

# ADULT ADOPTIONS

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## What is an adult adoption?

- **Procedure for one adult to legally adopt another adult**

- Class Code: 50601 (Adoption)
- Case Type: AD\*
- *Confidential*

\* As of January 2024:

- AD case type is only for adult adoptions
- JA case types should be used for juvenile adoptions

- Applicable Statutes → Ch. 882
- Model Recordkeeping Procedures are available:

<https://courtnet.wicourts.gov/policies/modelrecord.htm>

**Probate/Guardianship/Adult Adoption**

[Adult Adoption MRK procedures](#) (09/23)

# Requirements

## Filing Requirements

- Petitioner – person who is adopting another adult
- Petitioner must be a resident of Wisconsin
- Case must be filed in the county where the petitioner resides

## Who should receive a copy?

- Adoptee (person being adopted)
- Court

## GF-300 Petition for Adult Adoption

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY	
IN THE MATTER OF THE ADOPTION OF _____ <input type="checkbox"/> Amended	
Name _____	<b>Petition for Adult Adoption</b>
Date of Birth _____	Case No. _____

**UNDER OATH, I STATE:**

- I am an adult resident of \_\_\_\_\_, County, Wisconsin and I petition the court to adopt another adult.  
My Name \_\_\_\_\_  
My Address \_\_\_\_\_  
My Telephone number \_\_\_\_\_
- I petition the court for an order for adoption of \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone number \_\_\_\_\_
- The consent of the adoptee ☐ accompanies this petition. ☐ will be filed prior to the hearing.
- ☐ I am married and the consent of my spouse (if not a co-petitioner) ☐ accompanies this petition. ☐ will be filed prior to the hearing.

State of \_\_\_\_\_  
County of \_\_\_\_\_  
Subscribed and sworn to before me on \_\_\_\_\_  
Notary Public/Court Official \_\_\_\_\_  
Name Printed or Typed \_\_\_\_\_  
My commission/term expires: \_\_\_\_\_

\_\_\_\_\_  
Petitioner  
Name Printed or Typed \_\_\_\_\_  
Date \_\_\_\_\_  
\_\_\_\_\_  
Petitioner  
Name Printed or Typed \_\_\_\_\_  
Date \_\_\_\_\_

**DISTRIBUTION:**  
1. Court  
2. Adoptee

# Consents

- Consents must be filed and must be in writing.

## **Needed from:**

- Adoptee (person to be adopted)
- Petitioner's spouse (if did not join in petition)

## GF-302 Consent to Adult Adoption

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY	
IN THE MATTER OF THE ADOPTION OF _____	
Name _____	<b>Consent to Adult Adoption</b>
Date of Birth _____	Case No. _____

**UNDER OATH, I STATE:**

I consent to the adoption of this individual by \_\_\_\_\_

☐ I am the spouse of the petitioner.  
☐ I am the adult to be adopted.

State of \_\_\_\_\_  
County of \_\_\_\_\_  
Subscribed and sworn to before me on \_\_\_\_\_  
Notary Public/Court Official \_\_\_\_\_  
Name Printed or Typed \_\_\_\_\_  
My commission/term expires: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Name Printed or Typed \_\_\_\_\_  
Address \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Date \_\_\_\_\_

## Is a hearing required?

- Yes

- Can be in the courtroom or in chambers

- Who should attend?\*

- petitioner
- adoptee

\*unless otherwise ordered by the court

- Wis. Stat. 882.04 Hearing and order.

After a hearing on the petition, which may be held in chambers and which shall be attended by the petitioner and the adult to be adopted, unless the court orders otherwise, and after such investigation as the court considers advisable, if the court finds that it is to the best interests of the persons involved, an order of adoption may be granted which shall have the same legal consequences as an order of adoption of a minor under ch. 48.

## Who should receive notice of the hearing?

Who should receive notice of the hearing?  
(recommendations - not in statute)

- Court
- Adoptee (Person to be adopted)
- Agency involved, if any

### GF-301 Order for Hearing Adult Adoption

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY	
IN THE MATTER OF THE ADOPTION OF _____ <input type="checkbox"/> Amended	
Name _____	Order for Hearing Adult Adoption
Date of Birth _____	Case No. _____
A petition for an adult adoption has been filed by (Name) _____	
<b>THE COURT ORDERS:</b>	
1. The hearing shall be held on (Date) _____ at (Time) _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m., at (Location) _____	
2. Petitioner shall give notice of the hearing to the adult to be adopted and both shall attend the hearing.	
If you require reasonable accommodations due to a disability to participate in the court process, please call _____ prior to the scheduled court date. Please note that the court does not provide transportation.	
Name of Attorney _____	
Address _____	
Telephone Number _____	Bar Number _____
DISTRIBUTION: 1. Court 2. Agency, if applicable 3. Adult to be adopted	

# Does there need to be any sort of investigation?

- That's completely up to the judge's discretion
- No guidance as to what investigation would look like (MRK says send to judge to determine if investigation necessary and what would look like)
- statute does not mention Guardian ad Litem being appointed or any Agency (however, agency was mentioned on the Order for Hearing)
- **Findings** → **it's in the best interests of the persons involved**

## • Wis. Stat. 882.04 Hearing and order.

After a hearing on the petition, which may be held in chambers and which shall be attended by the petitioner and the adult to be adopted, unless the court orders otherwise, and **after such investigation as the court considers advisable, if the court finds that it is to the best interests of the persons involved, an order of adoption may be granted which shall have the same legal consequences as an order of adoption of a minor under ch. 48.**

## GF-303 Order on Petition for Adult Adoption

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY	
IN THE MATTER OF THE ADOPTION OF _____ <input type="checkbox"/> Amended	
Name _____	<b>Order on Petition for Adult Adoption</b>
Date of Birth _____	Case No. _____
A hearing was held on (Date) _____. The petitioner(s) and adult to be adopted were present.	
<b>THE COURT FINDS:</b>	
The petitioner(s) name is/are _____ and the adoption <input type="checkbox"/> is <input type="checkbox"/> is not in the best interests of the persons involved.	
<b>THE COURT ORDERS:</b>	
<input type="checkbox"/> 1. The petition for adoption is <u>denied</u> .	
<input type="checkbox"/> 2. The petition for adoption is <u>granted</u> .	
<input type="checkbox"/> 3. The birth certificate for this adult adoptee <input type="checkbox"/> shall not be changed. <input type="checkbox"/> shall be changed as follows: _____	
4. The petitioner(s) shall record the appropriate report of adoption form with the vital records department in the state where the adopted person was born.	
<b>THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.</b>	
DISTRIBUTION: 1. Court 2. Adoptive Parent(s) 3. Adoptee	

## Report of Adoption (DHS form F-05022)

- Petitioners must complete *Report of Adoption (Report)*

How is *Report* provided to petitioners:

- In person (when Petition for Adoption is filed)
- Mail to petitioners with Order and Notice of Hearing
- In person (after adoption hearing)

- Petitioners should send you a check for:

- Filing fee → \$20
- Fees for certified copies of new birth certificate → \$20, \$3 for add'l copies

- When *Report* returned, complete page 2

- Scan in for your case
- Mail *Report* to Vital Records with check
  - If birth certificate from another state, send Report of Adoption and check to that state

If can't collect fees, can file *Report* without fee

<input type="checkbox"/> Fee to File this Report of Adoption .....	\$ 20.00	_____
<input type="checkbox"/> Fee to file an Amendment to the Report of Adoption.....	\$ 10.00	_____
<input type="checkbox"/> One certified copy of the new birth certificate .....	\$ 20.00	_____
<input type="checkbox"/> Each additional copy of the new birth certificate issued at the same time as the first copy .....	X \$ 3.00	_____
	No. of Copies	

## Name changes

### Can they be done as part of the adult adoption case?

- Unclear, arguments on both sides
- Argument *in favor* of changing name as party of adult adoption case

Wis. Stat 882.04

“...an order of adoption may be granted which shall have the same legal consequences as an order of adoption of a minor under ch. 48.

Wis. Stat. 48.91(3)

"The order may change the name of the minor to that requested by petitioners."

# Name changes (cont)

- Arguments *against* changing name as party of adult adoption case

- RMC opinion → because Ch. 882 did not specifically authorize name change, name should be changed separately
- no protection against sex offenders changing name or those with professional licenses
- Name changes statute say publication is not required to change the name of a minor in specific circumstances (example – if parental rights terminated)
- Judicial conference 2023 → civil law update, advice was to not change name as part of adult adoption

Enter the name of the county in which this case was filed.		STATE OF WISCONSIN, CIRCUIT COURT, COUNTY _____	
Enter your current name. You are the Petitioner.		IN THE MATTER OF THE NAME CHANGE OF _____	
The clerk will enter the case number.		First Name _____ Middle Name _____ Last Name _____	
		<input type="checkbox"/> Amended <b>Petition for Name Change for Adult or Minor 14 or Older (30708)</b> Case No. _____	
<input type="checkbox"/> One or both parties require the services of an interpreter. Which party? _____ Complete and file the Interpreter Request (GF-149) form. Which language? _____			
I am the Petitioner and state:			
1. My address is (Street Address, City, State and Zip) _____ County, Wisconsin.			
2. I live in _____ in the state of _____			
3. I was born on (Date) _____			
4. My birth certificate was issued in the state of _____			
5. The name that appears on my birth certificate is (First Name) _____ (Middle Name) _____ (Last Name) _____			
6. My current job is _____			
7. <input type="checkbox"/> A. I do not work in a job for which a license has been required by any state, or my only professional license is to teach in the public schools in this state.			
<input type="checkbox"/> B. I do work in a job other than a licensed teacher in Wisconsin public schools for which a license has been required by any state. However, I have notified the state board or commission for my profession and they do not object to my proposed name change.			
8. I <input type="checkbox"/> am <input type="checkbox"/> am not a convicted sex offender required to register under §§301.45, 93B.34(15m), and 93B.345(3), Wis. Stats., or a similar law of any other state.			
9. I wish to change my name to (First Name) _____ (Middle Name) _____ (Last Name) _____			
For the following reason(s): _____			
<input type="checkbox"/> 10. I wish to change the name on my Wisconsin <input type="checkbox"/> birth <input type="checkbox"/> marriage certificate.			
I declare under the penalty of false swearing that the information I have provided is true and accurate. Signature _____ Name Printed or Typed _____ Address _____ Email Address _____ Telephone Number _____			

# Name Changes (cont)

- Vital Records – no official policy
- Wis. Stat. 69.15(1) and (2) don't differentiate between minor and adult so processed the same, except:
  - For adult adoptee, birth certificate prints an annotation at the bottom stating :
    - date of the amendment
    - authority for the amendment
    - old name information
- If legal name change done separately
  - Report of Legal Name Change* and *Report of Adoption* should be submitted together
    - then all changes will be made before copies are issued (legal name change fee → \$10)

(For minor adoptions, there is no reference to previous name)

# Codes Spreadsheet

History event code guide: <https://courtnet.wicourts.gov/policies/docs/adultadoptioncodes.pdf?v=1>

## Adult Adoptions – Chapter 882

Form Number	Form Name	History Event Code	History Event Code Description
GF-300	Petition for Adult Adoption	PFAA	Petition for adult adoption
GF-301	Proposed Order for Hearing Adult Adoption	POHAA	Prop order for hearing adult adoption
GF-301	Order for Hearing Adult Adoption	OHAA	Order for hearing adult adoption
GF-302	Consent to Adult Adoption	CTAA	Consent to adult adoption
GF-303	Proposed Order on Petition for Adult Adoption	POPAA	Prop order on petition for adult adoption
GF-303	Order on Petition for Adult Adoption	OPAA	Order on petition for adult adoption
DHS F-05022	Report of Adoption	ROA	Report of Adoption

Questions?

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Thank  
 You!