

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

IN RE: _____ :
ADOPTION OF _____ :
_____ : No: _____
_____ :
(Adoptee's name as on birth certificate) : ATTORNEY: _____

PRELIMINARY ORDER FOR ADOPTION PETITION

(23 Pa.C.S. § 2701)

AND NOW this _____ day of _____, 20____ it is
ORDERED AND DECREED that an evidentiary hearing on the Adoption Petition for the adoption of the
above-captioned ADOPTEE is set in Courtroom No. _____ for the _____ day of
_____, 20____, at _____ o'clock A.M/P.M.

Notice shall be provided as required by 23 Pa.C.S. § 2721.

Unless excused by the court, the adopting parent(s), ADOPTEE and the intermediary are required
to appear at the evidentiary hearing. [23 Pa.C.S. § 2723]

All reports shall be timely filed and in no case later than **10** days before the evidentiary hearing to
allow the court time to review.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans' Court is
DIRECTED to note in the docket that the individual(s) listed below have been given notice of this
Order.

BY THE COURT:

ATTEST:

cc:

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

IN RE: _____ :
ADOPTION OF _____ :
_____ : No: _____
(Adoptee's name as on birth certificate) : ATTORNEY: _____

ADOPTION PETITION
(23 Pa.C.S. § 2701)

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of _____
[Names of Adopting Parent(s) and Consenting Birth Parent]

1. **ADOPTEE:**

- a) Pre-adoptive name as appears on birth certificate:

- b) Post-adoptive name:

- c) Age:

- d) Date of birth:

- e) Birthplace:

- f) Sex: Male () Female ()

- g) Present address:

- h) Racial background:

- i) Date and place of initial placement with adopting parent(s):

- j) Length of residence with adopting parent(s):

- k) If ADOPTEE is over 12 years of age, is the ADOPTEE's written consent attached?

- l) Has ADOPTEE's birth certificate or certification of registration of birth been made a part of the record in these proceedings? [See 23 Pa.C.S. § 2701(9)]
 - (1) If no birth certificate or certification of registration of birth can be obtained, a statement of the reasons therefor and an allegation of the effort made to obtain the certificate must be presented to the Court with a request that the Court establish a date and place of birth at the adoption hearing on the basis of the evidence presented. [Pa. R.O.C.P. 15.13(a)(8)]
 - (A) To expedite the adoption hearing and give the Court an opportunity for review, this request and relevant information shall be made a part of the record in the form of a written petition. **This written petition shall be filed and a certified copy presented to the Court at least ten days before the adoption hearing.** The request and factual averments shall also be presented as evidence at the adoption hearing.

- m) List assets possessed or owned by ADOPTEE and the value of these assets:

- n) Marital status of ADOPTEE:
 - (1) If married, state date of marriage and spouse's name, age and address:

2. **PARENT 1:** (If you are a birth parent in a step-parent adoption, please leave this blank.)

- a) Name:

- b) Maiden name:

- c) Age and date of birth:

- d) Birthplace:
- e) Present address:
 - (1) How long have you lived at this present address?
 - (2) List residences during the past five years:
- f) Present marital status:
If married, state:
 - (1) Date:
 - (2) Place:
 - (3) Name of spouse:
- g) Name(s) and age(s) of person(s) who presently live in your household:
- h) Religious affiliation:
- i) Racial background:
- j) State your employment and approximate annual income:
- k) Are you related to ADOPTEE?
 - (1) If yes, state relationship:
- l) Have you ever been convicted of a misdemeanor or a felony?
 - (1) If yes, list crime, date and place of conviction:
- m) Do you have any communicable or contagious disease?
 - (1) If yes, state what it is:

3. **PARENT 2:** (If you are a birth parent in a step-parent adoption, please leave this blank.)

a) Name:

b) Age and date of birth:

c) Birthplace:

d) Present address:

(1) How long have you lived at this present address?

(2) List residences during the past five years:

e) Present marital status:

If married, state:

(1) Date:

(2) Place:

(3) Name of spouse:

f) Name(s) and age(s) of person(s) who presently live in your household:

g) State your employment and approximate annual income:

h) Religious affiliation:

i) Racial background:

j) Are you related to ADOPTEE?

(1) If yes, state relationship:

k) Have you ever been convicted of a misdemeanor or a felony?

(1) If yes, list crime, date and place of conviction:

l) Do you have any communicable or contagious disease?

(1) If yes, state what it is:

4. Name, address and phone number of attorney representing petitioner(s):
5. Name, address and phone number of attorney or guardian ad litem who is or has represented ADOPTEE:
6. State whether there are any court orders that remain in effect as of the date of the petition's filing and which terminated parental rights of any birth parent, presumptive father, or putative father of the adoptee. [Pa. R.O.C.P. 15.13(a)(11)(A)]
7. State whether there are any court orders that remain in effect as of the date of the petition's filing and which establish rights of guardianship or custody of the adoptee in any person or entity other than the birth parent. [Pa. R.O.C.P. 15.13(a)(11)(B)]
8. State whether there are any court orders that remain in effect as of the date of the petition's filing and which establish or set forth any special conditions concerning placement, custody, guardianship, or adoption of the adoptee. [Pa. R.O.C.P. 15.13(a)(11)(C)]
9. If Report of Intention to Adopt is required, state date of filing:
10. Name, address of Intermediary, if any:
 - a) Filing date of Intermediary Report:
 - b) Circumstance of placement:
 - c) Did Intermediary make an interim placement pursuant to 23 Pa.C.S. § 2530(c)?
 - d) Was a favorable home study completed by a local public child-care agency, an adoption agency or a court designated licensed social worker prior to said placement?

e) If the home study and pre-placement reports were completed, have they been filed?

(1) If yes, list filing date:

(2) If no, explain:

f) Have the adopting parent(s) received the medical history information about the ADOPTEE?

(1) If not obtained, explain why: [See 23 Pa.C.S. § 2533(b)(12)]

(2) Is/are adopting parent(s) knowledgeable and satisfied with ADOPTEE's mental and physical health?

11. Has the Pennsylvania State Police criminal history report, Federal criminal history record and Pennsylvania child abuse investigation been filed as required by 23 Pa.C.S. § 6344(b) and (d)?

(1) If no, explain why:

12. If any of the reports or exhibits listed in subparagraphs 15.13 (a)(6)—(a)(12) have not been filed or are not attached to the petition, explain why such reports have not been filed or exhibits have not been attached and the reasons showing cause why the court may enter a decree of adoption under 23 Pa.C.S. § 2901, notwithstanding the absence of all legal requirements having been met. [Pa. R.O.C.P.. 15.13(a)(13)]

13. State whether the Prospective Adoptive Parents and the minor ADOPTEE, if required by 23 Pa.C.S. § 2733(c), have been informed of the opportunity to enter into a Contact Agreement with any of the minor ADOPTEE's birth relatives. [Pa.R.O.C.P. 15.13(a)(14)]

14. If an agreement for post-adoption contact and communication has been negotiated and executed by the Prospective Adoptive Parents and one or more birth relatives, is an averment of one of the following applicable: [Pa.R.O.C.P. 15.13(a)(15)]
- a) The date of the order and the name of the court approving the Contact Agreement and that the Contact Agreement and court order are attached as exhibits to the petition; or
 - b) A petition to approve the executed proposed agreement for post-adoption contact and communication has been submitted and is pending before the court or is being filed under a separate petition simultaneously with the filing of this petition.
15. If ADOPTEE's birth parent(s) is/are deceased, list name(s), date(s) of death and attach original or certified death certificate(s):
16. If there is no intermediary or if no Report of the Intermediary has been filed or if ADOPTEE is over the age of 18 years, complete the following: [Pa.R.O.C.P. 15.13(a)(7)]
- a) BIRTH MOTHER OF ADOPTEE:
 - (1) Name:
 - (2) Maiden name:
 - (3) Age and date of birth:
 - (4) Birthplace:
 - (5) Present Address:
 - (6) Marital status as of the time of birth of ADOPTEE:
 - (7) Marital status during the year prior to the time of birth of ADOPTEE:
 - (8) Racial background:
 - (9) Religious affiliation:

b) BIRTH FATHER OF ADOPTEE:

- (1) Name:
- (2) Age and date of birth:
- (3) Birthplace:
- (4) Present Address:
- (5) Marital status as of the time of birth of ADOPTEE:
- (6) Marital status during the year prior to the time of birth of ADOPTEE:
- (7) Racial background:
- (8) Religious affiliation:

- 17. State whether all consents required by 23 Pa.C.S. § 2711 (relating to consents necessary to adoptions) are a part of this petition. If all required consents are not a part of this petition, state basis upon which the consents are not required. [Pa.R.O.C.P. 15.13(a)(9)]
- 18. Petitioner(s) is/are not aware of any violation of any statute regulating the interstate placement of children with respect to the placement of the ADOPTEE. [See 62 P.S. § 761]
- 19. Have the Petitioner(s) reviewed the "Disclosure of Fees and Costs" form required by Pa. R.O.C.P. 15.13(e)(2) and aver that it accurately represents all of the fees, costs and expenses paid or to be paid by petitioner(s) relative to this adoption?
- 20. For required exhibits, refer to Pa.R.O.C.P. 15.13(b).

WHEREFORE, the petitioner(s) pray for an Order of adoption which creates the relationship of parent(s) and child between the petitioner(s) and the ADOPTEE.

[Signature(s) of Petitioner(s)]

ATTORNEY FOR PETITIONER(S):

(Signature)

(Type or Print Name)

(Address)

(Phone Number)

VERIFICATION

I/We, the above named petitioner(s), do verify that the statements contained in this Petition to Adopt are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities. (The maximum penalty for such violation is a period of incarceration up to two years and a \$5,000 fine.)

Date _____

[Signature(s) of Petitioner(s)]

WITNESS

ADDRESS OF WITNESS

CONSENT OF ADOPTEE:

I am over twelve years of age, have read the foregoing petition and consent to my adoption by

I also agree to have my name changed to _____.

Date _____

(Signature of Adoptee)

WITNESS

ADDRESS OF WITNESS

CONSENT OF BIRTH PARENT:

As birth parent (or parent by former adoption), I consent to his/her adoption by my spouse. I believe it is in the best interest of my child. I further agree to the name change as heretofore stated.

Date _____
_____ (Signature of Birth or Adoptive Parent)

WITNESS

ADDRESS OF WITNESS

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

IN RE: _____ :
ADOPTION OF _____ :
_____ : No: _____
(Adoptee's name as on birth certificate) : ATTORNEY: _____

FINAL ADOPTION ORDER
(23 Pa.C.S. § 2902)

AND NOW, this _____ day of _____, 20_____, after review of the record and after a hearing thereon, the Court makes the following findings:

1. This Court has jurisdiction.
2. _____, the ADOPTEE is _____ years of age, being born on _____.
3. The adopting parent(s) and the ADOPTEE have appeared before this court. (23 Pa.C.S. § 2723)
 - a) If the ADOPTEE is over 12 years of age, the ADOPTEE's consent is necessary.
[23 Pa.C.S. § 2711(a)(1)]
4. The statements made in the adoption petition are true and correct.
5. The needs and welfare of ADOPTEE will be promoted by approval of this adoption.
6. All requirements of the Adoption Act have been met.
7. It is in the ADOPTEE's best interest that the Court approve the adoption.

THEREFORE, THE COURT HEREBY ORDERS AND DECREES the following:

1. The request for adoption is hereby approved and the above captioned ADOPTEE shall be and is hereby adopted by _____.
[Name of Adopting Parent(s)]

2. Said ADOPTEE shall have all the rights of a child and heir of the adopting parent(s) and shall be subject to the duties of such child.
3. In a step-parent adoption, the consenting birth parent shall retain the same parent-child relationship as heretofore existed irrespective of the fact that said consenting birth parent is or is not a petitioner. (23 Pa.C.S. § 2903)
4. Said ADOPTEE shall hereafter be known as _____.

Within thirty (30) days after conclusion of the appeals period, the agency responsible for having gathered the medical and social history information necessary to complete the “child profile,” shall electronically submit the “child profile” to the Pennsylvania Adoption Information Registry, (PAIR), and shall thereafter file an “Acknowledgment of Submission” in the office of the Register of Wills of Westmoreland County.

FURTHER, in accordance with Pa.R.O.C.P. No. 4.6(b), the Clerk of the Orphans’ Court is **DIRECTED** to note in the docket that the individual(s) listed below have been given notice of this Order.

BY THE COURT:

_____, J.

ATTEST:

cc: