

Checklist for Serving Notice of Petition to Adopt and Notice of Rights

- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative cannot complete a form for you.
 - Attach a copy of any document referred to in the form.
 - Keep a copy of all documents for your records.
 - Attend all court hearings.
 - Some forms may not apply in your case.
 - Check with your court about local requirements.

(1) Notice of Petition to Adopt and Notice of Rights

- You have to serve someone with Notice of Petition to Adopt and Notice of Rights only if they are not willing to waive their rights and consent to the adoption. If a person who has the right to consent and/or the right to notice of the adoption is willing to waive those rights, see our checklist and forms for Consent to Adoption and Waiver of Rights.
 - If someone is not willing to consent or waive their rights, they must be served with Notice of Petition to Adopt and Notice of Rights.
 - The Notice of Petition to Adopt and Notice of Rights forms are different depending on whether the person has the right to consent or only the right to notice. Be sure to serve each person with the correct form.
 - The adoptee, the adoptee's legal parents, and sometimes the adoptee's guardian have the right to consent. (The adopting parent's spouse also must consent, but our forms presume the adopting parent and the child's custodial legal parent are co-petitioners.) The adoptee's custodian, the adoptee's spouse, and sometimes the adoptee's guardian have the right to notice, but not the right to consent.
 - If the person to be served has the right to consent, the person must be served by one of the methods permitted in Rule of Civil Procedure 4.
 - If the person to be served has the right to notice but not the right to consent the person may be served by certified mail with a return receipt.
 - If a person who has the right to consent cannot be found for service you will have to ask permission to serve by an alternative method. See the checklist and forms to Request Alternative Service of Notice.
- Print the judicial district number, the county name and the court address in the blank lines.

- Complete the heading exactly as it appears in the Petition.
- Print the name and address of the person being served in the space provided.
- Print the adoptee's name in the space provided.
- Complete the Certificate of Service.
- Serve the form on the other party.
- File the Proof of Service (for service under Rule of Civil Procedure 4) or Certificate of Service (for certified mail with return receipt) with the judicial services representative.