LSPR 93.04
ADOPTIONS

(a) Relinquishments.

(1) Personal Acknowledgment. The written consent of the birth mother shall be personally acknowledged before the court at a hearing on the Petition for Relinquishment. The hearing shall be recorded. It is recommended that the written consent of any birth father "whether admitted, presumed or alleged" be personally acknowledged before the court, but appearance at the hearing on the Petition for Relinquishment shall not be required of any birth father, provided the father has signed a waiver of his right to notice of and appearance at the hearing and provided he requests, in writing, that he not be required to appear at the hearing, unless otherwise required by the court per RCW 26.33.090.

(2) Guardian Ad Litem for Minor Parent. The guardian ad litem for any minor parent, including an alleged birth father, shall be appointed from the list of family law guardians ad litem approved by the court, unless otherwise ordered by the court for good cause. Unless otherwise ordered by the court the guardian ad litem shall be present at the hearing on the Petition for Relinquishment. The guardian ad litem shall file a written report addressing the factors set forth in RCW 26.33.070.

(3) Form of Consent. The written consent of any parent, alleged father or presumed father shall be in the form prescribed by RCW 26.33.160, and shall contain the address of the Spokane County Superior Court Clerk.

(4) Statement Regarding Social/Medical/Family History. Each parent, presumed father and alleged father who consents to the adoption and to the termination of the parent-child relationship shall also submit a written statement certifying that he or she has provided or will provide all social, medical and family history of the child and of the parent that is needed by the prospective adoptive parents to properly care for the child and to help the prospective adoptive parents maximize the developmental potential of the child. RCW 26.33.350.

(b) Involuntary Termination of Parent-Child Relationship.

(1) Appointment of Guardian Ad Litem. If a parent contests a petition for termination of the parent-child relationship, by appearing in the action, either personally

or through an attorney, a Guardian Ad Litem shall be appointed to represent the best interests of the child.

(c) Non-agency Adoptions.

(1) Placement Requirements. The preplacement report must be dated not more than one year preceding the filing of a Petition for Relinquishment or for adoption or must be supplemented within that period of time. The preplacement report shall be obtained by the prospective adoptive parents at their expense from a licensed child-placing agency, the State Department of Social and Health Services, or by a court-approved individual who has a masters degree in social work or a related field and one year of experience in social work or a related field and one year of experience in social work or who is demonstrated to have reasonably equivalent experience.

(2) Checklist of Required Pleadings. The following documents should be filed in a non-agency relinquishment/termination/adoption proceeding:

(A) Relinquishment:

(i) Petition for Relinquishment (mother and/or father)

(ii) Prospective Adoptive Parents' Consent to Assume Custody

(iii) Consent to Adoption (mother and/or father)

(iv) Waiver of Right to Notice if applicable

(v) Petition for Adoption

(vi) Preplacement Report

(vii) Financial Affidavit

(viii) Findings of Fact, Conclusions of Law and Order Terminating Parent-Child Relationship

(B) Termination:

(i) Petition for Termination

(ii) Order Setting Time for Hearing

(iii) Summons and Notice of Hearing

(iv) Affidavit of Service/Publication

(v) Motion/Affidavit/Order of Default (if applicable)

(vi) Findings of Fact, Conclusions of Law and Order Terminating Parent-Child Relationship

(C) Finalization:

(i) Order Appointing Agency for postplacement report

(ii) Postplacement report

(iii) Acknowledgment of Receipt of All Information about child and birthparents

(iv) Financial Affidavit

(v) Findings of Fact, Conclusions of Law and Decree of Adoption

(vi) Adoption Data Card and Birth Certificate Registration Form

(d) Finalizations.

(1) Financial Declaration. The adoptive parents in every adoption shall set forth in a declaration or affidavit a statement of all expenses paid and expected to be paid in connection with the adoption. Said affidavit shall be upon a form approved by the court.

(e) Stepparent Adoptions.

(1) Preplacement Reports. A preplacement report, prepared pursuant to RCW 26.33.190, shall be required before the adoption of a child by his or her stepparent:

(A) If the petitioning stepparent and the custodial parent of the child have been married less than one year at the time the adoption is finalized; or

(B) If required by the court.

(2) Postplacement Report. If a preplacement report is required in a stepparent adoption, the person or agency doing that report shall be appointed to complete the postplacement investigation and report, otherwise any suitable person may be appointed to do the postplacement report. No person related by blood or marriage to the custodial parent, the child or the petitioning stepparent shall be appointed. The report must contain the information required by RCW 26.33.200, and also must verify the following:

(A) Birth certificate data of the child;

(B) Information concerning the dissolution of the marriage of the natural parents, where applicable;

(C) Marriage certificate data of the petitioning stepparent and the parent of the child/spouse of petitioner;

(D) The criminal history, if any, of the petitioning stepparent;

(E) A history of support and parental contact by the parent whose legal relationship with the child will end as a result of the adoption;

(F) Employment history of the petitioning stepparent;

(G) Whether the child or his or her parents are Native Americans.

(f) General Requirements.

(1) Interstate Adoptions: According to RCW 26.34 the Interstate Compact on Placement of Children shall apply to all cases in which the adoptee is born or residing in a state other than Washington, or is born and residing in Washington and is to be placed or adopted outside of Washington. Prior to any order allowing placement in cases subject to ICPC the Petitioners shall file proof of compliance with the ICPC process by filing a copy of the form 100A with signatures from both states offices indicating approval of the placement.

(2) Attorney appointments: Any non-consenting parent who requests an attorney to be appointed at county expense due to indigency will complete and file a Financial Declaration WPF DR 01.0550.

(3) Court's courtesy copies: Courtesy copies of all pleadings, notices and reports shall be provided to the Family Law Coordinator 7 days prior to any hearing for review. In the event of an emergency, the pleadings shall be provided no less than 24 hours prior to the hearing. The pleadings may be submitted in draft form in advance of the birth of the adoptee, and may be submitted prior to filing of the Petition.

(4) Presentment of Orders: While a Petition for Termination/Relinquishment and Adoption may be filed prior to the birth of the baby, no orders regarding default or custody shall be signed prior to the birth.