Nebraska State Court Form
CC 17:2.12 Rev. 08/2022
Neb. Rev. Stat. §§ 25-505.01,
43-101 – 43-115, 43-146.06, 43-166.

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA
Choose the county

IN THE MATTER OF THE ADOPTION OF

_____,
a minor.

Case No. _____

ORDER UPON FILING OF PETITION FOR ADOPTION

Upon the filing of a petition for adoption in the above case, the court has reviewed the pleadings and attached exhibits, and orders a follows:

APPOINTMENT OF GUARDIAN:

☐ The court appoints _____ as guardian for the minor child. The court may authorize execution of substitute consents in accordance with Neb. Rev. Stat. § 43-105(1)(c).

CONSENTS REQUIRED:

☐ Consent of a minor child over fourteen is required. (Neb. Rev. Stat. § 43-104(1)(a))

☐ Consent of parents/mother/father is required. (Neb. Rev. Stat. § 43-104(1)(b)) **

** In **private and agency adoptions**, a parent or parents contemplating relinquishment of a child for adoption shall be offered, at the expense of the adoptive parent or parents or the agency, at least three hours of professional counseling prior to executing a written consent to adoption. Such consent shall state whether the relinquishing parent or parents received or declined counseling. (Neb. Rev. Stat. § 43-104(9)(a)).

☐ Affidavit of mother establishing divorce of parents and state of divorce is required.

SUBSTITUTE CONSENTS REQUIRED:

☐ Consent of Nebraska Department of Health & Human Services/approved agency is required. (Neb. Rev. Stat. § 43-105(1)(a)(b))

☐ Consent of Guardian/Guardian ad Litem is required if appointed. (Neb. Rev. Stat. § 43-105(1)(c))

RELINQUISHMENTS REQUIRED:

☐ Relinquishment and consent of father is required or denial of paternity and waiver of rights by father is required or Certificate of No Notice to Claim Paternity is required.

☐ Relinquishment of natural father/mother is required, **, ***

** In **private and agency adoptions**, a parent or parents contemplating relinquishment of a child for adoption shall be offered, at the expense of the adoptive parent or parents or the agency, at least three hours of professional counseling prior to executing a written relinquishment of parental rights. Such consent shall state whether the relinquishing parent or parents received or declined counseling. (Neb. Rev. Stat. § 43-104(9)(b)).

***In **private adoptions**, a parent or parents who relinquish a child for adoption shall be provided legal counsel of their choice independent from that of the adoptive parent or parents at the expense of the adoptive parent or parents prior to the execution of a written relinquishment and consent to adoption, unless specifically waived in writing (Neb. Rev. Stat. § 43-104(9)(a))

☐ Relinquishment of Department of Health & Human Services/agency is required.

AFFIDAVITS REQUIRED:

☐ Affidavit by relinquishing parent, if available, affirming prior to relinquishment the parent was presented a non-consent form as provided in Neb. Rev. Stat. § 43-146.06 and given an explanation of the effects of filing or not filing the non-consent form.

NOTICE REQUIRED:

☐ Notice of the final hearing shall be given to all interested parties, unless a voluntary appearance and waiver of notice is submitted

☐ Notice of final hearing shall be given by publication and shall be heard at the same time as the abandonment hearing.

☐ Notice of the abandonment or parent's capability-to-give-consent hearing shall be given to the father pursuant to Neb. Rev. Stat. § 25-505.01, et al; service by publication of abandonment hearing authorized.

HOME STUDY REQUIRED:

☐ A pre-placement home study completed within one (1) year of adoptee's being placed with petitioner is required. The home study should have been filed with the petition.

☐ No pre-placement or post-placement home study is required because the proposed adoption is by a step-parent.

☐ No pre-placement home study is required because the child was placed for foster care by or through the Nebraska Department of Health & Humans Services or licensed agency in home of petitioner. **A post-placement adoptive home study shall be filed with the Court at least one (1) week prior to the final hearing on adoption.**

☐ A home study has been attached to the petition and no further home study is required.

CRIMINAL HISTORY/HHS CENTRAL REGISTRY CHECK:

☐ A national criminal history record information check and a central registry check by the Nebraska Department of Health & Human Services are required at the costs of the petitioner(s).

MEDICAL HISTORY REQUIRED:

☐ No medical history is required because the proposed adoption is by a step-parent.

☐ No medical history is required because the proposed adoption is for a child that was foreign born or abandoned.

☐ A medical history is required and has/has not been filed with the Court.

ORDER FOR HEARING:

☐ No final hearing date should be set until compliance is met as stated above.

☐ The final hearing date is set for _____ at _____ ___.m.

☐ A pre-adoption hearing on parents' abandonment or capability to give consent is ordered to be held _____at _____ ___.m.

☐ Final hearing to be scheduled on the same date as the pre-adoption hearing on parent's abandonment.

Dated: _____ **BY THE COURT:**

_____
County Court Judge