

Procedures: How to File for an Adult Adoption

Warning: Read all of these instructions in their entirety. Failure to follow these instructions may result in the proposed adoption being delayed and, in some cases, denied.

STEP 1. Complete the form titled Agreement of Adoption and Petition for Decree of Adoption of an Adult, and then make at least 3 copies of the completed document.

STEP 2. If the adult who is being adopted (the “Adoptee”) or the person who is adopting that adult (the “Adopter”) is married, have that person’s spouse complete the form titled Consent to Adult Adoption and Waiver of Notice, and then make at least 3 copies of the completed document.

STEP 3. Fill out the following documents (no additional copies are necessary)

- Adult Adoption Cover Sheet
- Information Sheet to Court Investigator

STEP 4. File Documents with the Clerk of Superior Court:

When and Where: The Clerk of Superior Court is open from 8:00a.m. – 5:00p.m., Monday-Friday. You should go at least two hours before closing time. The Clerk has filing counters at the following Superior Court locations:

Downtown Phoenix:
Central Court Building, 1st Floor
201 West Jefferson
Phoenix, AZ 85003

Northeast Phoenix:
Northeast Regional Court Facility
18380 North 40th Street
Phoenix, AZ 85032

Surprise:
Northwest Regional Court Facility
14264 West Tierra Buena Lane
Surprise, AZ 85374

Mesa:
Southeast Court Facility, 1st Floor
222 East Javelina Avenue
Mesa, AZ 85210

You may file the documents at any of the locations listed above; however, your hearing may be scheduled at a different court facility.

What: Give the Clerk of Superior Court originals of the following documents to file:

- Adult Adoption Cover Sheet,
- Agreement of Adoption and Petition for Decree of Adoption of an Adult, and
- (if applicable) Consent to Adult Adoption and Waiver of Notice

Provide the Clerk with the copies of the Agreement of Adoption and Petition for Decree of Adoption of an Adult and, if applicable, the Consent to Adult Adoption and Waiver of Notice and ask the Clerk to stamp those copies and return them to you (tell the Clerk you would like “conformed copies”).

Fees: When you file the documents, the Clerk of Superior Court will charge you certain fees that are required by Arizona law. You may pay those fees by cash, credit card, or money order. If you cannot afford the fees, you may request a deferral (payment plan) or waiver of the fees. Deferral and waiver applications are available at no charge from the Law Library Resource Center. A list of current fees is available from the Clerk of Superior Court’s website.

STEP 5. Gather Documents Before Obtaining a Hearing Date:

Before obtaining a hearing date, gather the following documents, which you need to bring with you when you request your hearing date:

- Information Sheet to the Court Investigator (1 original—do not file this document with the Clerk)
- Agreement of Adoption and Petition for Decree of Adoption of an Adult (2 copies)
- (if applicable) Consent to Adult Adoption and Waiver of Notice (2 copies)
- Photocopy (not certified copy) of the Adoptee’s birth certificate (do not file this document with the Clerk).

(Note: You will be required to bring a certified copy of the Adoptee’s birth certificate to your hearing, as stated in STEP 8.)

STEP 6. Obtaining a Hearing Date:

A. Provide all of the documents listed in STEP 5 to Probate Court Administration at any of the following locations and ask for a hearing date:

- Downtown Phoenix Court Complex—Go to the Probate Court Administration window on the 3rd floor of the East Court Building, 101 West Jefferson in Phoenix.
- Northeast Regional Court Facility, 18380 North 40th Street in Phoenix—the Clerk of Superior Court will either contact Probate Court Administration for you or will provide you with further instructions on how to contact Probate Court Administration.
- Southeast Regional Court Facility—Go to the Court Administration Office at the west end of the 1st floor at 222 East Javelina in Mesa.
- Northwest Regional Court Facility—Go to the Court Administration window, directly across from the Clerk of Superior Court filing counter at 14264 West Tierra Buena Lane in Surprise.

B. If you are at any one of the Regional Court Facilities (Northeast, Southeast, or Northwest) and Probate Court Administration is not available to assist you, you can do either of the following:

- Bring your documents to the Downtown Phoenix Court Complex, East Court Building, 101 West Jefferson in Phoenix, 3rd floor, present your documents, and obtain a hearing date,

OR

- Wait 2 to 3 business days after completing STEP 4 (File Documents with the Clerk of Superior Court) and then call 602-506-5510 to obtain a hearing date. The 2 to 3 business days allows time for the Clerk to process and scan your filings so that Probate Court Administration can view your documents.

Probate Court Administration will e-mail you an English version and a Spanish version of a Notice of Initial Hearing Regarding: Agreement for Adoption and Petition for Decree of Adoption of an Adult (the “Notice of Hearing”). It will contain the date, time, and location of the hearing, as well as the name of the Judicial Officer (judge or commissioner) assigned to your case and instructions as to how any interested person who wishes to object to the proposed adoption may do so. If you would like printed copies of the Notice of Hearing, you may request them when you ask for the hearing date. Do not lose the Notice of Hearing. The hearing likely will be scheduled approximately 6 to 8 weeks from the date you submit your request.

STEP 7. Provide Notice of the Hearing:

If the Court requires you to give notice of the hearing to one or more persons, you must do so by sending the person(s) entitled to notice a copy of both the Agreement of Adoption and Petition for Decree of Adoption of an Adult and the Notice of Hearing. Unless the Court tells you differently, you may send those documents to the person by any of the following methods at least 14 calendar days before the hearing date:

- Personal service (using a process server, Sheriff’s deputy, or constable)
- 1st class mail, postage prepaid
- Certified mail, with or without return receipt
- Hand-delivery

After sending the documents, complete the Proof of Notice (Form PBAA15f) and file it with the Clerk of Superior Court at least 7 calendar days before the hearing.

STEP 8. Cooperate with the Court Investigator:

Prior to the hearing date, the Court Investigator will contact the Adopter and the Adoptee and, possibly, other persons. The investigator will then file with the

Court a written report regarding the welfare, competency, and best interests of the Adopter, the Adoptee, and the public. A.R.S. § 14-8101(D). To avoid any unnecessary delays with your case, be sure to cooperate with the Court Investigator and provide that person with any requested information and documentation.

STEP 9. Attend the Hearing:

NOTE: Arizona law requires that the adult being adopted (Adoptee) and the person adopting that adult (Adopter) must attend the hearing in person. The only exception is that an attorney may appear on behalf of the Adoptee or the Adopter if the Adoptee or Adopter is unable to attend the hearing in person and the attorney has that person's written authorization. A.R.S. § 14-8101(D).

Bring These Documents to Your Hearing:

- 2 copies of Approval of Agreement of Adoption and Decree of Adoption of an Adult for the Judicial Officer to sign. One copy will be filed with the Clerk of Superior Court and the other will be prepared for certification and returned to you.
 - There is a court fee for each certified copy. *
- Government-issued photo identification for the Adopter and Adoptee (e.g., driver license, state-issued identification card, passport, etc.).
- Certified copy of the Adoptee's birth certificate.

Note: If the Court has ordered that the name on the Adoptee's Arizona birth records be changed, you will need to provide the "Office of Vital Records" with a certified copy of the "Approval of Agreement of Adoption and Decree of Adoption of an Adult." You may purchase a new birth certificate at the Office of Vital Records for a fee.

*To obtain a certified copy of your court order you will need to present your Judge-signed copy to the Clerk of Superior Court's filing counter within 48 hours after your hearing. If you need additional copies after that time, you will need to go to the Court's Customer Service Center at 601 W. Jackson Street in Phoenix.

The State of Arizona Vital Records Office at 1818 W. Adams, Phoenix, AZ. 85007, is only available for mail-in service. Vital Records' general telephone number is 602-364-1300. Please call for another walk-in location. A fee is required for a change to any birth certificate.