Adoptions

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adoption records on file with the State of Ohio, Department of Health, Bureau of Vital Statistics.

Adoption records for persons adopted between 1964 and September 18, 1996, on file with the State of Ohio, Department of Health, Bureau of Vital Statistics and this court are closed. Identifying information will be released to an adopted person only if the biological parents or an adult sibling have signed a Release of Information on a form prescribed by the Bureau of Vital Statistics. The adopted person seeking identifying information must file a petition in the appropriate probate court along with the filing fee.

For adoptions occurring after September 18, 1996, a person age 21 or older or the adoptive parent of an adopted person between the ages of 18 and 21 may request a copy of the contents of the adoption file from the State of Ohio, Dept. of Health, Bureau of Vital Statistics. The Bureau of Vital Statistics will release that copy upon payment of the appropriate fee unless there is an effective denial of release from either birth parent.

Other helpful resources:

State of Ohio, Department of Health, Bureau of Vital Statistics	614-466-2531
State of Ohio, Department of Job and Family Services	
Office for Children and Families	614-466-1213
Putative Father Registry	1-888-313-3100
Columbus Bar Association	614-221-4112
CBA Lawyer Referral Service	614-221-0754
Website	www.cbalaw.org

This pamphlet has been prepared as a public service to provide an understanding of the adoption process. It is an overview and should not be considered as a legal reference.

Robert G. Montgomery, Judge

FRANKLIN COUNTY
COURT OF COMMON PLEAS
PROBATE DIVISION

Franklin County Probate Court

Franklin County Courthouse
373 South High Street • 22nd Floor
Columbus, Ohio 43215-6311

HOURS
Monday - Friday: 8:00 a.m. - 5:00 p.m.
(Cashier closes at 4:30 p.m.)

GENERAL INFORMATION
614-525-3898

ADDITIONAL INFORMATION
www.franklincountyohio.gov/probate

ADOPTION DESK
614-525-3840

Robert G. Montgomery, Judge

Adoptions

Franklin County Probate Court

Adoptions

Who may adopt?

A husband and wife jointly; a stepparent; or an unmarried adult may adopt.

Who may be adopted?

- a minor child
- an adult who:
  - is determined to be totally and permanently disabled
  - is determined to be developmentally disabled
  - had a stepparent or foster parent relationship while a minor

Is it necessary to have an attorney?

Yes, the adopting parents must be represented by an attorney. The probate court will appoint an attorney to represent a birth parent when the birth parent is a minor or under legal disability, or upon the request of the birth parent, when the birth parent is appearing before the court to place the child for adoption. Adoptions of an adult or a foreign adoption may be exempted from this requirement.

What are the types of adoptions?

Stepparent adoption – The person seeking to adopt is a stepfather or stepmother of the person to be adopted.

Agency adoption – The parties use the services of a licensed adoption agency. The birth parents either voluntarily surrender custody of the child directly to the agency, or the juvenile court has terminated their parental rights.

Private adoption – The parties use the services of a private attorney who facilitates the adoption and acts as an intermediary between the adopting parents and the birth parents.

Interstate adoption – This proceeding occurs when a child is born in one state and the adopting parents reside in another state.

Foreign adoption – This is an adoption in which a child is born in another country and is adopted by an Ohio resident. Most often an adoption is done under the laws of the foreign jurisdiction with a second adoption proceeding held in Ohio, primarily to obtain an Ohio birth certificate.

What is the role of the assessor?

In stepparent, agency, and private adoptions, an adoption assessor investigates the adopting family and prepares a report called a home study. The home study assists the court in determining whether the adopting family is suitable to adopt and whether the adoption is in the best interests of the adoptee.

Is a home study always necessary?

Except for the adoption of an adult, a home study is required in every adoption and is conducted by an adoption agency or a probate court assessor.

Who must consent to the adoption?

Generally, the legal parents of the minor to be adopted, a child being adopted who is over the age of 12, and an adult adoptee must consent.

Can a putative father preserve his parental rights?

A putative father is a man who may be the father of the child, but is not legally recognized as such. He can preserve his rights as father of the child by registering with the Ohio Department of Job and Family Services Putative Father Registry. This must be done not later than 30 days after the birth. No fee is charged for this registration. The telephone number for the Franklin County area is (614) 728-9659 and the toll free number is 1-888-313-3100.

Where should an adoption be filed?

The probate court has exclusive jurisdiction over adoptions. One may file a petition in the probate court of the county in which:

- the agency having custody of the child is located;
- the child was born;
- the person or persons seeking to adopt reside;
- the home of record for a person stationed in military service is; or
- the birth parents reside.

Is a court appearance required?

Yes, the adopting parents and the child must appear at the probate court hearing unless otherwise ordered by the court.

Is the birth certificate changed?

The original birth certificate will be sealed and a new birth certificate issued. The adopting parents will be reflected on the new birth certificate, just as though they had been the birth parents.

Can an adoption be open?

Yes, an adoption of a child not related to the adopting parents may now be open. In other words, if all parties to the adoption agree, the birth parents and the adopting parents may know each other's identity. Otherwise, the adoption will be closed and the identity of the parties remains confidential. Any agreements made by the birth parents and the adopting parents for post-adoption communication and contact are not enforceable by a court in Ohio.

Are adoption files accessible?

The accessibility of adoption records depends upon the date of finalization of the adoption.

Upon written request and payment of a fee, persons adopted prior to 1964 may obtain a copy of their

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Franklin County Probate Court