

Adoption

Adoption is the act of accepting a child (or adult) born to another person as one's own with all the legal rights and responsibilities of parenthood. There is no filing fee to file an adoption. The forms are available on the WI Court Systems website:

<http://www.wicourts.gov/forms1/circuit.htm>.

In order for an adoption to occur, a biological parent's rights must be terminated by death or through a legal process.

Any unmarried adult, married couple or spouse of the child's birth parent, who is a resident of Wisconsin, may petition to adopt a child in this state. Any child present in this state may be adopted if the child's parents are either deceased or have had his/her parental rights terminated in this or another state or foreign jurisdiction. In the case of adoption by a stepparent, only the birth parent to whom the stepparent is not married must be deceased or have had his/her rights terminated. Any adult who is a resident of Wisconsin may adopt an adult.

Within a few days of filing a petition for adoption, a hearing will be scheduled to take place before a circuit court judge in about 4-8 weeks. When the petition is filed, the court will order the necessary investigation. The purpose of the investigation is to determine whether the child is a proper subject for adoption and whether the petitioner(s) are appropriate to become parents to the child. The investigation will include checks of criminal records, contact the references and verifying health and income information. Depending on the circumstances of the adoption, the investigation may be conducted by a private adoption agency or the State of Wisconsin Department of Health & Family Services (DHFS). There may be fees for the adoption study. If the child has a guardian, the guardian must recommend the adoption in order for it to take place. Adoption hearings are closed to the public. Requests by parties to allow family and close family friends to attend the hearing are generally granted by the judge.

An order for adoption creates the relation of parent and child between the adopted person and the adoptive parent. Rights of inheritance are altered.

Any child whose adoption would otherwise be valid under Wisconsin statutes may be readopted (or registration of foreign adoption) in this state. Often a child adopted in a foreign country by Wisconsin residents is readopted (or registration of foreign adoption) in order to obtain a Wisconsin birth certificate for the child.

After the adoption hearing, a check for the fee for generating a new birth certificate will be collected. The vital records department of the state of birth creates the new birth certificate. If your child was born in a foreign country, Wisconsin will create a birth certificate. (The foreign birth certificate and English translation is required.) Wisconsin

charges \$32 for the first certificate and \$3 for each additional certificate ordered at the same time. [Fees are subject to change]

Adoption files are closed to the public pursuant to WI Statute §48.93. Adopted persons who wish to obtain information about themselves and their birth relatives, or birth parents seeking to give information to their birth children should contact:

Adoption Records Search Program

PO Box 8916

Madison WI 53708-8916

(608)266-7163

<http://www.dhfs.state.wi.us/children/adoption/adoptees.htm>