INSTRUCTIONS FOR FILING AN AGENCY ADOPTION

These instructions are intended as a guideline only and should not be relied upon as a comprehensive list when filing an agency adoption.
These instructions should be considered to be the norm for the typical agency adoption. Please note that different fact patterns may dictate a change from the aforementioned procedure. Should the facts of your agency adoption be different from those of an "ordinary" adoption please contact a magistrate to determine if any other pleadings are required.

An agency adoption occurs when a minor is held in the custody of a public or private adoption agency and is subsequently placed for adoption by said agency.

Custody of the minor can occur when the parent of the minor child has executed a surrender of custody to the agency or the agency has obtained a permanent commitment order from a juvenile court, which terminated the parental rights.

The child must be in the petitioner's home for 6 months before adoption may be finalized. The determination of the 6-month period will be dependant upon the date of the surrender and/or the date of the permanent commitment order.

A fee is required at the time of filing (if more than one child and if the child has same biological mother and father, additional fees apply). 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. **We accept cash, cashier's checks or all major credit/debit cards as payment for the fee. No personal checks or money orders will be accepted.**

The forms may be obtained from the Information Desk on the 9th floor of the Probate Court, 230 E. 9th Street, Cincinnati, Ohio or by downloading the forms from the website: https://www.probatect.org

All adoption proceedings are confidential. Information is not available to the public without Court order.

PROCEDURAL STEPS

STEP 1: Complete the following forms
Petition for Adoption of Minor Child (18.0) - Complete form. - **A certified birth certificate must be filed with the petition.**
Entry Setting Hearing on Adoption (18.1) - Fill in the name only, the magistrate will fill in hearing date & time and sign & date the form.
Affidavit (H.C. 118.10) - Complete form. - Have form notarized.
Permanent Custody Order from Juvenile Court - Please provide a certified copy of the order at the time of filing the Petition for Adoption.

Permanent Surrender of Child - The agency will secure the parents' surrenders. - A copy of the executed surrender must be filed at the time of filing the Petition for Adoption.
Ohio Putative Father Registry Certification, if applicable - The agency should request the certification from the Ohio Putative Father Registry. - The certification should be filed with the Court, prior to the date of the hearing.
ODHS Form 1679 (Request for Notification) - Use this form if the petitioners wished to be notified of additions of non-identifying information to the Court's adoption file. - This form should be filed with the Court by the date of the hearing.
ODHS Form 1693 (Ohio Law and Adoption Materials) - Utilized at the time of the birth parent assessment. - To be completed by the adoption social worker and the birth parent. - The original executed form must be filed with the Court at the time of filing the Petition for Adoption.
ODHS Form 1699 (Pre-Finalization Adoption Assessment Report) - This report will be completed by the agency and filed with the Court 20 days prior to the hearing.
ODHS Form 1616 (Social and Medical History Form) - This form is to be completed by the birth parents and/or the adoption social worker. - This form must be filed in duplicate. - The Court will provide one copy to the petitioners.
Receipt of Petitioners - Some agencies like to notify the Court that they have delivered the Form 1616 to the petitioners. - Upon delivery the petitioners will execute this form and the same will be filed with the Court.
Report of Proposed Adoption/Home study - This is a psychological, social, criminal, medical and financial assessment of the petitioners. - This report is prepared by the agency upon completion of its investigation. - The report is filed with the Court at least 10 days before the hearing. - It is confidential.
Petitioner's Account (18.9) - Complete form stating all expenses connected to the adoption proceedings. - The Preliminary Account is filed with the Petition for Adoption. - The Final Account is filed 10 days prior to the finalization hearing.
Consent to Adoption (18.3) - The Agency Director shall give his/her consent to the adoption. The signature should be notarized. - The consent shall be filed with the Petition for Adoption.
Entry Finding Consent Not Necessary (18.4) - Complete form. - Magistrate will make a judicial determination whether or not consent is necessary.
Statement of Adopted Person (H.C. 118.80) - Fill in name only. - Magistrate will complete. - File with the Petition for Adoption.
Decision of Magistrate (H.C. 118.70) - Fill in name only. - Magistrate will complete on day of hearing.
Final Decree of Adoption (Without Interlocutory Order) (18.7) - Complete form. - Magistrate will sign on day of hearing; if granted.

Adoption Certificate For Parents (18.8) **(Note: Please only use the adoptive name of the child on this form.)**

- Complete form.
- Magistrate will sign on day of hearing if granted.
- The magistrate will complete a duplicate form if the agency requests.

Vital Statistics – Certificate of Adoption

- Complete the form.
- After the adoption has been granted, the clerk will complete the certification and mail it to the Ohio Department of Health who will issue an Ohio birth certificate.
- The agency must request the new birth certificate from the Ohio Department of Health 30 days after the final hearing.

  Note: it may take several months for the Department of Health to issue the new birth certificate.

Petitioner Information Form (118.78)

- Complete the form.

Notice To The Child Support Enforcement Agency (19.40)

- If there is a Child Support Order, complete the form.

STEP 2: Assigning of Magistrate, reviewing of forms and setting of hearing

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.

STEP 3: Filing of Forms with Cashier

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.

STEP 4: Day of Hearing

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 for the hearing. (The magistrate will already have the file with the forms you initially filed). **The child to be adopted must appear.** The magistrate will conduct the hearing, and if the magistrate finds the petition should be granted, enter an order of adoption. The original papers shall be filed with the cashier. The cashier will determine if any additional filing fees are due.

STEP 5: Completion of Petition

The clerk will complete a copy of the Vital Statistics – Certificate of Adoption and send the copy to the Bureau of Vital Statistics in the state where the child(ren) was born. If the child was **born in Ohio**, 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:

Bureau of Vital Statistics
Ohio Department of Health
246 North High Street
P. O. Box 15098
Columbus, Ohio 43215-0098

Please note that it may take the Department of Health four months to respond to your request.

If the child was, or children were, not born in Ohio, please contact the capital of the state where the child was born for further instructions.