

2005 Bridge the Gap



Handling A Step-Parent Adoption in Iowa

9:45-10:15 a.m.

Materials prepared by:

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Thursday, May 5, 2005

I. Overview of the Step-parent Adoption Process in Iowa

A. Iowa statutes that control step-parent adoptions:

- Iowa Code Chapter 600 (Adoption)
- Iowa Code Chapter 600A (Termination of parental rights)

B. Items unique to step-parent adoptions compared to placement adoptions:

- Home study requirements may be waived. Iowa Code § 600.8(8).
- The 180 day minimum residency period may be waived. Iowa Code § 600.10 and § 600.13(4).
- This is the only adoption proceeding where the parental rights of a biological parent may be terminated at the same time as the adoption, if the biological parent whose rights are being terminated consents to the adoption. Iowa Code §600.3(2)(b).
- The biological parent married to the adoption petitioner (step-parent) must file a consent to the proposed adoption. Iowa Code §600.7.
- The report of expenditures is waived. Iowa Code § 600.9.
- **The parent whose rights are under the threat of termination now have a right to court-appointed counsel.** In the Interest of S.A.J.B., 679 N.W.2d 645, Iowa (2004). ISBA is attempting to have the Legislature amend Iowa Code §815.11 to reflect this change.

II. The Initial Interview

A. Child's information needed:

- Full name, social security number, birth date, address, desired name of the child after adoption.

B. Step-parent (Petitioner's) information needed:

- Full name (including maiden, if applicable), birth date, social security number, address.

C. Birth parents information needed:

- Full name, birth date, social security numbers (if known), address, maiden name.

D. Miscellaneous information:

- Who is the custodian of the child at the present time and what is their address?
- When did the child start living with the petitioner?
- Does the petitioner want a new birth certificate for the child?
- Have the other parent's rights already been terminated? If not, will they accept service and/or consent to the adoption? **If they will not accept service, it is usually a red flag that the biological parents have not adequately discussed the proposed step-parent adoption.**

III. Filing the Termination Petition

A. Jurisdiction

- The termination of parental rights petition is filed in the juvenile court of the county in which the guardian or custodian of the child resides, or where the child is domiciled. Iowa Code § 600A.5.

B. Contents

- The petitioner is the biological parent who is attempting to terminate the other biological parent's rights.

- The petition for termination of parental rights must include the following information (sample petition enclosed):
 - (a) The legal name, age, and domicile of the child;
 - (b) The names, residence and domicile of the living parents of the child, the guardian and custodian of the child (if different), the guardian ad litem for the child, and the petitioner.
 - (c) The plain statement of the facts and grounds in Iowa Code §600A.8 which indicate that the parent-child relationship should be terminated;
 - (d) A plain statement explaining why the petitioner does not know any of the information required under Iowa Code § 600A.5 (3)(a) and (3)(a) and;
 - (e) The signature and verification of the petitioner.

See Iowa Code §600A.5

C. Notice

- It is essential that proof of service with respect to all necessary parties be filed with the Clerk's office prior to the termination hearing.
- Once the petition has been filed, notice must be given to all "necessary parties", meaning any person whose name, residence and domicile are required to be included on the petition to terminate parental rights, and any putative father who files a declaration of paternity in accordance with § 144.12A, or any unknown putative father, if any (except a biological parent

who has been convicted of having sexually abused the other biological parent while not cohabitating with that parent as husband and wife thereby producing the birth of the child who is the subject of the termination proceedings). Iowa Code § 600A.6.

- It is necessary to have a guardian ad litem appointed for any minor birth parent in a termination of parental rights action, and that guardian ad litem becomes a necessary party to the proceedings as well.
- The notice of the termination of parental rights hearing must state (see example) the time and place of the hearing on termination of parental rights, and a clear statement of the purpose of the action and hearing. Iowa Code §600A.6(3).
- Notice must be served on any necessary party whose identity and location is known by personal service at least seven days prior to the hearing. Iowa Code § 600A.6(4).
- Alternatively, notice can be sent to a necessary party by certified mail restricted delivery not less than fourteen days prior to the termination hearing. Id. A notice by certified mail restricted delivery which is refused by the necessary party being noticed constitutes sufficient notice to that party. Id.
- Notice by publication is allowed with respect to a necessary party whose identity is known but whose location or address is unknown, or with respect to all unknown putative fathers. Notice must be published once a week for two consecutive weeks, the last publication to be not less than three days prior to the hearing, must include the birthday of the child, and must be published “in

a medium which is reasonably expected to provide notice to the necessary party.” Iowa Code §600A.6(5).

IV. Termination of Parental Rights Hearing

- All necessary parties are entitled to be present at the termination hearing.
 - Iowa Code § 600A.7 states that the hearing is to be conducted in accordance with the provisions of Iowa Code §232.91-232.96. The juvenile court has the authority to exclude the public from a termination of parental rights hearing. Iowa Code §232.92.
 - A court reporter must always be present at a termination hearing to secure a record of the proceedings.
 - The burden at the hearing is on the petitioner to present clear and convincing proof that adequate grounds exist for termination of parental rights, using one or more of the grounds set forth at Iowa Code §600A.8.
- A. Grounds for involuntary termination of parental rights for a child less than six months of age:
- The parental rights of the birthparents can be terminated involuntarily using the grounds set forth for termination set forth at Iowa Code § 600A.8(3) though (9).
 - A parent and putative father’s parental rights can be terminated on the grounds of abandonment. Iowa Code §600A.8(3) and (4).

- Iowa Code § 600A.8(4)(a)(1) provides that a putative father is deemed to have abandoned a child less than six months of age at the time of the termination hearing unless the putative father does **all** of the following:
 - (a) Demonstrates a willingness to assume custody of the child rather than merely objecting to the termination of parental rights.
 - (b) Takes prompt action to establish a parental relationship with the child.
 - (c) Demonstrates, through actions, a commitment to the child.
- In determining whether the above three requirements have been met, the Court may consider:
 - (i) The fitness and ability of the putative father in personally assuming custody of the child, including a personal and financial commitment which is timely demonstrated;
 - (ii) Whether efforts made by the putative father in personally assuming custody of the child are substantial enough to evince a settled purpose to personally assume all parental duties;
 - (iii) Whether the putative father publicly acknowledged paternity or held himself out to be the father of the child during the six continuing months immediately prior to the termination proceeding;

- (iv) Whether the putative father paid a fair and reasonable sum; in accordance with the putative father's means, for medical, hospital, and nursing expenses incurred in connection with the mother's pregnancy or with the birth of the child, or whether the putative father demonstrated emotional support as evidenced by the putative father's conduct towards the mother;
- (v) Any measures taken by the putative father to establish legal responsibility for the child; and
- (vi) Any other factors evincing a commitment to the child.

B. Grounds for involuntary termination of parental rights for a child more than six months of age:

- Iowa Code § 600A.8(4)(b) provides that a putative father is deemed to have abandoned the child unless the putative father maintains substantial and continuous or repeated contact with the child as demonstrated by contribution towards support of the child in a reasonable amount, according to the putative father's means, and as demonstrated by any of the following:
 1. Visiting the child at least monthly when physically and financially able to do so and when not prevented from doing so by the person having lawful custody of the child;
 2. Regular communication with the child or with the person having the care or custody of the child, when physically and

financially unable to visit the child or when prevented from visiting the child by the person having lawful custody of the child;

3. Openly living with the child for a period of six months within the one year period immediately preceding the termination of parental rights hearing and during that period, openly holding himself out to be the father of the child.

- Iowa Code §600A.8(4)(c) provides that the subjective intent of the putative father, whether expressed or otherwise, unsupported by evidence of acts specified in §600A.8(4)(a) or §600A.8(4)(b) manifesting such intent, does not preclude a determination that the putative father has abandoned the child. In making such a determination, the Court shall not require a showing of diligent efforts by any person to encourage the putative father to perform the acts specified in subparagraphs (a) or (b). A demonstration of a commitment to the child is not met by the putative father marrying the mother of the child after adoption of the child.

C. Other Grounds for Involuntary Termination:

- Iowa Code §600A.8(5) allows involuntary termination where a parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has failed to do so without good cause.
- §600A.8(6) allows involuntary termination in the case where a parent

does not object to the termination of parental rights after having been given proper notice of the opportunity to object.

- §600A.8(7) allows for the involuntary termination of parental rights where a parent does not object to the termination although every reasonable effort has been made to identify, locate and give notice to that parent as required in §600A.6.
- §600A.8(8) allows an involuntary termination in the event that an adoptive parent requests termination of parental rights and the parent-child relationship based on a showing that the adoption was fraudulently induced in accordance with the procedures set out in § 600A.9(3).
- § 600A.8(9) provides that involuntary termination can occur where (a) the parent has been determined to be a chronic substance abuser as defined in §125.2 and the parent has committed as second or subsequent domestic abuse assault pursuant to § 708.2A; and (b) the parent has abducted the child, has improperly removed the child from the physical custody of the person entitled to custody without the consent of that person, or has improperly retained the child after a visit or other temporary relinquishment of physical custody.

D. Applicable case law:

- Primary concern in proceedings to terminate parental rights is the best interest of the child. In Interest of C.M.W., 503 N.W.2d 874 (Iowa App. 1993).

- Children may not be taken from their parents merely on basis of a determination that another home offers more advantages. Matter of Burney, 259 N.W.2d 322 (Iowa 1977).
- That a parent has once been guilty of misconduct or even child neglect is not alone sufficient to deprive him of custody of child where there is nothing to show he is not presently fit and capable custodian for child. In Interest of Freund, 216 N.W.2d 366 (Iowa 1994).
- Total desertion is not required for showing of abandonment. In Interest of M.M.S., 502 N.W.2d 4 (Iowa 1993); In Interest of Goettsche, 311 N.W.2d 104 (Iowa 1981).
- Parental responsibilities include more than subjectively maintaining an interest in a child; concept requires affirmative parenting to extent that it is practical and feasible in the circumstances. In Interest of Goettsche, 311 N.W.2d 104 (Iowa 1981).
- Unavailability of parent as result of being incarcerated is no excuse for parent's conduct for purposes of proceedings to terminate parental rights. In Interest of J.L.W., 523 N.W.2d 622 (Iowa 1994).
- Willfulness is not an element of such nonsupport as will justify termination of parental rights, but parent's intent is clearly tied to ability to pay. In Interest of R.K.B., 572 N.W.2d 600 (Iowa 1998).
- In proceeding to terminate father's parental rights, evidence supported trial court's conclusion that father did not abandon child; evidence indicated that father expressed significant interest in child after she

was born, father demonstrated a willingness to assume custody of child, and father offered financial and emotional support to mother during pregnancy. In re B.G.S., 680 N.W.2d 378 (Iowa App. 2004).

V. Termination Order and Appeal Rights

- Iowa Code § 600A.9 provides that a termination of parental rights Order must include a finding of facts and must specify the factual basis for terminating the parent-child relationship between the birthparents and the child, and must specify the ground or grounds upon which the termination is ordered. (Sample termination order attached).
- A notice of appeal must be made within fifteen days from the date of the Order. Iowa R. App. Pro. 6.5(2).

VI. Adoption Petition

- Should be in the name of the stepparent of the person to be adopted. Iowa Code §600.4(3)(a).
- Termination of the birth parent's rights must be completed, but this can be done either as a part of the adoption action or as a result of previous occurrences/proceedings if the adoption petition includes:
 - A. Death certificate, if the biological parent is deceased.
 - B. Consent by the birth parent pursuant to Iowa Code § 600.3(2)(b) (see example).
 - C. Previously-entered order of court terminating parental rights.

- The file-stamped termination document must be attached to the Adoption Petition along with the remaining parent's consent, the birth certificate, **and the child's consent if the child to be adopted is 14 or more years old.** Iowa Code § 600.7(d).
- Pre-placement investigation and report is not required. However, the court, upon request of an interested person or on its own motion stating the reasons therefore of record, may order an investigation or report pursuant to this section. Iowa Code § 600.8(8).
- The biological parent married to the adoption petitioner must file a Consent regarding the proposed step parent adoption. Iowa Code § 600.7.
- The petitioner's spouse is not required to be given notice of the adoption hearing. Iowa Code § 600.11.
- Anyone who has been granted visitation with the child under Iowa Code § 598.35 must be given notice of the hearing.

V. **Adoption Hearing**

- Introduce the adoptive parent or parents to the judge and ask the judge to swear them in. On the record, ask the adoptive parent or parents the following questions:
 1. Please state your names;
 2. Are you the Petitioner or Petitioners in the adoption petition to be considered today by the Court;
 3. Has your child/children been in your physical custody for more than 180 days;

4. Do you understand that once this adoption is final, that you will have the same relationship to this child/children as if he/she/they was/were your natural born child/children;
5. Are you, as parents, willing to assume all the normal responsibilities that a parent would have to a child;
6. Do you agree that to the best of your ability you will love and care for this child/children; and
7. Do you wish to have this adoption finalized at this time?

- Present the Judge the decree and get ready for pictures.

**IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)**

JANE MOTHER JONES DOE,)	
Dob: 3/10/77,)	
)	
Petitioner	)	No. T-12345
)	
IN THE INTEREST OF	)	PETITION FOR
	)	TERMINATION OF
	)	PARENTAL RIGHTS
BABY BOY JONES, 4/19/1994,)	
)	
Minor.)	

**TO THE JUDGE OF THE IOWA DISTRICT COURT, FIRST JUDICIAL DISTRICT
OF IOWA:**

THE PETITIONER, Jane Mother Jones Doe, birth mother, states as follows:

1. Jane Jones Does, the mother of the above-named minor, whose residence is shown below, and whose Domicile is Waterloo, Black Hawk County, Iowa, is a proper person having standing to petition the Court for termination of parental rights with respect to the above-named child and his birth father by reason of the fact that she is the birth mother of the child in interest.

2. The legal name of the child in interest is: Baby Boy Jones, who was born on April 19, 1994.

3. The names, residences and domiciles of the below named persons are as follows:

Living Parents of the Child

- | | |
|------------------------------------|--|
| a) Birth Mother: | Jane Jones Doe
ABC Drive
Waterloo, IA 50701 |
| b) Birth Father: | Herky Deadbeat Hawkeye
123 Street
Des Moines, IA 50319 |
| c) Custodian of the child: | Jane Jones Doe
ABC Drive
Waterloo, IA 50701 |
| d) Guardian ad Litem of the child: | Jen Bries
Ball, Kirk & Holm |

3324 Kimball Avenue
P.O. Box 2696
Waterloo, IA 50704-2696

4. The parent-child relationship now existing between the above-named child and his birth father, Herky Deadbeat Hawkeye, should be terminated because of the following facts and grounds: The birth father has abandoned the child pursuant to §600A.8(3) and §600A.8(5) in that he has failed to maintain substantial and continuous or repeated contact with the child; has not contributed toward the support of the child in a reasonable amount according to his means; has not had regular communication with the child or his birth mother, who has physical custody of the child; has not lived with the minor child within the one-year period immediately preceding the filing of this Petition; has not complied with court order to contribute to the support of the child without good cause.

5. The purpose of this Petition is to terminate the rights and ties of the birth father so that the child of the Petitioner may be adopted by his father figure in his life, John Michael Doe, who is the husband of the Petitioner and the stepfather of the child, Baby Boy Jones.

WHEREFORE, the Petitioner prays that the Court enter an Order or Decree terminating the parent-child relationship now existing between Baby Boy Jones, the minor child in interest, and his birth father, Herky Deadbeat Hawkeye, and appointing a Guardian Ad Litem for said child and for such other relief as the Court may deem just.

Jane Jones Doe, Birth Mother and Petitioner

STATE OF IOWA)
)ss.
COUNTY OF BLACK HAWK)

I, Jane Jones Doe, being first duly sworn on oath, state that I am the person named as Petitioner in the foregoing Petition for Termination of Parental Rights; that I have read the same and know the contents thereof; and that the statements and allegations therein made are true as I verily believe.

Jane Jones Doe, Birth Mother and Petitioner

Subscribed and sworn to before me by Jane Jones Doe this 2nd day of January, 2005.

Notary Public in and for State of Iowa

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	NO. T-12345
)	
IN THE INTEREST OF	)	NOTICE OF TERMINATION
	)	HEARING
BABY BOY JONES,)	
Minor.)	

TO: Herky Deadbeat Hawkeye - Birth Father
 Jane Jones Doe – Birth Mother
 Jen Bries – Guardian Ad Litem

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that there is now on file in the office of the Clerk of the above-named Court, a Petition for Termination of Parental Rights in the above-entitled action which seeks to terminate the parent-child relationship currently existing between the minor child, Baby Boy Jones, and the birth father, Herky Deadbeat Hawkeye, and that said Petition alleges as grounds for the termination of parental rights the following: the birth mother will not object to this proceeding, but the birth father may object to this proceeding after having been given proper notice and the opportunity to object; that the best interests of the child will be served by the termination of the parental rights of the birth father, Herky Deadbeat Hawkeye.

YOU ARE FURTHER NOTIFIED that the hearing on termination of parental rights has been set in this matter at 8:45 o'clock a.m. on the 15th day of February, 2005, in the Iowa District Court for Black Hawk, Juvenile Division, at the Courthouse in Waterloo, Iowa, and at said time and place, you will be given an opportunity to be heard before the Court.

YOU ARE FURTHER NOTIFIED that unless you appear thereto and defend at the time and place identified above, the termination of parental rights may be decreed as prayed in said Petition.

By: _____
Deputy Clerk of Juvenile Court
Black Hawk County Courthouse
Waterloo, Iowa 50703

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	NO. T-12345
)	
IN THE INTEREST OF	)	ORDER FOR HEARING
)	
BABY BOY JONES,)	
Minor.)	

BE IT REMEMBERED, that on the 2nd day of January, 2005, a Petition was filed in this court for termination of the parent-child relationship existing between Herky Deadbeat Hawkeye, birth father, and Baby Boy Jones, the minor child thereof, which Petition was filed by Jane Jones Doe as Petitioner.

Upon consideration of said Petition, **IT IS NOW ORDERED** that the same be set down for hearing before a Judge of the Iowa District Court, First Judicial District, (Juvenile Division) at the Courthouse in Waterloo, Iowa, on the 15th day of February, 2005 at 8:45 a.m. o'clock and that notice of such hearing be given to all necessary parties as required by law.

ASSOCIATE JUVENILE JUDGE, FIRST
JUDICIAL DISTRICT OF IOWA

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	NO. T-12345
)	
IN THE INTEREST OF	)	APPEARANCE AND ANSWER
	)	OF GUARDIAN AD LITEM
BABY BOY JONES,)	
Minor.)	

COMES NOW _____, Attorney at Law, who was heretofore appointed by the Court to act as Guardian ad Litem for the above-named minor child on the 2nd day of January, 2005, and hereby appears for said child and states that she is fully informed in the premises and that she is familiar with the facts and circumstances involved in this matter; that it is in the best interests of the minor child that the parental rights of the birth father be terminated; and that the undersigned urges the Court on behalf of said minor child, Baby Boy Jones, to proceed to terminate the parental rights of the said birth father as prayed for in the Petition for Termination.

Dated at Waterloo, Black Hawk County, Iowa, this 15th day of January, 2005.

_____, Attorney at Law

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	NO. T-12345
)	
IN THE INTEREST OF	)	ORDER APPOINTING
	)	GUARDIAN AD LITEM
BABY BOY JONES,)	
Minor.)	

BE IT REMEMBERED that on the 2nd day of January, 2005, a Petition was filed in this Court for termination of the parent-child relationship existing between Herky Deadbeat Hawkeye, birth father, and Baby Boy Jones, the minor child in interest, which petition was filed by Jane Jones Doe as Petitioner.

Upon consideration of the Petition, **IT APPEARS** that the minor child in whose interest such Petition is filed, does not have a Guardian and that a Guardian Ad Litem should be appointed to represent said minor child in this action for termination of parental rights.

IT IS ACCORDINGLY ORDERED that Jen Bries, Waterloo, Iowa, be and she is hereby appointed as Guardian Ad Litem to represent the minor child, Baby Boy Jones, in this action.

Dated this 2nd day of January, 2005.

ASSOCIATE JUVENILE JUDGE
FIRST JUDICIAL DISTRICT OF IOWA

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	NO. T-12345
)	
IN THE INTEREST OF	)	ORDER FOR HEARING
)	
BABY BOY JONES,)	
Minor.)	

BE IT REMEMBERED, that on the 2nd day of January, 2005, a Petition was filed in this court for termination of the parent-child relationship existing between Herky Deadbeat Hawkeye, birth father, and Baby Boy Jones, the minor child thereof, which Petition was filed by Jane Jones Doe as Petitioner.

Upon consideration of said Petition, **IT IS NOW ORDERED** that the same be set down for hearing before a Judge of the Iowa District Court, First Judicial District, (Juvenile Division) at the Courthouse in Waterloo, Iowa, on the 15th day of February, 2005 at 8:45 a.m. o'clock and that notice of such hearing be given to all necessary parties as required by law.

ASSOCIATE JUVENILE JUDGE,
FIRST JUDICIAL DISTRICT OF IOWA

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY
(Juvenile Division)

JANE JONES DOE,)	
Petitioner,	)	No. T-12345
)	
IN THE INTEREST OF	)	ORDER TERMINATING
	)	PARENTAL RIGHTS
BABY BOY JONES,)	
)	
Minor.)	

ON THE 15th day of February, 2005, the matter of the Petition for Termination of Parental Rights of the birth father of Baby Boy Jones, a minor child born on April 19, 1994, came before the Court for hearing and the Court has reviewed the Petition for Termination of Parental Rights and has examined the Notices of Termination Hearing with Acceptances of Service as filed by Jane Jones Doe, birth mother, Herky Deadbeat Hawkeye, birth father, and the Guardian Ad Litem, Jen Bries, and the Court finds that the parties to this proceeding are within the jurisdiction of this Court.

The Court being fully informed in the premises finds that the birth mother of the child has petitioned this Court for termination of the birth father, Herky Deadbeat Hawkeye's, parental rights. All parties have received due and legal notices of these termination proceedings, that they do not appear for this hearing and are therefore, found in default for want of appearance or answer and that they do not appear for this hearing to object to the termination of their respective parental rights.

It further appears to be in the best interest of the child, Baby Boy Jones, that the parental rights of the birth father, Herky Deadbeat Hawkeye, together with any and all other putative fathers, be terminated and the child be eligible for a step-parent adoption.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the parental rights of the birth father, Herky Deadbeat Hawkeye, as well as any and all other putative fathers, are hereby terminated and hereafter held for naught, and that the mother of the said child, is hereby authorized to proceed with a step-parent adoption proceeding.

The Court finds that all requirements under Chapter 600A, Code of Iowa, 2004 as amended have been complied with regarding termination of parental rights.

ASSOCIATE JUVENILE COURT JUDGE
FIRST JUDICIAL DISTRICT OF IOWA

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY

IN THE MATTER OF THE)
ADOPTION OF)
BABY BOY JONES,) No. ATCV123456
BY: JOHN MICHAEL DOE,) PETITION FOR ADOPTION
Petitioner.)

TO THE JUDGE OF THE FIRST JUDICIAL DISTRICT OF IOWA:

1. The full name of the child which the Petitioner has proposed to adopt is:

Baby Boy Jones,

as shown by the birth certificate attached hereto, and whose residence is ABC Drive, Waterloo, Iowa 50701, and whose domicile will be ABC Drive, Waterloo, Iowa 50701.

2. Said child, Baby Boy Jones, was born on the 19th day of April, 1994.

3. The Petitioner proposes to give the child the name **James Robert Doe** upon adoption.

4. The name, residence and permanent domicile of the custodial parents of Baby Boy Jones are as follows:

Jane Jones Doe and John Michael Doe, ABC Drive, Waterloo, Black Hawk County, Iowa.

5. This is a stepparent adoption and the Petitioner respectfully requests that the Court waive the appointment of a guardian ad litem.

6. The child began living with the Petitioner on the 1st day of June, 2003.

7. The birth father of the child to be adopted is Herky Deadbeat Hawkeye and his consent for this adoption is attached hereto; the birth mother of the child is Jane Jones Doe, and her consent for this adoption is attached hereto.

8. The Petitioner is qualified to adopt in that he is the stepparent of the child in interest.

9. The following property is owned by or held for the person to be adopted and has the estimated value set forth below:

ESTIMATED VALUE

DESCRIPTION

-----NONE-----

----- NOT APPLICABLE -----

10. The Petitioner, together with his wife, are willing and able to supply the following facilities and resources for the nurture and care of the minor child to be adopted: Complete care in the residence of the Petitioner and his spouse, together will all necessary psychological, emotional and financial support, maintenance and well-being for the growth and healthy development of the minor child to be adopted.

11. Since this is a stepparent adoption, no pre-placement investigation report is required.

12. The Petitioner's attorney is Matthew M. Craft, 3112 Brockway Road, P.O. Box 1020, Waterloo, Black Hawk County, Iowa 50704-1020.

John Michael Doe

STATE OF IOWA)
) ss
BLACK HAWK COUNTY)

I, John Michael Doe, being first duly sworn, do on oath depose and state that I am the person named as Petitioner in the foregoing Petition and that I have read the above and foregoing Petition together with the attachments and I know and understand the contents thereof and the statements and allegations therein contained are true as I verily believe.

John Michael Doe

Subscribed and sworn to before me by John Michael Doe this 1st day of March, 2005.

Notary Public, State of Iowa

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY

IN THE MATTER OF THE)	
ADOPTION OF)	
	)	No. ATCV123456
BABY BOY JONES,)	
)	
BY: JOHN MICHAEL DOE,	)	CONSENT FOR ADOPTION
)	
Petitioner.)	

STATE OF IOWA)
) ss
 BLACK HAWK COUNTY)

I, Herky Deadbeat Hawkeye, being first duly sworn do on oath depose and state that I am the birth father of Baby Boy Jones, the minor child to be adopted, and that I do hereby consent to the adoption of Baby Boy Jones by his stepfather, John Michael Doe, which consent is made voluntarily and of my own free will.

I further state that Jane Jones Doe is the birth mother of the child who was born on the 19th day of April, 1994, namely Baby Boy Jones.

I further waive notice of the adoption hearing and consent to the immediate hearing by the Court and entry of a Decree of Adoption

 Herky Deadbeat Hawkeye, Birth Father/Affiant

Subscribed and sworn to before me by Herky Deadbeat Hawkeye this 10th day of April, 2005.

 Notary Public, State of Iowa

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY

IN THE MATTER OF THE)	
ADOPTION OF)	
)	
BABY BOY DOE,	)	NO. ATCV123456
)	
By: JOHN MICHAEL DOE,	)	NOTICE OF ADOPTION
	)	HEARING
Petitioner.)	

TO: Jane Jones Doe – Birth Mother and Guardian

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that there is now on file in the office of the Clerk of the above-named Court, a Petition in the above-entitled action which seeks to obtain the Court’s approval for Baby Boy Jones to be adopted by the Petitioner, John Michael Doe, and to obtain a Decree granting such adoption, a copy of which Petition and attachments are attached hereto.

YOU ARE FURTHER NOTIFIED that a hearing on the Court’s approval for said adoption has been set in this matter at 8:45 a.m. o’clock on the 1st day of May, 2005, in the Iowa District Court for Black Hawk County, at the Courthouse in Waterloo, Iowa, and at said time and place, you will be given an opportunity to be heard before the Court.

YOU ARE FURTHER NOTIFIED that unless you appear thereto and defend at the time and place identified above, that the adoption may be decreed as prayed in said Petition.

By: _____
Clerk of the Above Court
Black Hawk County Courthouse
Waterloo, Iowa 50703

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY

IN THE MATTER OF THE)	
ADOPTION OF)	
)	
BABY BOY JONES,	)	NO. ATCV123456
)	
BY: JOHN MICHAEL DOE,	)	ORDER FOR HEARING
)	
Petitioner.)	

BE IT REMEMBERED, that on the 1st day of March, 2005, a Petition was filed in this court to obtain the Court's approval for Baby Boy Jones, to be adopted by John Michael Doe and to obtain a Decree granting such adoption.

Upon consideration of said Petition, **IT IS NOW ORDERED** that the same be set down for hearing before a Judge of the Iowa District Court, First Judicial District, at the Courthouse in Waterloo, Iowa, on the 1st day of May, 2005 at 8:45 a.m. o'clock and that notice of such hearing be given to all necessary parties as required by law.

ASSOCIATE JUVENILE JUDGE,
FIRST JUDICIAL DISTRICT OF IOWA

IN THE IOWA DISTRICT COURT IN AND FOR BLACK HAWK COUNTY

IN THE MATTER OF)	
THE ADOPTION OF	)	NO. ATCV123456
)	
BABY BOY JONES,	)	FINAL ADOPTION DECREE
)	
BY: JOHN MICHAEL DOE,)	
)	
Petitioner.)	

NOW, on this 1st day of May, 2005 this matter coming on for hearing, the Court having considered the Petition for Adoption and its attachments, the other pleadings, and all evidence having been considered, and being fully advised in the premises, it is found that Baby Boy Jones, a minor child, approximately 10 years of age, is a properly, adoptable child, and that the parent-child relationship existing between said child and his birth father, Herky Deadbeat Hawkeye, has been lawfully terminated.

It is further found that the Petitioner, John Michael Doe, is a lawfully qualified person to adopt and is willing and able to supply for the nurture and care of the child.

It is further found that the interest of the minor child, Baby Boy Jones, will be best served by the granting of the Petition herein.

IT IS THEREFORE, ORDERED AND DECREED;

That from the date hereof, the above mentioned child shall be the child of the Petitioner, and the rights, duties and relationships between said child and parent by adoption, together with the right of inheritance from each other, shall be the same that exists between parents and child by lawful birth. The name under which the child shall hereafter be known is James Robert Doe.

Dated at Waterloo, Iowa, this 1st day of May, 2005.

ASSOCIATE JUVENILE JUDGE, FIRST
JUDICIAL DISTRICT OF IOWA