Filing an Adoption For E-filers

Choosing a Case Type

1) Choose the adoption case type for any filing related to an adoption.
2) If you are filing a Petition for Taking Consent for Adoption only, choose that document type. The associated fee will be $35. **Do not file this petition under Other Probate.**
3) If you are filing a petition for adoption, petition to determine parental rights, petition for termination and determination of birth parent's rights, or a registration of foreign adoption, file those documents as a petition in the Adoption case type. The $360 filing fee will apply only to the first petition filed.
4) Documents filed in the Adoption case type are private until sealed by the court. These case types are not displayed on XChange, the courts public case lookup system.
5) When filing an adoption or registering a foreign adoption, you must file a Vital Statistics §26-2-25 form for each child. The forms may be submitted as a single document. You will be charged $8.00 for each child being adopted.

Entering Parties

In adoption cases, the adoptive parent(s) are the petitioner(s). The child should be entered as a minor party. The minor name will be displayed in the case title as “In the Matter of the Adoption of <Minor’s Initials Only>. The birth parents should not be entered as a party. Any person entered as a party will be sent a Notice of Electronic Filing through their attorney.

Recording Service of Non-parties

Birth parents are not parties to the adoption unless added through the intervenor process. To enter a return of service for birth parents who are not parties to the case, select the “Non-party” option when entering return of service information. A free form text field will be displayed in which you can enter the name of the non-party. **Note: The non-party e-filing option may not available through your efiling provider until July 1, 2013.**