



by Anita Gumm, Esq.

STEPPARENT ADOPTIONS

This article is an overview of what is involved in the adoption process, along with the legal and practical considerations of adopting a child. The adoption creates a legal relationship between the adopting parent and the stepchild. It gives you and your stepchild many legal rights and responsibilities. The law treats the stepchild as if they were your natural child. The parent adopting the child becomes legally responsible for the child which includes the care, education and financial support of the child until she/he is an adult. The parent has authority over the child. The child will have the right to inherit from the parent. The biological parent giving up their child will lose all legal rights to the child with no further authority over the child. The parent has no right to visit the child and no obligation to financially support the child. The adopting parent must be at least 18 years of age and legally married to the biological parent who has the child with him/her for at least one year. The adopting parent must consent to the adoption along with the biological parent who is giving up the child. If the child is 12 years of age or older, they too must consent to the adoption. The first legal step in an adoption is to file a petition for adoption. It is wise for the adopting parent to retain an attorney to prepare and file the petition to adopt to make sure it is done correctly the first time. After the petition for adoption is filed, the adoption must be approved by the Public Social Services Agency. The Public

Social Services Agency is required under the law to prepare and submit a report to the court in each stepparent petition to adopt. The report has a fee based on the work and complications involved in preparing the report. The Public Social Services Agency requires certified copies of official documents to verify the child's birth, the present marriage, the marriage between the natural parents (if any), and all dissolutions of prior marriages. When all of the required information has been sent and completed by the attorney and Public Social Services Agency, the attorney arranges a court date. Both the adopting parent, spouse and the child/ren being adopted go to court on the hearing date. The hearing is informal and held in the judge's chambers, not in open court. It is a very happy occasion for the new family and the judge may take a picture with the new family.

Anita Gumm is an attorney who practices family law, bankruptcy and criminal defense. The law office of Gumm & Green is located at 5743 Corsa Avenue, Suite 223 in Westlake Village. The telephone numbers are (818) 707-4233 or (805) 577-7657. Gumm & Green offer a free consultation.

