

Information: Adoption

There are various circumstances in which a person may be considering adopting a child.

A person may be unable to have children and seek to adopt a child via the local authority; a step-parent may wish to adopt their spouse's child or children; a relative may wish to adopt a child of their family; or, foster carers may wish to adopt a child for that child to be placed with them permanently.

What should I know before I adopt?

Adoption is a major decision in everyone's life and should only be made after considering the legal implications fully.

When you adopt a child you become the child's legal parent and the child's natural parents will no longer have any rights or responsibilities towards the child.

The parent of the child/ren can give their consent for the child to be adopted. On some occasions consent to the adoption may not be required, e.g. if the parents cannot be found or they are believed to be incapable of giving their consent or the court has made an order allowing the child to be adopted.

You can apply for an adoption order as soon as the child starts to live with you but your application will not be heard for at least three months.

If the adopted child is a new-born baby the three months can only start when they have reached six weeks of age.

kind, helpful, excellent

© Alsters Kelley Solicitors Limited, June 2021

www.alsterskelley.com

If you adopt an older child or a child with special needs you may want to wait a while before applying for the adoption order.

If you are adopting a child from overseas an adoption order cannot be granted until the child has lived with you for twelve months.

If you are a couple you can jointly adopt. You can also adopt if you are single or unmarried.

The application is made to the local family court in the district where the child lives.

A fee is payable and the court requires that birth certificates, marriage or civil partnership certificates, medical reports, consents and other orders and agency reports are provided when the application is lodged.

The hearing is in private and no order can be made without the child attending the court.

You and the child, if they are old enough, might be asked some questions and the decision to grant or refuse the adoption order is usually made there and then.

CONTACT:

Catherine Stephens or any member of the Children & Families Public Law team

Associate Solicitor, Head of Children & Families Public law

Direct Dial: 02477 710240

Email: catherine.stephens@alsterskelley.com

kind, helpful, excellent

© Alsters Kelley Solicitors Limited, June 2021

www.alsterskelley.com

If you need any further information about matters in this information sheet, please do not hesitate to contact us.



kind, helpful, excellent

© Alsters Kelley Solicitors Limited, June 2021

www.alsterskelley.com