

INSTRUCTIONS FOR ADULT ADOPTION

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

GENERAL INFORMATION

- ◆ Any person desiring to adopt an adult, as heir at law, shall file a Petition in the Juvenile Court of the county of that person's residence or the residence of the person to be adopted.
- ◆ A summons shall be issued as provided in the Colorado Rules of Civil Procedure and be served on the person sought to be adopted.
- ◆ The person to be adopted shall file a written answer to the Petition either consenting or not to the adoption.
- ◆ If the person to be adopted does not consent to the adoption, the Court shall dismiss the case.
- ◆ Upon the filing of consent by the person to be adopted or by a legally qualified conservator or other legal representative of such person, the Petition shall be granted.
- ◆ The Final Decree is sufficient to change the name of the adopted person. For additional information, please review §14-1-101, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

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| <input checked="" type="checkbox"/> Petition: | Document officially commencing the Adult Adoption process. |
| <input checked="" type="checkbox"/> Petitioner: | The person or persons filing a Petition for Adoption. |
| <input checked="" type="checkbox"/> Respondent: | The person who files a response to the Petition for Adult Adoption. |
| <input checked="" type="checkbox"/> Heir at Law: | A person who is entitled to inherit from the Petitioner. |
| <input checked="" type="checkbox"/> Service of Process: | Serving a copy of the Petition on any parties of interest in the Adult Adoption |
| <input checked="" type="checkbox"/> Return Date: | The date listed on the summons by which the Respondent must file their answer. |
| <input checked="" type="checkbox"/> May: | In legal terms, "May" is defined as "Optional" or "Can". |
| <input checked="" type="checkbox"/> Shall: | In legal terms, "Shall" is defined as "Required". |

If you do not understand this information, please contact an attorney.

FEES

The \$167.00 filing fee is per Petitioner(s) seeking the adoption(s) and not per case. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the filing fee. Other fees that a party to the case may encounter are as follows:

- Certified Copies of Documents \$20.75 per page (.75 per copy, \$20.00 per certification)

FORMS

To access a form online go to www.courts.state.co.us and click on the "Forms" tab. The packet/forms are available in PDF or WORD by selecting "Adoption - Adult". You may complete a form online or you print it and type or print legibly in black ink.

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|----------------------------------|--|
| <input type="checkbox"/> JDF 528 | Petition for Adult Adoption |
| <input type="checkbox"/> JDF 529 | Answer/Consent for Adult Adoption |
| <input type="checkbox"/> JDF 530 | Notice and Summons for Adult Adoption |
| <input type="checkbox"/> JDF 531 | Final Decree for Adult Adoption |
| <input type="checkbox"/> | Report of Adoption (one per person required if wanting to change the birth certificate. (Fee paid to the Colorado Vital Records Office.) |

STEPS TO FILING YOUR CASE:

Step 1: Complete Appropriate Forms.

Please read the information below identifying how each form should be completed prior to filing your case. The caption below needs to be completed on all forms filed.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____		▲ COURT USE ONLY ▲
IN THE MATTER OF THE PETITION OF: _____ (Persons(s) seeking to adopt) FOR THE ADOPTION OF AN ADULT _____ (Adoptee's Name)		
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____ Division _____ Courtroom _____
NAME OF FORM		

Petition for Adult Adoption (JDF 528):

- Complete all sections on this form. If more than one adult is being adopted you will be required to prepare a separate Petition for each adult. Each adult being adopted will have his or her own case for confidentiality purposes. The \$167.00 filing fee is per Petitioner(s) seeking the adoption(s) and not per adult. The Petitions must be filed on the same day.
- Please complete all sections of this form.

Notice and Summons for Adult Adoption (JDF 530).

- You only need to complete this form if you and the adult adoptee are not filing together.
- If you do need this form, complete the upper portion of the forms only. This is all of the information in the box above, except for the Case Number, Division and Courtroom. The Court will provide this information when you file your case.

Answer/Consent for Adult Adoption (JDF 529).

- Complete the upper portion of the Answer/Consent only. This is all of the information in the box above, except for the Case Number, Division and Courtroom. The Court will provide this information when you file your case.

Final Decree of Adult Adoption (JDF 531).

- Complete all sections on this form.
- You will also need to pay an additional \$20.00 for each Decree to be certified and an additional \$20.75 for every additional certified copy.
- One certified copy may go to Vital Records Section of the Colorado Department of Public Health and Environment if a new birth certificate is to be issued.

Step 2: File Documents with the Court.

You have completed all the necessary paperwork and completed the appropriate forms mentioned in Step 1. You are now ready to file your case with the Court. When you file your documents with the Court, please check with the Court if a hearing is required. If a hearing is not required, provide addressed stamped envelopes for you and the adult you are seeking to adopt, so that the Court can send the Final Decrees, if approved.

Step 3: Complete Service.

You shall complete service on the adult you are seeking to adopt with a copy of the Petition for Adult Adoption (JDF 528), Answer/Consent for Adult Adoption (JDF 529), and Notice and Summons for Adult Adoption (JDF 530) **only** if the consent and waiver forms have not been filed by the adoptee at the time of filing.

Step 4: Court Review or Court Hearing.

Upon receipt of the Answer/Consent for Adoption (JDF 529) from the person you are seeking to adopt, the Court will review all documents filed and may grant the adoption. If the person you are seeking to adopt does not consent

to the adoption, the Petition shall be dismissed. Check with the Court to determine when you can expect to receive the Decree for Adult Adoption.

If you want to change your name on your birth certificate after you receive the Decree for an Adult Adoption you may file a Report of Adoption/Obtaining a Birth Certificate with the Department of Public Health and Environment. This is not a JDF form. Please use the following link to access the Report of Adoption.

<https://drive.google.com/file/d/1NvAbhhFr-2aiUM2g9DIkrRbBe7jxE6n2/view?usp=sharing>

After the Judge or Magistrate signs the Final Decree of Adoption, the birth certificate may be ordered. **The judge must have checked the appropriate box on the decree for a new birth certificate to be issued.**

- You or your attorney will need to prepare a document, called the **Report of Adoption**. Complete items 1 through 10. Section 6 should be completed by the attorney, if applicable. Once you complete the form online, print two copies for submission to the Court.
- The Court will certify the bottom portion of the form and send the Report of Adoption to the Office of the State Registrar of Vital Statistics within one week from issuing the Final Decree of Adoption.
- New Requirement to obtain a Birth Certificate.** The Office of the State Registrar will contact you or your attorney within 4 – 6 weeks from the receipt of the Court order in their office.
 - You or your attorney will need to complete the application provided by the Vital Records Division with a photocopy of your driver's license, state identification card, passport, or other State or Federally issued ID card (legal representatives must provide proof of client relationship).
 - The Vital Records Office will not issue a birth certificate without the required fee and a photocopy of one of the forms of ID mentioned above. If you have an attorney listed in section 6 on the Report of Adoption, the notification will be forwarded to the attorney.**
 - The Court will not accept payments for the Colorado Vital Records Office.**

Helpful Hints when completing the Report of Adoption:

- Check the Report of Adoption carefully.
- The Vital Records Section will not accept the report if there are mistakes, cross-outs, or white-out entries.
- The information on the Report of Adoption in sections 8 – 10 **must agree** with what is on the person's current birth certificate.

Preparation of Birth Certificate - If the person was born in Colorado:

The birth certificate will be prepared and issued by the Colorado Department of Public Health and Environment. It takes 4 - 6 weeks to prepare a birth certificate in Colorado. It is important that you supply a current address on the Report of Adoption to prevent any delay in getting the Notification and Application for a certified copy of a Birth Certificate to you.

If there are any problems in getting the birth certificate prepared, you will need to contact the Vital Records Section of the Colorado Department of Public Health and Environment directly. The address and telephone number is as follows:

Vital Records/Adoption
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South HSVR-VR-A1
Denver, Colorado 80246-1530
(303) 692-2226

Link to Website: <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/birth-death-and-other-vital-records>

Preparation of Birth Certificate - If the person was born in another state:

The Colorado Vital Records section will send the Report of Adoption to the appropriate state. You will need to contact the Vital Records Office in the appropriate state where the person was born to find out the procedure and cost for obtaining a birth certificate. Each state has different laws, regulations, and fees.

Please check the appropriate state to determine how long it will take to receive a birth certificate.

You may check the link to the National Center for Health Statistics Website to obtain information about obtaining birth certificates from each state.

<http://www.cdc.gov/nchs/howto/w2w/w2welcom.htm>

When you receive your certificate please check it over carefully!

Be sure that names, dates, and ages are correct. If there is a mistake caused by the documentation you supplied, you will need to fill out an **Amended Report of Adoption**, which will have to be signed by the Court and then sent to the Colorado Department of Public Health and Environment for correction and re-issuance of another birth certificate. **There is a fee charged by the Vital Records Office for this process.** You will need to contact the Colorado Department of Public Health and Environment for their fee schedule and exchange policy.