

PART 16.00 ADOPTIONS

16.01 Filing of Petition

16.02 Investigation Reports

16.03 Consents

16.01 FILING OF PETITION

- A. Within 60 days after a petition for adoption is filed, the petitioner(s) and counsel for the petitioner(s) shall appear before the court to request entry of an interim order which, at a minimum, covers the following subjects:
1. the status of service or process on or the appearance of all necessary parties, including the child(ren) to be adopted,
 2. the status of any necessary search of the Putative Father Registry,
 3. the appointment of a *guardian ad litem*,
 4. the appointment of any necessary counsel,
 5. the appointment of an officer or agency to conduct an investigation when needed, and
 6. temporary custody for the child(ren) to be adopted. Counsel for the petitioner(s) (or the petitioner(s) if *pro se*) shall provide a copy of the interim order to any appointed guardian, counsel, officer, or agency as soon as possible. Unless the court orders otherwise upon proper notice and motion, parental rights shall not be terminated until entry of the judgment of adoption. The form of the interim order shall substantially conform to the form set forth in Section 16.04 of these rules.
- B. For non-related adoptions, upon the filing of a petition, counsel for the petitioner(s) (or the petitioner(s) if *pro se*) shall contact the Department of Court Services and provide the following information:
1. the minor's name,
 2. the minor's sex;
 3. minor's time, date and place of birth, or due date;
 4. names, addresses and ages of biological parents;
 5. names and addresses of petitioners and
 6. case number.

16.02 REPORTS

- A. Before an interim order is presented for consideration by the court, an appropriate investigating officer or agency shall conduct a preliminary investigation with the

biological parents, if possible, and the prospective adoptive parents, and shall prepare a corresponding written report which shall be presented to the court prior to any request for temporary custody.

- B. Upon receipt of a copy of the interim order, the investigative officer or agency shall conduct a complete investigation into the adoption. It shall provide a written adoption study report to the court within six (6) months of the entry of the interim order.
- C. Upon receipt of a copy of the interim order, the *guardian ad litem* shall file a written appearance and response to the petition, and conduct a complete investigation into the adoption, and shall prepare a written report which shall be presented to the court prior to any request for judgment.
- D. Any and all reports pertaining to adoption, other than an investigative report in a non-related adoption, shall be filed with or received by (and not merely mailed to) the Clerk of the Circuit Court at least three (3) court days prior to any hearing at which the report will be considered. The report shall contain the name of the minor(s) at issue in the case, along with the number of the case, and the date and time when the case will next be called by the court for hearing if known. Reports should include appropriate references to any related case. Copies of reports must be timely delivered to the Juvenile Court Judge and each party's attorney (or each party if *pro se*). To the extent copies are sent by the United States Mail, they shall be considered "timely delivered" to the extent they are properly placed in the United States Mail by no later than five (5) court days prior to any such hearing. To the extent any other applicable rule or statute requires earlier filing, receiving, or delivering of any such report (and copy), the same shall control. Unless precluded any other applicable rule or statute, the court, for good cause shown, including not limited to waiver by the parties, may alter the deadline for the filing, receiving, or delivering of any such report (and copy).
- E. Charges for any such service, as established by administrative order or agreement of the parties, will be billed to counsel for the petitioner(s) (or the petitioner(s) if *pro se*) and shall be paid prior to the entry of judgment.
- F. Pursuant to Rule 16.02, interim orders shall substantially conform to Form 16.02 (See Forms Appendix)

16.03 CONSENTS

Consents to adoptions, acknowledgments of information exchange authorizations, and denial of exchange authorizations shall be provided to the court at or prior to any hearing at which the same will be considered. Counsel for the petitioner(s) (or the petitioner(s) if *pro se*) shall schedule the witnessing of any such documentation on written motion, or in the case of exigent circumstances, may contact the court through the Office of the Court Administrator to schedule the same.