# GEAUGA COUNTY PROBATE COURT
# JUDGE TIMOTHY J. GRENDELL

## CHECKLIST - ADOPTION-ADULT

These instructions are provided as a public service of the Geauga County Probate Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot (i) answer legal questions, and (ii) assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be typewritten or legibly handwritten, and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents.

### Initial Considerations

- There are five circumstances that permit an adult adoption, which are set forth in R.C. 3107.02(B):

  (1) If the adult is totally or permanently disabled;

  (2) If the adult is determined to be a person with a developmental disability, as defined in section 5123.01 of the Revised Code;

  (3) If the adult had established a child-foster caregiver, kinship caregiver, or child-stepparent relationship with the petitioners as a minor, and the adult consents to the adoption;

  (4) If the adult was, at the time of the adult's eighteenth birthday, in the permanent custody of or in a planned permanent living arrangement with a public children services agency or a private child placing agency, and the adult consents to the adoption;

  (5) If the adult is the child of the spouse of the petitioner, and the adult consents to the adoption.

- The petitioner is not required to obtain the assistance of an attorney or adoption agency, but the Court recommends that the Petitioner and the person being adopted (Adoptee) obtain legal advice before proceeding.

- Use Full Birth Names, and no middle initials.

- A petition for adoption shall be filed in the court in the county in which (i) the person to be adopted was born, or in which, at the time of filing the petition, (ii) the petitioner or the person to be adopted or parent of the person to be adopted resides, (iii) in which the petitioner is stationed in military service, or (iv) in which the agency having the permanent custody of the person to be adopted is located.[1]

- Obtain a certified copy of the adult adoptee's birth certificate. It must be the long form, which provides the city, county and state of place of birth.

- If the adult adoption is based upon R.C. 3107.02(B)(5) – see sub-sentence (5) above, then obtain a certified copy of the marriage certificate of the Petitioner and the Petitioner's spouse.

[1] See R.C. 3107.04(A).

## Filing Requirements

1. **Form 19.0 - Petition for Adoption of Adult**

2. **Form 18.3 - Consent to Adoption –** only if the basis for the adult adoption is based upon R.C. 3107.02(B)(3), R.C. 3107.02(B)(4), or R.C. 3107.02(B)(5). However, this Form 18.3, when filed shall not be signed. Form 18.3 will be signed at the hearing before the court.

3. **Original Birth Certificate of Adoptee – Long Form**

4. **Form HEA 2727 - Certificate of Adoption**

5. **Identification** - [if Petitioner is not represented by an attorney, then present to the deputy clerk regarding the Petitioner and the Adoptee] (1) a government-issued photographic identification (e.g., a current driver's license or passport), and (2) evidence of current mailing address (e.g., recent utility bill, bank statement account, property tax bill, voter registration card).

6. **Court Cost Deposit -** arrange for payment of the court cost deposit. See the "Probate Court Costs" on the Court's website.

## Additional Notes

1. After all required documents are filed, the Court will set the matter for hearing and will notify all interested persons by mail.

2. If the adult adoption is based upon R.C. 3107.02(B)(5), then at the hearing the Petitioner must submit a Certified Copy of the Marriage Certificate of the Petitioner and the Petitioner's spouse. Additionally, both the Petitioner and the Petitioner's spouse must be present at the hearing, together with the Adoptee.

3. If the adult adoption is based upon R.C. 3107.02(B)(1) or R.C. 3107.02(B)(2) – see sub-sentences (1) and (2) above, then the Petitioner shall obtain from a probate deputy clerk, the Authorization Form – WebCheck Electronic Fingerprinting. The Petitioner must deliver that form to Geauga County Jobs and Family Services, who will arrange for the webcheck. If the Petitioner has been a resident of Ohio for at least five years, then the Petitioner need only obtain a BCI background check. Otherwise, the Petitioner must obtain both a BCI and FBI background check. The Petitioner shall present the result of the background check to the Court at the hearing.

4. An adult, who consents to an adoption pursuant to R.C. 3107.02(B)(4) – see sub-sentence (4) above, shall provide the court with the name and contact information of the public children services agency or private child placing agency that had permanent custody of or a planned permanent living arrangement with that adult. The petitioner shall request verification from the agency as to whether the adult was or was not in the permanent custody of or in a planned permanent living arrangement with that agency at the time of the adult's eighteenth birthday and provide the verification to the court.