

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone Number _____

Email Address _____

PETITIONER, *Pro Se*

MONTANA _____ JUDICIAL DISTRICT COURT
_____ COUNTY

In re the Adoption of:

_____,
(Initials of minor child)

_____,
Petitioner.

Dept. No. : _____
Cause No.: DA- _____

ADOPTION DECREE

A Petition for Step-parent Adoption was filed in this case on the ____ day of _____, in the year of _____. A hearing was held on the ____ day of _____, in the year of _____. Based on the evidence, the Court finds:

Findings of Fact:

1. Petitioner

The Petitioner's name is _____.
Your Full Name

The Petitioner is married to _____,
Your Spouse's Name

the natural parent of _____.
Child's Name

The Petitioner, Petitioner's spouse, and the child have lived together as a family for the 60 days before filing the Petition for Step-Parent Adoption. The Petitioner is the step-parent of the child.

2. Minor Child

The child's name is _____.
Child's Full Name

The child was born in _____,
City State

on (mm/dd/yyyy): _____.
Date of birth

3. Physical and Legal Custody of the Child

The child lives with: _____.
(Name of Natural Parent Child Lives With)

This parent has legal and physical custody of the child. The child has lived with this parent since (mm/dd/yyyy): _____.

Check if Applicable:

A parenting plan or custody agreement regarding this child was entered on (mm/dd/yyyy) _____ by the (Name of Court) _____ in (County) _____, (State) _____.

4. Child's Relationship to Petitioner

The Petitioner is married to or in a domestic relationship with the child's natural Mother / Father. The child has lived with and been in the Petitioner's physical custody since (mm/dd/yyyy): _____.

5. Parents' Consent

Both of the child's natural parents filed written consents to this step-parent adoption. The

non-custodial parent has waived notice of the hearing, relinquished parental rights to the child, and consented to this step-parent adoption, or diligent efforts have been made to provide notice to him/her of these proceedings.

6. Parent Child Relationship

The Petitioner wants to adopt the child and form a parent/child relationship. The Petitioner also wants all the rights and duties that go along with a parent/child relationship.

7. Child's Name

The Petitioner would like to:

Change the child's name to: _____.
(Child's New Name)

Keep the child's name the same.

8. Child's Property

The child does not own any property of value.

9. Evaluations

The Petitioner asks the court to waive the pre and post-placement evaluations.

10. Notice

Both parents have consented to this adoption or diligent efforts have been made to provide notice to him/her of these proceedings. No other party is entitled to receive notice of this Petition.

Conclusions of Law:

1. This court has jurisdiction over this adoption.
2. The Petitioner and child both live in this county. This court is the proper venue for this step-parent adoption.
3. It is in the child's best interests to terminate the rights of the natural:

Mother.

Father.

The adoption by the step-parent is in the child's best interests and should be ordered.
Montana Code Annotated §42-5-109(4).

4. It is in the child's best interest for the natural:

Mother

Father

to keep all rights as the child's natural parent. Montana Code Annotated §42-5-202(b).

5. Because the Petitioner is the child's step-parent, it is in the child's best interests for the court to waive the placement evaluation. Montana Code Annotated §42-5-107.

Order:

This Court orders that:

1. The parent/child relationship is ended between the child and the natural:

Mother.

Father.

This parent no longer has any rights to the child unless there is a court order for visits or communication with someone related to the child through one of the parents. The child keeps the right to inherit from the parent who pre-deceased this adoption. The former parent will still owe any past due child support unless it is waived by the other parent and the Child Support Enforcement Division.

2. This final decree of adoption creates a parent/child relationship between the Petitioner and the child. All the rights and duties of a parent/child relationship now exist between the Petitioner and the child.

3. The parent/child relationship that existed before this step-parent adoption between the child and the natural:

Mother

Father

will remain unchanged.

4. The post-placement evaluation for this adoption are waived.

5. The child was born:

in Montana

in another state.

If the child was born in Montana and is under twelve, the Department of Vital Statistics shall issue a new birth certificate for the child.

6. The child's name:

is changed to: _____
Child's New Name

will stay the same.

Date: _____

DISTRICT COURT JUDGE