); 48-10-103.

- **Final Decree of Adoption (DSS-1814)**
 - Time and date for hearing (if contested) or disposition of petition set no later than 90 days after petition filed. Requirement that 90 days have elapsed since petition filed may be waived for cause. Hearing or disposition must take place no later than 6 months after petition filed unless time extended. G.S. 48-2-601; 48-2-603.

- **Report to Vital Records (DSS-1815)**

ADOPTION CHECKLIST

Stepparent Adoptions

- ___ **Petition for Adoption** of Minor Child by stepparent (DSS-5162) G.S. 48-2-301 to 48-2-306; 48-4-101.

- ___ **Attachments to Petition.** G.S. 48-2-305. (omitted information may be filed before final decree. 48-2-306).

- ___ **Consent to adoption** by parent who is stepparent's spouse. (DSS-5189) G.S. 48-4-103(a).

- ___ **Consent to adoption** by parent who is not stepparent's spouse. (DSS-5190) G.S. 48-4-103(b).

- ___ **Certified copy of** any court order terminating the rights of a parent or guardian of adoptee.

- ___ **Any denial of** paternity (DSS-5118).

- ___ **Consent of minor** child 12 years or older to adoption unless dispensed with in writing under G.S. 48-3-603(b)(1). (DSS-5169).

- ___ **Certified copy of** any court order or pleading in a pending proceeding concerning custody of or visitation with the adoptee.

- ___ **A writing that** states the name of any individual whose consent may be required but who has not executed a consent or whose parental rights have not been terminated.

- ___ **A copy of** any agreement to release past-due child support payments.

- ___ **Proof of Service** of Notice by Petitioner(s) to appropriate persons or certified copies of any written waivers of that notice by those persons. G.S. 48-2-401; G.S. 48-2-407.

- ___ **Order for Report** on Proposed Adoption (DSS-1807) mailed or delivered to agency. G.S. 48-2-501; 48-2-403.

___ **Report on Proposed Adoption (DSS-1808)** G.S. 48-2-502 and -503.

___ **Affidavit accounting for any payments or disbursements made or agreed to be made by petitioner in connection with adoption.** (DSS-5191) Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree. G.S. 48-2-602; 48-2-603(9); 48-10-103.

___ **Final Decree of Adoption (DSS-1814)**

- Time and date for hearing (if contested) or disposition of petition set no later than 90 days after petition filed. Requirement that 90 days have elapsed since petition filed may be waived for cause. Hearing or disposition must take place no later than 6 months after petition filed unless time extended. G.S. 48-2-601; 48-2-603.

___ **Report to Vital Records (DSS-1815)**

ADOPTION CHECKLIST

Relative Adoptions

- Applies only to placement by parent (not an agency) for adoption by grandparent, sibling, first cousin, aunt, uncle, great-aunt, great-uncle or great-grandparent of minor. Placements by parents with other relatives are treated as independent adoptions and require a preplacement assessment. G.S. 48-3-301(b).

___ **Petition for Adoption** of Minor Child (DSS-1800) G.S. 48-2-301 to 48-2-306.

___ **Attachments to Petition.** G.S. 48-2-305. (omitted information may be filed before final decree. 48-2-306).

___ **Affidavit of Parentage** (DSS-1809) G.S. 48-3-206.

___ **Any consent to** adoption by petitioner(s) (DSS-1802)

___ **Certified copy of** any court order terminating the rights of a parent or guardian of adoptee.

___ **Any denial of** paternity (DSS-5118).

___ **Consent of minor** child 12 years or older to adoption unless dispensed with in writing by clerk under G.S. 48-3-603(b)(1). (DSS-1803).

___ **Certified copy of** any court order or pleading in a pending proceeding concerning custody of or visitation with the adoptee.

___ **Certified copy of** background information document on adoptee and adoptee's birth family (DSS-5102 and 5103) or affidavit stating why document is not yet available. G.S. 48-3-205.

___ **Any signed copy of** 100A form required by Interstate Compact on Placement of Children authorizing minor to come into North Carolina or affidavit stating reason why authorization is not available.

___ **A writing that** states the name of any individual whose consent may be required but who has not executed a consent or whose parental rights have not been terminated.

— **Proof of Service** of Notice by Petitioner(s) to appropriate persons or certified copies of any written waivers of that notice by those persons. G.S. 48-2-401; G.S. 48-2-407.

— **Order for Report** on Proposed Adoption (DSS-1807) mailed or delivered to agency. G.S. 48-2-501; 48-2-403.

Note: Effective June 29, 2009, the clerk may waive a report to court in a grandparent adoption where the child has lived with the grandparent for at least two consecutive years immediately preceding the filing of the report, unless the child's consent is to be waived, the child has revoked a consent, or the minor is eligible for adoption assistance under G.S. 108A-49. Any waiver of the report should be in writing.

— **Report on Proposed** Adoption (DSS-1808) G.S. 48-2-502 and -503.

— **Affidavit accounting for** any payments or disbursements made or agreed to be made by petitioner in connection with adoption. (DSS-5191). Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree. G.S. 48-2-602; 48-2-603(9); 48-10-103.

— **Final Decree of** Adoption (DSS-1814)

— **Report to Vital** Records (DSS-1815)

ADOPTION CHECKLIST

Adult Adoptions

- Adult is defined by G.S. 48-1-101(3) as an individual who is 18 years of age, or if under the age of 18, is either married or has been emancipated under applicable State law.

___ **Petition for adult** adoption (DSS-5163). G.S. 48-5-101.

___ **Attachments to petition.**

___ **Consent to adoption** by adult adoptee (DSS-5164).

___ **Consent to adoption** by spouse of petitioner (when adult's stepparent is petitioner) unless waived for cause (DSS-5165).

___ **If applicable, consent** to adoption by guardian of incompetent adult adoptee. G.S. 48-5-103. Also need investigation by court appointed GAL other than guardian.

___ **Proof of Service** of Notice by Petitioner to appropriate persons in G.S. 48-2-401, including any adult children of prospective adoptive parent and any parent, spouse or adult child of adoptee listed in petition to adopt, or certified copies of any written waivers of that notice.

___ **Affidavit accounting for** any payments or disbursements made or agreed to be made by petitioner in connection with adoption. (DSS-5191) Must include amount of each payment or disbursement and name and address of each recipient. Must be filed at least 10 days before entry of final decree. G.S. 48-2-602; 48-2-603(9); 48-10-103.

___ **Final decree of** adoption (DSS-5166)

48-2-605 provides that the prospective adoptive parent and the adoptee shall both appear in person unless the court for cause waives this requirement, in which case an appearance for either or both may be made by an attorney authorized in writing to make an appearance. At least 30 days shall have elapsed from the filing of the adoption petition unless waived by the clerk, but notice of the petition must have been served on all required persons.

___ **Report to Vital** Records (DSS-5167).