

**IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA.
ORPHANS' COURT DIVISION**

IN RE: Adoption of : OA _____ of _____
: :
_____: : Filing Fee _____
(ADOPTEE'S name as on birth cert.) : Attorney _____

**PETITION FOR VOLUNTARY RELINQUISHMENT
OF PARENTAL RIGHTS**

RELINQUISHMENT TO:

"X" the one that applies.

____ To Agency (23 Pa. C.S.A. § 2501)

____ To Adult(s) intending to adopt (23 Pa. C.S.A. § 2502)

RELINQUISHMENT BY:

"X" those that apply.

____ Relinquishment by NATURAL MOTHER.

____ Relinquishment by NATURAL FATHER.

____ Relinquishment by PUTATIVE FATHER.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of _____
[Names of Relinquishing Parent(s)]
respectfully represent(s):

1. Name(s) of relinquishing parent(s).

| | |
|-------------------|-------|
| _____ | _____ |
| (Natural Mother) | (Age) |
| _____ | _____ |
| (Natural Father) | (Age) |
| _____ | _____ |
| (Putative Father) | (Age) |

2. Full name and age of child being adopted (hereinafter referred to as ADOPTEE):

(Name) _____
(As appears on birth certificate)

(Age) _____ (Sex) Male ____ Female ____

3. If parental rights are being relinquished to an approved Agency, state name and address of the Agency:

(a) *Pennsylvania Supreme Court Orphans' Court Rule 12.2(b)(4)* requires "the joinder of the Agency having care of the child and its consent to accept custody of the child until such time as the child is adopted". Has the joinder and consent on page 14 been completed?

4. Who has custody of the ADOPTEE?

5. If a relinquishing parent is under the age of 18 years, state name(s) and address(es) of his/her parent(s) (or guardian).

6. If parental rights are being relinquished to ADULT(S) intending to adopt, is the identity of the proposed adoptive parent(s) known to the relinquishing parent(s)?

(a) If yes, state name(s) and address(es) of proposed adoptive parent(s).

(b) Are proposed adoptive parents married? _____

7. Have any of ADOPTEE's natural parents' or putative father's parental rights been relinquished or terminated prior to these proceedings?

(a) If yes, state name(s) of such parent(s) and the date, place and type of proceedings.

8. Is it anticipated that any of ADOPTEE's natural parent's or putative father's parental rights will be relinquished or terminated subsequent to these proceedings? _____

(a) If yes, explain.

9. Are any of the ADOPTEE's natural parent(s) or putative father deceased?

(a) If yes, state name, relationship to ADOPTEE, date of death and attach an original death certificate as an Exhibit.

10. Is ADOPTEE's parent who is not a Petitioner in these proceedings joining in the prayer of this Petition?

(a) If yes, *Pennsylvania Supreme Court Orphans' Court Rules 15.2(c) and 15.3(c)* require that person to testify at the hearing.

(b) If no, the aforementioned Rules require notice to the other parent of the hearing on the Petition.

11. No Report of Intention to Adopt is required if the ADOPTEE is "the child, grandchild, stepchild, brother or sister of the whole or half blood or niece or nephew by blood, marriage or adoption" of the adopting parent(s) [23 Pa. C.S.A. § 2531(c)]. In all other cases, persons receiving custody for an adoption are required to file a Report of Intention to Adopt within thirty (30) days of receiving custody or physical care [23 Pa. C.S.A. § 2532]. Is a Report of Intention to Adopt required in this case? _____

a) If yes, when and where was the Report of Intention to Adopt filed? [Pennsylvania Supreme Court Orphans' Court Rule 15.3(a)(1)]

b) If yes, when and where was physical custody of ADOPTEE placed with adoptive parent(s)? [Pennsylvania Supreme Court Orphans' Court Rule 15.3(a)(2)]

c) Has the attached consent of the adult(s) accepting custody of ADOPTEE on page 14 been completed and signed? [Pennsylvania Supreme Court Orphans' Court Rule 15.3(b)] _____

12. Is a birth certificate or certification of registration of birth of ADOPTEE attached as an Exhibit? [Pennsylvania Supreme Court Orphans' Court Rules 15.2(b)(2) and 15.3(b)]

a) If no, see 23 Pa. C.S.A. § 2701(A)(9) and question 13(j) in Adoption Petition form.

13. If an Intermediary is involved, state:
- a) Name: _____
 - b) Address: _____
 - c) Date Report of Intermediary filed: _____
 - d) Did the Intermediary place the ADOPTEE in the physical care or custody of the adoptive parent(s)? (If yes, see *23 Pa. C.S.A. § 2530* home study and pre-placement report). _____

14. ADOPTEE INFORMATION:

- a) Full name: _____
(Name as on birth certificate)
- b) Age: _____
- c) Date of Birth: _____
- d) Birthplace: _____
- e) Sex: Male () Female ()
- f) Religious affiliation: _____
- g) Racial background: _____
- h) Is this ADOPTEE an “Indian Child” pursuant to the Indian Child Welfare Act, 25 U.S.C. § 1901 et. seq.? _____ Yes _____ No

15. NATURAL MOTHER OF ADOPTEE:

- a) Present name: _____

b) Maiden name: _____

c) Present marital status: _____

If married, state:

(1) Date: _____

(2) Place: _____

(3) Name of Spouse: _____

d) Age and date of birth: _____

e) Birthplace: _____

f) Present address: _____

g) Were you married when ADOPTEE was born? [*Pennsylvania Supreme Court Orphans' Court Rule 15.3(a)*]

(1) If yes, name of spouse: _____

h) Were you married one year before birth of ADOPTEE? [*Pennsylvania Supreme Court Orphans' Court Rule 15.3(a)*]

(1) If yes, name of spouse: _____

i) If ADOPTEE was born out of wedlock, do you intend to marry the natural father?
[*Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(7) and 15.3(a)*]

j) Are you voluntarily relinquishing your parental rights? _____

(1) If yes, state reasons for seeking relinquishment: [*Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(8) and 15.3(a)*]

k) What is your employment? _____

l) The last known address of ADOPTEE's NATURAL FATHER:

m) Is your consent to the adoption attached? _____

n) The parent relinquishing parental rights must personally appear in court at the voluntary relinquishment hearing. [*23 Pa. C.S.A. § 2503*]

o) The NATURAL MOTHER has executed this petition voluntarily to promote what the NATURAL MOTHER believes to be in her best interest and the ADOPTEE's best interest. [*Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(9) and 15.3(a)*]

p) List the names of all previous husbands of NATURAL MOTHER: [*Pennsylvania Supreme Court Orphans' Court Rule 15.3(a)*]

16. NATURAL FATHER OF ADOPTEE:

a) Present name: _____

b) Present marital status: _____

If married, state:

(1) Date: _____

(2) Place: _____

(3) Name of Spouse: _____

c) Age and date of birth: _____

d) Birthplace: _____

e) Present address: _____

f) Were you married when ADOPTEE was born? _____

(1) If yes, name of spouse: _____

g) Were you married one year before birth of ADOPTEE?

(1) If yes, name of spouse: _____

h) If ADOPTEE was born out of wedlock, do you intend to marry the natural mother?

[Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(7) and 15.3(a)]

(i) Are you voluntarily relinquishing your parental rights?

(1) If yes, state reasons for seeking relinquishment: [*Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(8) and 15.3(a)*]

j) What is your employment? _____

k) The last known address of ADOPTEE's NATURAL MOTHER:

l) Is your consent to the adoption attached? _____

m) The parent relinquishing parental rights must personally appear in court at the voluntary relinquishment hearing. [*23 Pa. C.S.A. § 2503*]

n) The NATURAL FATHER has executed this Petition voluntarily to promote what the NATURAL FATHER believes is in his best interest and the ADOPTEE's best interest.
[*Pennsylvania Supreme Court Orphans' Court Rules 15.2(a)(9) and 15.3(a)*]

17. PUTATIVE FATHER:

A PUTATIVE FATHER'S parental rights may be terminated in these proceedings either by having the PUTATIVE FATHER join in this Petition as a Petitioner (this will require his testimony at the evidentiary hearing) OR by giving him NOTICE pursuant to *23 Pa.C.S.A. Section 2503(d)*.

Is the termination of the parental rights of a PUTATIVE FATHER an objective by either method? _____

a) If yes, complete the questions in the section entitled PUTATIVE FATHER, which is attached to this Petition (19).

18. Has/have Petitioner(s) received counseling concerning the termination of parental rights and the alternatives thereto from an approved agency or from a qualified counselor?

a) If yes, state the name and address of agency or counselor:

WHEREFORE, your Petitioner(s) pray for Decree(s) terminating the parental rights of the Petitioner(s) and if required hereby terminate the parental rights of the Putative Father and award custody to the appropriate entity or parties.

[Signature(s) of Petitioner(s)]

COMMONWEALTH OF PENNSYLVANIA)
) **ss:**
COUNTY OF BUTLER)

The above named Petitioner(s), being duly sworn according to law, depose(s) and say(s) that the facts set forth in the above Petition for Voluntary Relinquishment of Parental Rights are true and correct to the best of his/her/their knowledge, information and belief.

[Signature(s) of Petitioner(s)]

Sworn to and subscribed before me
this ____ day of _____, 20____

(Signature of Notary)

(SEAL OF NOTARY)

(Alternative Method for Verification)

I/We, the above-named Petitioner(s) do verify that the statements contained in this Petition for Voluntary Relinquishment of Parental Rights are true and correct to the best of my/our knowledge, information and belief. I/We understand that false statements herein made are subject to the penalties of *18 Pa. C.S.A. Section 4904* relating to unsworn falsification to authorities. (The maximum penalty for such violation is a period of incarceration up to two (2) years and a \$5,000 fine.)

Date _____

[Signature(s) of Petitioner(s)]

WITNESS

ADDRESS OF WITNESS

CONSENTS TO ACCEPT CUSTODY

CONSENT BY AGENCY: [Pennsylvania Supreme Court Orphans' Court Rule No. 15.2(b)(4)]

We hereby certify that we are an approved AGENCY as defined in the Adoption Act and that _____ (ADOPTTEE) has been in our care and custody since _____ and we agree to accept custody of the child/ADOPTTEE until such time as the child/ADOPTTEE is adopted, that we have read the foregoing Petition, consent thereto, and join in the prayer.

Date: _____ (Agency)

By _____ Title _____

CONSENT BY ADULT(S): [*Pennsylvania Supreme Court Orphans' Court Rule 15.3(b)*]

I/We _____ [Name(s) of Adoptive Parent(s)] certify that the within named ADOPTTEE has been in my/our custody since the _____ day of _____, 20_____. I/We agree to accept and continue custody until the Adoption is completed. I/We filed a Report of Intention to Adopt the ADOPTTEE on the _____ day of _____, _____. My/Our present address is:

Date: _____ (Name of Adult Intending to Adopt)

_____ (Name of Adult Intending to Adopt)

PUTATIVE FATHER:

If a PUTATIVE FATHER is a Petitioner in this Petition for Voluntary Relinquishment of Parental Rights, he should read the Petition and it should be explained to him. He should then sign the Petition and attest to its truthfulness and accuracy. He must be given notice pursuant to *23 Pa.C.S.A. Section 2503(b)(3) and Section 2513(b)*. He must also appear and testify at the evidentiary hearing.

The PUTATIVE FATHER's parental rights may be terminated in these proceedings even though he is not a petitioner in this Petition. The PUTATIVE FATHER's parental rights may be terminated at the evidentiary hearing on this Petition if certain requirements are fulfilled. These requirements are as follows: [*See 23 Pa. C.S.A. § 2503(d)*]

- a) PUTATIVE FATHER will not sign a Petition for Voluntary Relinquishment of Parental Rights. (If he is willing to proceed as a Petitioner in a Petition for voluntary relinquishment of parental rights, this procedure must be utilized.)
- b) Attach as an Exhibit, or admit into evidence at the evidentiary hearing on this Petition, a certification from the Department of Health that the PUTATIVE FATHER has not filed an acknowledgment of paternity or claim of paternity pursuant to *23 Pa.C.S.A. Section 5103*.

- c) At least ten (10) days written notice of the hearing shall be given to the PUTATIVE FATHER. This notice shall comply with *23 Pa.C.S.A. Section 2503(b), (b)(3)*.
- d) PUTATIVE FATHER fails to appear at the evidentiary hearing on this Petition for the purpose of objecting to termination of his parental rights.
- e) PUTATIVE FATHER fails to file written objections to such termination with the Court prior to the hearing.
- f) Method of providing notice shall conform to Pennsylvania Orphans' Court Rule Nos. 5.1 and 15.6..

Information on PUTATIVE FATHER:

- a) Name: _____
- b) Age and date of birth: _____
- c) Birthplace: _____
- d) Last known address: _____

- e) Racial background: _____
- f) Religious affiliation: _____
- g) Present marital status: _____
 - (1) If married, name of spouse:

h) Was PUTATIVE FATHER ever married to NATURAL MOTHER?

(1) If yes, state when: _____

j) Explain the circumstances that created the status of PUTATIVE FATHER:

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

IN RE: Adoption of _____ :
_____ : **OA NO _____ OF _____**
(Adoptee's name as on birth certificate) :

PETITION FOR VOLUNTARY RELINQUISHMENT
PRELIMINARY DECREE

AND NOW, this _____ day of _____, to judicially resolve the attached Petition, it is ORDERED AND DECREED that an evidentiary Hearing is set to be held in Courtroom No. _____ for the _____ day of _____, at _____ o'clock _____ .M.

At least ten (10) days written Notice of the Hearing shall be given to the Petitioner and a copy of the Notice as specifically set forth in 23 Pa. C.S.A. §2503(b) shall be served upon the parent(s) or guardian of the Petitioner who has not reached 18 years of age. If only on natural parent is the Petitioner, such Notice shall be given upon the other parent. If the Petition seeks to terminate parental rights of putative father pursuant to 23 Pa. C.S.A. §2503(b)(3), (d), such Notice as specifically set forth therein shall be provided to putative father. Method of providing Notice shall conform to *Pennsylvania Orphans' Court Rule Nos. 5.1 and 15.6*.

Unless excused by the Court, the adopting parent(s), and the ADOPTEE (and Intermediary if any) are required to appear at the evidentiary hearing. [23 Pa.C.S.A. s 2723]

No reports are necessary on relative adoptions.

BY THE COURT:

Judge

