IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRCT AT BETHEL

In the Matter of the Adoption of:)
Alice Smith)
A Minor Child Born 01/01/15)))
Amy and Alex Jones,)
Petitioners)) _) Case No.

PETITION TO ADOPT

COME NOW petitioners, <u>Amy and Alex Jones</u> (hereinafter "the Petitioners") and ask this honorable Court to adopt the above named minor child. In support of their petition, the petitioners state as follows:

- 1. The Petitioners have standing to adopt <u>Alice Smith</u>, pursuant to AS 25.23.020(a)(1).
- 2. Petitioner <u>Amy Jones</u> was born on <u>January 1, 1975</u> and she has resided in Alaska since birth.
- 3. Petitioner <u>Alex Jones</u> was born on <u>January 1, 1975</u> and he has resided in Alaska since birth.
- 4. The Petitioners are married. They were married on <u>June 1, 2000</u> in <u>Fairbanks</u>, Alaska.
- 5. Petitioner <u>Amy Jones</u> is related to the child as follows: <u>Amy Jones is the child's</u> maternal aunt.

Comment [MH1]: Insert the judicial district where the court is found. See this link for more information: http://courts.alaska.gov/districts.htm

Comment [MH2]: Insert the city where you are filing

Comment [MH3]: This what the child's name will be *after* adoption.

Comment [MH4]: These are the names of the people (or person) that are filing the petition. If husband and wife, both names should appear here.

Comment [MH5]: This will be assigned at the courthouse so it should be left blank.

Comment [MH6]: If you have not lived here since birth, insert the year that you moved to Alaska.

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- 6. The child is not currently in the physical custody of the petitioners. The child is a ward of the State of Alaska and is placed in a foster home. Petitioners are filing this Petition to formally assert their intention to adopt the child.
- 7. The child, <u>Alice Smith</u> was born on the following date: <u>January 1, 2015</u>, in the following city and state: <u>Fairbanks</u>, <u>Alaska</u> and has lived in Alaska since <u>birth</u>.
- 8. The Petitioners desire to adopt Alice Smith and thereby establish the legal relationship of parent and child, and they have resources and abilities suitable to provide for the child's nurture and care.
 - 9. <u>Samuel Smith, Sr.</u> is the biological father of the child.
- 10. <u>Samuel Smith Sr.'s</u> consent to adoption is not required under <u>AS 25.23.050</u> because his parental rights have been or are being terminated by order of the court under AS 47.10.080(c)(3).
 - 11. <u>Mary Smith</u> is the biological mother of the child.
- 12. <u>Mary Smith's</u> consent to adoption is not required under AS 25.23.050 because her parental rights have been or are being terminated by order of the court under AS 47.10.080(c)(3).
- 13. This child is involved in other pending proceedings, namely: <u>3AN-15-00000CN</u> a Child In Need of Aid case.
- 14. The minor child is an Indian child pursuant to the Indian Child Welfare Act. 25 USC §§1901-1963.
 - 15. The child is a member of or eligible for membership in the following Tribe:

Comment [MH7]: Typically, when you are filing a Petition to Adopt in this situation, the parental rights will already have been terminated. There are other reasons that consent is not necessary and one of them is that the parent is deceased. If that is applicable, you can insert that here.

Comment [MH8]: Insert the case number here for the child protection case that the child is currently involved in. If you do not have this case number, you can call the ICWA workers, the tribe's attorney, the GAL, the state's attorney and/or the OCS caseworker. If all of those efforts fail, you can state: "The child is involved in a state court child in need of aid proceeding. The petitioners are unaware of the case number associated with that proceeding."

Comment [MH9]: Insert the name of the child's tribe. If you do not have this information, you can state "Petitioners believe that the child is a member of or eligible for membership in an Alaska Native tribe but are uncertain of the Tribe's name."

- 16. The Petitioners are entitled to a placement preference pursuant to 25 USC §1915(a) as they are members of the child's extended family.
- 17. The child is not believed to be a resident or domiciliary of an Indian reservation as defined by 25 USC § 1903(10).
 - 18. The child is not believed be a ward of the tribal court.
- 19. The Petitioners have not made any monetary payment to any person in order to secure the right to adopt this child.
 - 20. Petitioners do not believe that the child owns property.
- 21. A certified copy of the child's birth certificate shall be filed with the Court on or before the date of hearing of this action.
- 22. A homestudy is not necessary because the petitioners are within the 4th degree of consanguinity of the child. Petitioners understand, because the child is a ward of the state of Alaska, that the Office of Children's Services may require a homestudy to complete the adoption.
 - 23. The child will not need to change her name upon adoption.

WHEREFORE, PREMISES CONSIDERED, the Petitioners pray that:

- 1. A hearing on the adoption be set with sufficient advance notice to serve the notice of hearing on all appropriate parties;
- 2. A Decree of Adoption be entered by which the Petitioners are declared the parent of this minor child, with all attendant rights and obligations;
 - 3. For such other relief as to which the Petitioners are equitably entitled.

Comment [MH10]: 4th degree of consanguinity means 4th degree of blood relation. If you are in the 4th degree of blood relation, a homestudy is not required. If you are not, then remove this sentence.

DATED:	_	
Ameri Ionaa	Alay Ianas	
Amy Jones	Alex Jones	

ОАТН		
State of Alaska)		
) ss. Fourth Judicial District)		
I, Amy Jones, being first duly sworn according to law, to hereby attest and affirm that I have read the foregoing Petition for Adoption, and that I understand the contents therein, and that such contents are true and correct to the best of my knowledge, information, and belief.		
	Amy Jones	
SWORN TO AND SUBSCRIBED before me, this t	the day of, 2014.	
	NOTARY PUBLIC My commission expires:	
OATH		
State of Alaska)		
) ss. Fourth Judicial District)		
I, Alex Jones, being first duly sworn according to law, to hereby attest and affirm that I have read the foregoing Petition for Adoption, and that I understand the contents therein, and that such contents are true and correct to the best of my knowledge, information, and belief.		
	Alex Jones	
SWORN TO AND SUBSCRIBED before me, this t	he day of, 2014.	
	NOTARY PUBLIC My commission expires:	

Comment [MH11]: A Petition for Adoption should be signed in the presence of a notary public.

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