

CASE PROGRESSION CHECKLIST STEPPARENT ADOPTION OF ADULT

This checklist has been prepared to assist you with the necessary procedure for bringing your case to final hearing. This checklist lists the minimum requirements and, even though fairly specific, may not be all-inclusive for every case. **It is not intended, and should not be substituted for proper legal advice from an attorney.** You should, however, find that making sure all necessary steps noted below are followed would reduce procedural difficulties and time delays.

I. INITIAL FILING

A. Required forms

- _____ Petition for Adoption of Adult by Stepparent - Form 12.981(c)(1).
- _____ Civil Cover Sheet (local requirement)
- _____ Notice of Related Cases - Form 12.900(h)
- _____ Stepparent Adoption: Consent of Adoptee - Form 12.981(a)(2)
- _____ Stepparent Adoption: Consent of Adult Adoptee's Spouse - Form 12.981(c)(2)
- _____ Summons: Personal Service on an Individual - Form 12.910(a)
AND
- _____ Process Service Memorandum - Form 12.910(b)

The birth parents do not have to consent to the Stepparent Adoption, however there is still a requirement to notice the birth parents. The birth parents must either be personally served with the Petition OR sent the notice of hearing. If you have questions on this part of your case, you should seek legal advice.

B. Required Fees

- _____ Filing fee Paid or fee waiver granted by Court.
- _____ Fees for process service paid directly to a Process Server. The cost for service is set by the process server, the filing party must obtain service procedures including fees from the process server. A complete list of Pinellas County process servers can be obtained online at www.mypinellsclerk.org (If waiver not signed)

II. SERVICE OF PROCESS

A. Personal Service (If party chooses to notify birth parent by Personal Service)

- _____ Summons returned “served” and filed by Clerk – Form 12.910(a).

(If checked, skip to Section III)

_____ Summons returned “not served” and filed by Clerk – Form 12.910(a).

_____ Request clerk issue an alias summons, if address is known.

(If proper service is not obtained, the court cannot hear your case.)

_____ Constructive service also known as “service by publication.” This can be used only if you do not know where the other party is. This can be a very complicated area of the law.

_____ Affidavit of Diligent Search and Inquiry – Form 12.913(b).

_____ Affidavit of Diligent Search – Form 12.913(c).

_____ Notice of Action appropriate for you case. You will need to locate the form in a Law Library.

If constructive service is used, other than granting a dissolution, the court may grant only limited relief. In all cases it is best to have your petition personally served. If proper service is not obtained the court cannot hear your case. This is a complicated area of the law and you may wish to consult with an attorney before using constructive service.

Only now is the case potentially ready for setting for trial/final hearing.

III. SETTING A HEARING

After all paperwork is received by the Clerk's office, the case will be reviewed by the Court's Staff Attorney for accuracy. You will receive correspondence from the Court notifying you of your hearing date or additional items that are required to receive a hearing date.

If thirty (30) days have passed from the date your case was filed and you have not received correspondence from the Court then you may do the following:

_____ Call Family Law at (727)582-7200 to request final hearing. Your court records will be checked for completeness and you will either be given a court calendar date or you will be given further instructions for setting your final hearing.

If you do not properly complete this step, your hearing could be delayed.

Please make arrangements for child care if applicable. Children are not allowed to attend without prior Order, per Fla.Fam.L.R.P. 12.407.