

Petitioner's Packet



Adoption

Contents:

- 1) Petitioner's Adoption Guide
- 2) Statement of Address
- 3) Petition for Adoption

PETITIONER'S GUIDE

Adoption

This guide is for informational purposes only and the accuracy of this information is not guaranteed. This information is not legal advice and is not a substitute for legal advice. Court Clerks cannot give you legal advice.

Adoption creates a legal, parent-child relationship that gives the child a permanent home. Under Puyallup Tribal law, all adoptions are "open adoptions" unless there is a "showing of good cause or best interest of the child." P.T.C. § 7.04.1030. An open adoption allows the child to know, and potentially maintain a relationship with, his or her biological parents.

1. Who can file a petition for adoption?

The person who files the petition to adopt a child is called the "petitioner." The petitioner is anyone who wants to adopt the child. If the petitioners are a married couple, the petition must be submitted jointly by both spouses unless one spouse is the biological parent of the child. If one spouse is the biological parent, only the non-biological parent must submit the petition.

2. Do I need to file separate petitions if I am trying to adopt more than one child?

Maybe. If all of the children have the same mother and father you can file one petition and use the supplemental petition forms. A separate petition is required for each child who has different parents.

3. How do I file a petition for adoption?

STEP 1: Read this guide carefully

Read this guide, and the petition, carefully in its entirety before completing the petition.

STEP 2: Gather Documentation/Information

Locate any documents with dates and details that will help you complete the petition for adoption. Personal information about the child including legal custody information and the child's assets are required. You will also need specific information regarding the child's parents.

STEP 3: Complete the Petition

It is important to complete the petition with as much detail as possible so the judge has enough information to conduct a preliminary hearing. Do not leave any sections blank unless directed to do so. If you do not know the answer to a question, you must make efforts to find the answer. If you have

tried to find the information and still do not know, you must state in the petition that the information is unknown and explain why it is unknown. Accurately providing all the requested information will help prevent unnecessary delays in the process.

If, for genuine safety reasons, you are requesting the Court to keep your address confidential for purposes of this proceeding fill out the Court's address as your address on the petition. Put your actual address on the Statement of Address form so that your address may remain confidential.

STEP 3.1: Complete the supplemental petition form

Only use the supplemental petition form if you are filing one petition for siblings who have the same mother and father. The petition allows you to provide information for one child and you must use the supplemental petition form to provide information about each additional child. Once complete, attach the supplemental petition form to your petition for filing. These forms can be obtained from the Court Clerk.

STEP 4: Complete the Service Form

It is important to complete the personal service form included in this packet so the Court can locate and serve the parent(s) if necessary. The case might not be able to move forward until the parent(s) are given copies of these documents. Providing as much information as accurately as possible will prevent delays in this process.

STEP 5: File the Petition

To file the petition with the Court, submit the petition, any supplemental documents, and pay the filing fee of \$20 per petition to the Court Clerk during business hours (M-F 8 a.m. - 5 p.m., closed for holidays). The Clerk's office is located inside the Puyallup Tribal Court facility.

Step 5.1: Submit to the Court Clerk

- Completed & signed petition
- Completed & signed personal service form
- Any supplemental documents

Step 5.2: Pay the filing fee to the Court Clerk

- \$20 per petition
- Get your receipt

4. What happens after I file the petition?

After a petition is filed, the Court will set a hearing date. If the adoption petition is filed at the same time as a petition to terminate parental rights, Petitioner may receive only one hearing date. Once the hearing is set, the Court Clerk will provide Petitioner with a notice and summons to come to Court for a hearing as well as a copy of the petition.

The Court will also request that the Puyallup Tribal Children's Services prepare a Home Study and Report on the Child. This report will help inform the judge of the situation and is required by Puyallup law.

5. What happens at the preliminary hearing?

You must show up at the hearing. The hearing is private and closed, so only those individuals with a legitimate interest in being at the hearing will be present. The judge will hear from the parties and based on the circumstances will make a decision on how to proceed. If a petition to terminate parental rights is filed with the adoption petition, both petitions may be considered at this preliminary hearing.

6. What happens after the hearing?

What happens after the hearing depends on what the judge orders. The order will outline the next step in the process so it is important to read the order and fully understand its contents.

7. What happens if the adoption is granted?

Adoptions are not final until 6 months after an adoption decree (court order) is signed by the judge. After 6 months, the adoption is final and Puyallup law requires that an official copy of the final adoption decree be given to the Puyallup Tribe of Indians Enrollment Department, the Bureau of Indian Affairs, and the Bureau of Vital Statistics for Washington State.

Once the adoption decree is signed by the judge, the adoptive parent(s) will have 3 months to fill out a Washington State Application for Adoption Registration form and submit the form and the fee(s) to the Court. Washington charges a \$15 fee to register the adoption, and \$20 to obtain a birth certificate. The Court Clerk will forward this information to the Bureau of Vital Statistics for Washington State.

**IN THE COURTS OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

Child(ren) or Vulnerable Tribal Adult Name(s)

DOB(s)

=====

_____,
Plaintiff(s)/Petitioner(s),

v.

_____,
Defendant(s)/Respondent(s).

Case No. _____

STATEMENT OF ADDRESS

COMES NOW _____ and, in this matter, I am (we are) the

Full Name(s)

Plaintiff(s)/Petitioner(s) Defendant(s)/Respondent(s) _____.

Party Type

1. Court Record.

For genuine safety concerns, I request my home address and contact information be confidential from the other party(ies) and/or the public to protect my and/or my child(ren)'s or ward's health, safety, or liberty. By checking this box I understand that my address will not become part of the Court record, but will be for Court use only.

My address is not confidential. By checking this box I understand that my address will become part of the Court record and that other parties and individuals involved will have access to my address and contact information.

2. The address where I agree to accept legal papers for this matter is:

Street Address or P.O. Box

City

State

Zip Code

3. (Optional) I also agree to accept legal papers for this matter at the following email address: _____

4. My contact phone number(s) is(are) (check preferred):

_____ _____ _____

Home Phone

Cell Phone

Work Phone

Co-Party: _____ _____ _____

(if any)

Home Phone

Cell Phone

Work Phone

Case No. _____

STATEMENT OF ADDRESS

5. I understand that it is my responsibility to inform the Court of any address or contact information changes while this case is open. I understand that if my address or contact information changes, then I must submit to this Court a new *Statement of Address* form with accompanying proof of service to all parties (*if applicable*).

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and attachments are true and correct to the best of my knowledge and belief.

Signature

Date

Print Name

Signature Co-Party (if applicable)

Date

Print Name Co-Party (if applicable)

**IN THE CHILDREN'S COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re the adoption of:

_____,'

DOB(s): _____
Minor(s).

=====

_____,'

_____,'
Petitioner(s).

Case No. _____

**PETITION TO
ADOPT A MINOR**

COMES NOW, _____, petitioner(s) and prospective parent(s) of the above named minor(s), and requests the Court to enter an adoption decree based upon the following information. Petitioner(s) submits this information based on the best information and belief of Petitioner(s).

Part I – Petitioner Information

1. There is only one petitioner.
 Petitioners are married to each other.
 Petitioners are not married to each other.
 Other: _____

2. Petitioner 1 (if there is only one petitioner, leave the section for Petitioner 2 blank)
 - a) Full Name: _____
 Relationship to the minor: _____
 Birth Date: _____
 Phone: _____
 Physical Address: _____
 Mailing Address: Same as Physical Address

My address is confidential. I may be served at the Court Clerk's office.

- b) Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.

- c) Have you ever been investigated for, or convicted of, child abuse or neglect? Yes No

Petitioner 2

- a) Full Name: _____
Relationship to the minor: _____
Birth Date: _____
Phone: _____
Physical Address: _____
Mailing Address: Same as Physical Address

My address is confidential. I may be served at the Court Clerk's office.

- b) Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.

- c) Have you ever been investigated for, or convicted of, child abuse or neglect? Yes No

Part II – Basis for the Court's Jurisdiction

Jurisdiction of the Children's Court to adjudicate this matter is proper under Puyallup Tribal Code (P.T.C) § 7.04.040 because the minor(s) is/are under the age of 18 and is/are:

- enrolled member of the Puyallup Tribe or eligible for membership in the Puyallup Tribe.

- Indian as defined in PTC § 7.04.030 and reside or is/are domiciled within the exterior boundaries of the Puyallup Indian Reservation.
- the child of enrolled member(s) of the Puyallup Tribe or other Indians, as defined in P.T.C. § 7.04.030, including adopted child(ren), and reside or is domiciled within the exterior boundaries of the Puyallup Indian Reservation.
- The child resides or is domiciled within the exterior boundaries of the Puyallup Indian Reservation, for whatever reason, in the home of an enrolled member of the Puyallup Tribe or other Indians, as defined in P.T.C. § 7.04.030, and the parent(s), guardian(s), or custodian(s) has/have consented to the Court's jurisdiction.

Part III – Information Regarding the Proposed Adoption(s)

1. Petitioner(s) understands that all adoptions are considered “open adoptions” so that the minor is not permanently deprived of “connections to, or knowledge of, the child’s natural family.” P.T.C. § 7.04.1030.
- Petitioner believes, and can show, there is good cause for the adoption not to be an “open adoption.”
- Petitioner believes, and can show, it is in the best interest of the child for the adoption not to be an “open adoption.”
2. Please list the name and address of any person or agency who must consent to this adoption pursuant to P.T.C. § 7.04.1040.
 - No person or agency is required to consent to the adoption.
 - The following person(s) or agency is required to consent to the adoption:

Name	Address

Part IV – Information Regarding the Minor’s Mother

1. Mother’s Name: _____

Birth Date: _____

Address: _____

Phone: _____

2. Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.
3. Mother is deceased.
 Mother's rights have been terminated by order of the _____ Court.
 A certified copy of the termination order is attached.
 A certified copy of the termination is not attached because _____.
 Mother has voluntarily relinquished her parental rights. (*Please explain and attach documentation*) _____

 Mother wishes to voluntarily relinquish her parental rights.
 Mother has been declared incompetent. (*Please explain and attach documentation*)

 Other: _____

Part V – Information Regarding the Minor’s Father

1. Father's Name: _____

Birth Date: _____

Address: _____

Phone: _____

2. Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.
3. Father is listed on the birth certificate.
 Father has signed a voluntary paternity acknowledgement.
 Paternity has been established through genetic and/or blood testing.
 Paternity has been established through adjudication.
4. Father is deceased.
 Father's rights have been terminated by order of the _____ Court.
 A certified copy of the termination order is attached.
 A certified copy of the termination is not attached because _____.
 Father has voluntarily relinquished his parental rights. (*Please explain and attach documentation*) _____

 Father wishes to voluntarily relinquish his parental rights.
 Father has been declared incompetent. (*Please explain and attach documentation*)

 Other: _____

Part VI – Minor’s Information

1. There is only one minor and this minor is the proposed adoptee.
 There are _____ minors, all of whom are proposed adoptees. **All minors have the same mother and father.** The required information for one minor is below. The required information for each individual minor is provided on the attached supplemental form(s), which is/are incorporated by reference.
2. Minor’s Full Name: _____
Minor's sex: _____
Birth Date: _____

Place of birth: _____

Place of residence: _____

Minor resides with petitioner, whose address is confidential.

3. Enrolled member of the Puyallup Tribe.
 Eligible for membership in the Puyallup Tribe.
 Enrolled member of the _____ Tribe.
 Eligible for membership in the _____ Tribe.
 Considered Indian by the community.
 Other _____.

4. The individual(s), or agency, with legal physical custody of the minor is/are:
Name(s): _____
Address: _____
 This address is confidential.

Proof of custody is:

- attached.
 not attached because _____.

- The individual(s) or agency with *temporary* legal physical custody of the minor is/are:
Name(s): _____
Address: _____
 This address is confidential.

Proof of temporary custody is:

- attached.
 not attached because _____.

5. Petitioner(s) does not seek a name change for the minor in conjunction with this petition.

- Petitioner(s) requests the Court to change the minor's full legal name. The minor's current full, legal name is *(as it appears on the minor's birth certificate or subsequent court order changing the child's name)*:

Petitioner(s) would like the minor's name to be *(please print legibly)*:
