

INSTRUCTIONS FOR FILING A PETITION FOR READOPTION

These instructions are intended as a guideline only and should not be relied upon as a comprehensive list when filing a petition for readoption.

If you adopted your child in a foreign country, the Probate Court of Hamilton County is permitted to conduct readoption proceedings pursuant to revisions in R.C. 3107.18 effective May 15, 1996. This procedure allows the adoptive parents to receive an Ohio Adoption Decree and an Ohio Birth Certificate.

The readoption cannot be granted for 6 months from the date the foreign decree of adoption was granted.

A fee is required at the time of filing. Current Court Costs are posted at:

<https://www.probatect.org/about/general-resources>. Please confirm the amount with the Cashier since filing fees may have changed subsequent to the publication of this instruction sheet. **This fee must be paid in cash, money order, certified check, MasterCard, Discover, or American Express. No personal checks will be accepted.**

The forms may be obtained from the Issue Desk on the 9th floor of the Probate Court, 230 E. 9th Street, Cincinnati, Ohio or by downloading the forms from the web site.

PROCEDURAL STEPS

STEP 1: Complete the following forms

Petition for Adoption of Minor Child (18.0)

- Complete form.

Foreign record

- Attach copy of the foreign birth record and adoption decree or certificate of adoption. If the foreign decree or certificate of adoption is not in English, a translation certified as to its accuracy by the translator shall also be submitted.

INS approval

- The applicant must also submit proof that the Department of Immigration and Naturalization has approved the foreign certificate or adoption decree. Proof may be by means of INS Form I-171, a copy of the child's resident alien visa card, or any other documentation the Court deems suitable.

Entry Setting Hearing on Readoption (H.C. 118.03)

- Fill in the name only. The magistrate will fill in hearing date and time, and sign and date the form.

Affidavit (H.C. 118.10)

- Complete form.
- Have form notarized.

Petitioner's Account (18.9)

- Complete form.
- List all expenses incurred after the foreign adoption was completed for INS purposes.

<p>Statement of Adopted Person (H.C. 118.80)</p> <ul style="list-style-type: none"> - Fill in name only. - Magistrate will complete.
<p>Decision of Magistrate (H.C. 118.70)</p> <ul style="list-style-type: none"> - Fill in name only. - Magistrate will complete on day of hearing if readoption granted.
<p>Final Decree of Adoption (Without Interlocutory Order) (18.7)</p> <ul style="list-style-type: none"> - Complete form. - Magistrate will sign on day of hearing if readoption granted.
<p>Adoption Certificate For Parents (18.8)</p> <ul style="list-style-type: none"> - Complete form. - Magistrate will sign on day of hearing.
<p>Vital Statistics – Certificate of Adoption</p> <ul style="list-style-type: none"> - Complete first part of form. - After the adoption has been granted, the clerk will complete a copy of this form (certification) and mail it to the Ohio Department of Health who will issue an Ohio birth certificate.
<p>STEP 2: Reviewing of Forms and Setting of Hearing</p>
<p>When all forms have been completed, present them to the magistrate’s assistant at the information desk on the 9th Floor of Probate Court for a magistrate to be assigned. All forms are then taken to the available magistrate for review and setting of hearing date.</p>
<p>STEP 3: Filing of Forms with Cashier</p>
<p>All forms are taken to the cashier who will assign a case number. At this time, the cashier will require the payment of the filing fee. The cashier will stamp the case number on all forms, retain and clock in all original forms that could be filed, and return originals that were unable to be filed back to you to bring to Court the day of the hearing. The cashier will stamp the case number on one set of copies and marked them “filed”, if provided.</p>
<p>STEP 4: Day of Hearing</p>
<p>At the date and time of the hearing, you (and your attorney, if attorney is obtained) should report to the 9th Floor of the Probate Court to the assigned magistrate. (The magistrate will already have the file with the forms you initially filed). The magistrate will conduct the hearing to determine whether the order granting the readoption should be granted.</p>
<p>STEP 5: Completion of Petition</p>
<p>The clerk will complete a copy of the Vital Statistics – Certificate of Adoption and send the copy to Bureau of Vital Statistics. You must request a new birth certificate, in writing, along with payment (please check with the Bureau of Vital Statistics for current pricing and payment options), 30 days from the date of finalization, to the following:</p> <p style="padding-left: 40px;"> Bureau of Vital Statistics Ohio Department of Health 246 North High Street P. O. Box 15098 Columbus, Ohio 43215-0098 </p>
<p>The new birth certificate should be received in approximately 4 months.</p>

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

PETITION FOR ADOPTION OF MINOR
[R.C. 3107.05]

The undersigned petitions to adopt _____,
a minor, and to change the name of the minor to _____.

The petitioner states the following: **PETITIONER**

Full Name: _____ Age _____

Full Name: _____ Age _____

Place of Residence: _____
Street Address

City or Village or Township if unincorporated area _____ County _____

Post Office _____ State _____ Zip Code _____ Duration of residence _____

Marital Status: _____ Date and Place of Marriage: _____

Relationship of Minor to Petitioner: _____

The petitioner has facilities and resources suitable to provide for the nurture and care of the minor and it is the desire of the petitioner to establish the relationship of parent and child with the minor.

MINOR TO BE ADOPTED

Birth Name: _____ Date of Birth: _____

Place of Birth: _____ Property and Value: _____

The minor is living in the home of the petitioner, and was placed therein for adoption on the _____ day of _____, _____ by _____

The minor is not living in the home of the petitioner, and resides at _____

The minor will be an adopted person as defined in R.C. 3107.39;

The minor will be an adopted person as defined in R.C. 3107.45;

A certified copy of the birth certificate of the minor is filed with this petition or is not available due to the following:

A Preliminary Estimate Accounting (Form 18.9), if required, is filed with this petition.

CASE NO. _____

Attorney for Petitioner

Petitioner

Typed or Printed Name

Typed or Printed Name

Street Address

Petitioner

City State Zip Code

Typed or Printed Name

Phone Number (include area code)

Street Address

Attorney Registration No. _____

City State Zip Code

Phone Number (include area code)

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

ENTRY SETTING HEARING ON READOPTION

This day _____
filed a petition to readopt _____
and to change the name(s) of the child(ren) to _____

It is ordered that _____ day of _____, _____, at
_____ o'clock _____ . M. is the date and time for the hearing of the petition for
readoption.

Ralph Winkler, Probate Judge

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)
CASE NO. _____

**FINAL DECREE OF ADOPTION
(Without Interlocutory Order)
[R. C. 3107.13, 3107.14 & 3107.19]**

This day this matter came on to be heard on the petition of _____
_____ for the adoption and change of
name of the minor being adopted.

The Court finds that notice has been given to all parties; that all consents have been filed or have been found not required; that the allegations in the petition are true; that the minor has been lawfully placed in the home of the petitioner; that the minor has lived in the home of the petitioner for six months as required by law; that a report of the assessor has been filed and is approved; that the adoption is in the best interest of the minor being adopted; that the accountings, as required, have been filed, reviewed and approved, and that the minor is an adopted person as defined in Section 3107.39 or 3107.45 of the Revised Code.

It is therefore ordered that the Petition for Adoption is granted, and that the name of the minor is changed to _____

Date

Ralph Winkler, Probate Judge

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____

(Name after adoption)

CASE NO. _____

ADOPTION CERTIFICATE FOR PARENTS

This is to certify, that in an action pending in this Court, on a petition filed by _____

to adopt _____

a minor, satisfactory evidence was submitted to prove, and the Court found, that the minor was born on the _____ day of _____, at _____

and that all necessary proceedings relative to an adoption were complied with; and the Court on the _____ day of _____, decreed that the minor is legally adopted by _____

and the minor's name is changed to _____

in the records of the Court.

WITNESS my signature and seal of said Court,

this _____ day of _____, _____ .

Ralph Winkler, Probate Judge

By: _____
Deputy Clerk

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

**PETITIONER'S ACCOUNT
(R.C. 3107.10)**

PRELIMINARY ESTIMATE ACCOUNTING
(To be filed not later than date petition filed)

FINAL ACCOUNTING
(To be filed not later than 10 days
prior to date of final hearing)

This accounting specifies all disbursements of anything of value the petitioner, a person on the petitioner's behalf, and the agency or attorney made and have agreed to make in connection with the minor's permanent surrender under division (B) of Section 5103.15 of the Revised Code, placement under Section 5103.16 of the Revised Code, and adoption under Chapter 3107. (Attach extra sheets if necessary)

DATE	NAME AND ADDRESS	DISBURSEMENTS MADE OR AGREED TO BE MADE	COSTS
	PHYSICIAN		
	HOSPITAL/MEDICAL FACILITY		
	ATTORNEY		
	ACTUAL COST TO THE ATTORNEY		
	AGENCY		
	ACTUAL COST TO THE AGENCY		
	MAINTENANCE AND MEDICAL CARE REQUIRED UNDER R.C. 5103.15		
	FOSTER CARE		
	GUARDIAN AD LITEM		
	COURT COSTS		
	ALL OTHER DISBURSEMENTS		
	TOTAL		

CASE NO. _____

[Reverse of Form 18.9]

CERTIFICATION OF PETITIONER'S ACCOUNT

The undersigned certifies this _____ day of _____, _____, that this accounting is true and accurate.

Attorney or Agency

Typed or Printed Name

Address

City State

Telephone Number (include area code)

The petitioner has reviewed this accounting and attests to its accuracy this ____ day of _____, _____.

Petitioner

Petitioner

ORDER APPROVING PETITIONER'S ACCOUNT

The Petitioner's Account filed in accordance with R.C. 3107.10 is hereby approved.

Ralph Winkler, Probate Judge

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

AFFIDAVIT
(R.C. 3109.27)

State of Ohio, County of _____ S.S.

Upon being duly sworn, _____ does hereby
state the following: (Name)

1. The child(ren) involved is/are _____

2. The child(ren)'s present address is/are _____

3. The places where the child(ren) has/have lived the last five years are _____

4. The names and present addresses of the persons with whom the child(ren) has/have lived during that period is/are _____

5. I have/have not participated as a party, witness, or in any other capacity or any other litigation concerning the allocation of parental rights and responsibilities of the same child(ren) or that otherwise concerned the custody in this or any other State.

6. I have/have no information of any parenting proceeding concerning the child(ren) pending in a court of this or any other State.

7. I know/do not know person(s) not a party to the proceeding concerning the child(ren) or claims to be a parent of the child(ren) who is designated the residential parent and legal custodian of the child(ren) or to have visitation rights with respect to the child(ren) or any person other than a parent of the child(ren) who has custody or visitation rights with respect to the child(ren).

8. I have/have not been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child being abused or neglected nor have I been the perpetrator of the abusive or neglectful act that was the basis of an adjudication that a child is an abused or neglected child.

If your declarations in statements 5 through 8 are in the affirmative, state the case name(s), case number(s), date(s) and nature of the cases(s) _____

Sworn to before me and subscribed in my presence this _____ day of _____, _____.

Notary Public

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

STATEMENT OF ADOPTED PERSON

THE CHILD NAMED IN THIS ADOPTION IS:

- A minor who became available or potentially available for adoption on or before September 18, 1996 (R.C. 3107.39) and at least one of the biological parent(s) consented to the adoption or a probate court entered a finding the biological parent(s) consent was not necessary.

- A minor who became available for adoption after September 18, 1996 (R.C. 3107.45)

EXCLUSIONS FOR ODHS DISCLOSURE

- Foreign adoption finalized in another country and re-finalized in Ohio.
- Foreign adoption finalized in Ohio only.
- Step-parent adoption.
- Involuntary surrender/court commitment
- Other (please specify) _____

Ralph Winkler, Probate Judge

By: _____
Deputy Clerk

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF _____
(Name after adoption)

CASE NO. _____

DECISION OF MAGISTRATE

TO THE HONORABLE RALPH WINLER, JUDGE OF THE HAMILTON COUNTY PROBATE COURT:

Pursuant to a prior order filed in Administrative Docket 91008, directing a reference to me to hear and determine according to law matters pertaining to adoptions, I proceeded to hear and examine the evidence in the captioned matter, and respectfully submit the following decision.

This matter came on for hearing on the _____ day of _____, _____, on the Petition for Adoption and change of name of _____, at which time I proceeded to examine the petitioner(s) _____

_____ the report of investigation, and the entire record; and being fully advised in the premises, I find that lawful notice of the time and place of this hearing has been given to all persons entitled to notice or that notice has been duly waived.

I further find that the evidence supports all of the relevant allegations of the petition and that the petitioner(s), _____ is (are) suitable and qualified to care for and rear the child(ren) and that the best interests of the child(ren) will be served by the adoption.

Respectfully submitted,

Magistrate

**PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE**

ADOPTION OF: _____

CASE NO. _____

**ENTRY ORDERING CERTIFICATE OF ADOPTION TO BE RELEASED
TO THE OHIO DEPARTMENT OF HEALTH BUREAU OF VITAL
STATISTICS**

The petition for adoption having been granted in this matter, the Court orders the clerk to forward Certificate of Adoption (HEA 2757) and all necessary information to the Ohio Department of Health Bureau of Vital Statistics for the issuance of a revised birth certificate for the above named minor(s).

Ralph Winkler, Judge

INFORMATION PROVIDED ON THIS FORM IS
TO BE USED TO ESTABLISH A NEW CERTIFICATE
OF BIRTH FOR THE ADOPTED CHILD.

Ohio Department of Health
VITAL STATISTICS
CERTIFICATE OF ADOPTION

State Use Only
Original SFN _____
Amended SFN _____
Envelope # _____
AFS # _____

CHILD'S PERSONAL DATA

1. Name of Child BEFORE Adoption	2. Date of Birth (Month, Day, Year)	3. Sex	4. Place of Birth (City, County, State or Foreign Country)
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Child's Name After Adoption

First Name	Middle Name	Last Name
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ADOPTIVE PARENT(S)' PERSONAL DATA

The following information provided below will be used to create the new birth record. List information as it existed on child's date of birth.

Choose One: Mother Father Parent	Gender: Female Male	Choose One: Mother Father Parent	Gender: Female Male
Current First Name		Current First Name	
Current Middle Name		Current Middle Name	
Current Last Name		Current Last Name	
Last Name Prior to First Marriage		Last Name Prior to First Marriage	
Date of Birth (Month, Day, Year)	Birth Place (State or Foreign Country)	Date of Birth (Month, Day, Year)	Birth Place (State or Foreign Country)
Parent(s) Residence at Time of Child's Birth (Number and Street)			
City	County	State	Zip Code
			Inside City Limits (Yes or No)

Other Required Information (From the Original Birth Certificate)

Foreign Adoptions Only (from the Original Birth Certificate)

Attendant's Name (M.D, D.O, C.N.M, Other Midwife)	Time of Birth			
Mailing Address (Number, Street, City, County, State, Zip Code)	Hospital/Birthing Facility			
Registrar's Name	Registrar's Name & Date Filed by Registrar (Month, Day, Year)			
Date Filed by Registrar (Month, Day, Year)	Attendant's Name (M.D, D.O, C.N.M, Other Midwife) & Date Signed			
Parent(s) Current Mailing Address	Street	City or Village	State	Zip Code
Attorney's Name and Address	Street	City or Village	State	Zip Code

CERTIFICATION

Probate Court, _____ County, Ohio

I hereby certify that the child named above was adopted on _____ (Date)

by _____ (Name(s) of Petitioner(s))

as set forth in the final decree of adoption, Case No., _____

Date _____ Probate Judge _____

Deputy Clerk _____