

Complete adoptions package for the adoption of an adult.

**PREVIEW**

**Information & Instructions: Petition for Adoption of an Adult**

1. An adult Texas resident may adopt another adult pursuant to §162.501 in the Texas Family Code.
2. The petition must be accompanied with a consent of the adult sought to be adopted. The consent must be filed with the petition for adoption.
3. If the adopting party is married, the spouse must join in the adoption petition. The affect of the adoption decree is that the adopted adult is the son or daughter of the adoptive parents for all purposes, and of their natural parents for inheritance purposes only.
4. The natural parents may not inherit from or through the adopted adult.
5. The petition shall be styled "In the Interest of [Name] An Adult."
6. The person seeking the adoption and the party to be adopted are required to attend the hearing unless good cause is shown and the court waives attendance.

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**Adoption Defined**

1. Adoption is a legal process which establishes the legal relationship and rights of a child or adult with an adoptive adult, who is made a parent by judicial decree, and the duties, powers, responsibilities, and rights of an adoptive adult (as a parent) with and over the adopted person.
2. Termination of natural parent's rights is not required in an adult adoption. Obviously, adoption of an adult would create an inheritance right between the adopting adult and the adopted adult.

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**Information & Instructions - A Complete Summary of the Adoption Process**

**PREVIEW**  
**A SUMMARY OF THE ADOPTION PROCESS**

THE FOLLOWING DOCUMENT IS A GENERAL RESPONSE TO GENERAL QUESTIONS ABOUT THE ADOPTION PROCESS AND YOU SHOULD CONSULT WITH THE UNDERSIGNED ATTORNEY ABOUT THE SPECIFIC FACTS IN YOUR CASE WHICH MAY ALTER OR AFFECT THE LAW APPLICABLE TO YOUR CASE.

**What is an Adoption?**

An adoption is the legal process by which children or adults are linked to parents who are not their birth parents, granting to said adopted children all the rights and

benefits of being a child as though said child was born to an adopting adult, and the adopting adults acquiring children or adult children, with all pertaining rights, privileges, and duties, as though the children or adults were in fact children born to them. In other words, adoption gives persons who desire to be parents the legal opportunity to be in the parental position, even though they did have the blessing, gift, opportunity, or experience of giving birth to that child or adult. It could be said that this is the creation of

parenthood by legal process. Adoption is in almost every situation a positive uplifting experience for all who are involved. Judges love to grant adoptions in most cases, and lawyers enjoy their work in presenting the case to the court. Adoption is one of most emotionally rewarding things that happens in family courts.

The scene portrayed most often in adoption proceedings, is that a family or future family comes to court dressed in their Sunday best clothing, with smiles on their faces.

Often the participants take pictures of the court, the judge, and the attorneys, together with the parties. Many courts take time out to accommodate the family. If you are

planning to photograph the event, you might give your attorney or the guardian ad litem

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for the child, advance notice of your plans, so they can counsel you about the judge and court where your proceeding is pending, and perhaps, pre-arrange the photograph session.

**PREVIEW**

### **The Court Hearing**

After the petition and consent to adoption has been filed, the matter must be set for a hearing in order to complete the adoption.

The Court should treat you courteously. At the conclusion of the hearing, your attorney will present to the Court a proposed decree, which reduces to writing the orders of adoption. This decree will change the name of the adopted person to your name, and a birth certificate will be issued by the Texas Bureau of Vital Statistics, upon the payment of the appropriate administrative fee.

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**How to fill out this form:**

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1. This form is a MS Word document.
2. To complete the form you must replace the variable information with you own specific data.
3. To insert your specific information into the form search for the name of the variable which is enclosed in [brackets].
4. Search by selecting the Ctr F keys or “Edit” from the MS Word top menu and then select “Find”.
5. A dialogue box will appear on your screen. Type the left bracket symbol [ into the dialogue box and then select “Find Next”. Your cursor will be placed at the [ symbol.
6. Now type in your specific data and replace the [ and variable name with you own information.

For example:

# THIS DOCUMENT

F2 then type in [, then select Find Next, and you will see [Petitioner’s Name], replace [Petitioner’s Name] with Jane Doe. Then repeat the process until there are no more bracketed fields.

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# PREVIEW

Cause Number \_\_\_\_\_

IN THE INTEREST OF:

[ADULT'S NAME],

[AN ADULT]

IN THE DISTRICT COURT OF

[COUNTY NAME], TEXAS

\_\_\_\_\_ JUDICIAL DISTRICT

ORIGINAL PETITION FOR ADOPTION OF AN ADULT

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## 1. DISCOVERY CONTROL PLAN

1.1 Pursuant to Rule 190 of the Texas Rules of Civil Procedure, Plaintiff selects Discovery Control Level [1,2, or 3] for discovery that may be conducted in this lawsuit.

## 2. JURISDICTION

2.1 The Court has jurisdiction of this suit and of the adult who is the subject of the suit.

The adult being adopted is not subject to a prior proceeding.

## 3. PETITIONERS

3.1. This suit is brought by [Petitioners' names], who are \_\_\_\_\_ and \_\_\_\_\_ [ages] years of age respectively, hereinafter referred to as Petitioners.

3.2. Petitioners, who are husband and wife, and reside at [Address].

3.3. Petitioners [are or are not] related to the adult who is the subject of this suit.

## 4. ADULT TO BE ADOPTED

4.1 Petitioners seek to adopt [Adoptee's name] who is over the age of eighteen years of age, a [Male or female] born on [Date], at [City, county and state].

## 5. COURT-ORDERED RELATIONSHIPS

5.1 The court orders court-ordered relationship affecting the adult the subject of this suit.

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6. SERVICE AND CONSENT

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6.1 No service is necessary at this time. The intended Adoptee has filed herein a written consent to the adoption sought by Petitioners.

7. NAME CHANGE

7.1 Petitioners request that the name of the Adoptee be changed from [Adoptee's previous name] to [Desired name].

8. ALTERNATIVE DISPUTE RESOLUTION

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8.1 Petitioner has signed a statement on alternative dispute resolution. The statement is attached to this petition.

PRAYER

Petitioners pray the Court to grant the requested relief and grant a Decree of Adoption of an Adult, declaring [Adoptee's name] to be the [son or daughter] of Petitioners, and on final hearing to grant any other relief requested. Petitioners pray for general relief.

**THIS DOCUMENT**

Respectfully Submitted,

[Law firm name]

By \_\_\_\_\_

[Attorney's name]

[Attorney's address]

[Telephone & facsimile number]

State Bar Number \_\_\_\_\_

**THANK YOU**

\_\_\_\_\_  
[Client's Signature]

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Cause Number \_\_\_\_\_  
**PREVIEW**

IN THE INTEREST OF:

IN THE DISTRICT COURT OF

[ADULT'S NAME],

[COUNTY NAME], TEXAS

[AN ADULT]

\_\_\_\_\_ JUDICIAL DISTRICT

**CONSENT BY AN ADULT TO THE ADOPTION**

STATE OF [State]

COUNTY OF [Name of county]

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BEFORE ME, the undersigned authority, on this day personally appeared [Adult's name], known to me and who, being by me first duly sworn, on oath stated:

I am 18 years of age or older.

I am the adult person whose adoption is sought in the above-entitled and numbered cause.

I consent to my adoption by [Petitioners' names], Petitioners.

I desire and request that the above-named Petitioner/s be my legal parent/s.

**THIS DOCUMENT**

Signed on \_\_\_\_\_.

\_\_\_\_\_  
[Adult's Name], Affiant

State of Texas

County of [Name of County]

This instrument was acknowledged before me on \_\_\_\_\_ by [Adult's Name].

**THANK YOU**

\_\_\_\_\_  
Signature of officer

\_\_\_\_\_  
Notary's typed or printed name

My commission expires: \_\_\_\_\_

[Notary's Stamp]

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Form: Motion and Order to Waive Attendance by Petitioners or Adoptive Adult

**PREVIEW**  
Cause Number \_\_\_\_\_

IN THE INTEREST OF:

[ADULT'S NAME],

[AN ADULT]

IN THE DISTRICT COURT OF

[COUNTY NAME], TEXAS

\_\_\_\_\_ JUDICIAL DISTRICT

**MOTION TO WAIVE ATTENDANCE BY**

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ADULT IN SUIT TO ADOPT  
This Motion is filed by [Client's name], for the waiver of attendance in this suit to

adopt an adult. This motion is filed upon the following grounds:

1. [Name of adult who cannot attend the hearing] is unavailable to attend the hearing for the reason that [reason why adult cannot attend].
2. [Name of adult who cannot attend the hearing] is one of the Petitioners seeking the adoption of an adult in this case [or] is the adult to be adopted in this case.
3. Movant would show the Court that there is good cause existing for waiver of attendance.
4. It is prayed that the Court enter an order waiving the requirement of attendance of said adult.

Signed on \_\_\_\_\_

**THANK YOU**

Respectfully Submitted,

[Law firm name]

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By \_\_\_\_\_  
[Attorney's name]

[Attorney's address]

**PREVIEW** [Telephone & facsimile number]  
State Bar Number \_\_\_\_\_

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Form: Decree of Adoption for an Adult

# PREVIEW

Cause Number \_\_\_\_\_

IN THE INTEREST OF:

[ADULT'S NAME],

[AN ADULT]

IN THE DISTRICT COURT OF

[COUNTY NAME], TEXAS

\_\_\_\_\_ JUDICIAL DISTRICT

## DECREE OF ADOPTION

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On \_\_\_\_\_, Petitioners [Names of petitioner(s)], in person and by attorney and announced their readiness for trial. [or] [Name of person not appearing], who is one of the petitioners seeking the adoption [or] the adult being adopted, did not appear, but his attendance was waived by the Court for good cause shown the Court. No other parties appeared.

The Court, having examined the pleadings and heard the evidence and argument of counsel, finds that it has jurisdiction of this cause and of the parties and that no other court has continuing jurisdiction. All questions of fact and of law were submitted to the Court. All persons entitled to citation were properly cited.

The making of a record of testimony was waived by the parties with the consent of the Court.

The Court further finds that the adult sought to be adopted in the suit is [Adoptee's name], a [Sex], born [Date of birth] at [Place of birth].

The Court finds that the adult sought to be adopted has signed and acknowledged to the Court his or her consent to this adoption. Furthermore, the Court finds that the

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consent has been filed with the Petition for Adoption as required by law, and that all requirements of law have been met and that the adoption should be granted.

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IT IS THEREFORE DECREED that the adoption of the above-referenced adult who is the subject of this suit by Petitioners be and is hereby GRANTED and that [Adoptee's name] is henceforth the [Son or daughter] of Petitioners.

[If appropriate, add: IT IS FURTHER DECREED that the name of the above-referenced adult be changed to new name of Adoptee]

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Signed on \_\_\_\_\_.

\_\_\_\_\_  
Judge Presiding

APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:

**THIS DOCUMENT**

\_\_\_\_\_  
[Name of attorney]  
Attorney for petitioner  
[Street address]  
[City, [State] Zip code]  
[Phone] [Facsimile]  
State Bar Number \_\_\_\_\_

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Information: VS 160 Certificate of Adoption

# PREVIEW

1. This form is filed with the court after the decree of adoption has been presented to the court.
2. The form is an information form that is sent to the Texas Vital Statistics.
3. The form is used to make a record of the pre adoption birth information and the post adoption birth information.
4. The form contains simple instructions for the completion of the form and filing instructions.
5. **PLEASE DO NOT COPY** The adoption is not finished until this form has been completed.

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