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

IN THE MATTER OF THE ADOPTION OF

_____,
a minor.

Case No. _____

ADOPTION CHECKLIST (pursuant to Neb. Rev. Stat. § 43-104)

To meet the requirements for adoption you must complete the items marked below.

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)).

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.

☐ Affidavit of mother or if minor signed, by agency or attorney regarding paternity of child. This affidavit must be attached to the petition at time of filing.

☐ Affidavit of agency or attorney stating due diligence was used to notify father(s) of rights, responsibilities and methods of notice. The affidavit should be attached to petition at time of filing (attach return receipt/ affidavit of publication). **[NOTE: This affidavit is not required if the mother identifies only one possible biological father and that there is no possibility of any other father, and proper relinquishments or consents are, or denial is, attached to the petition.]**

NOTICE REQUIRED:

☐ Notice of the final hearing shall be given to the birth mother/birth father (circle one or both), unless voluntary appearance and waiver of notice is submitted

☐ Notice of final hearing shall be given by publication to _____

☐ Notice of the investigative paternity hearing shall be given to every person identified by the Guardian ad Litem as a possible father pursuant to Neb. Rev. Stat. § 25-505.01, et al.

☐ No notice shall be required to be given to the father(s) of the investigative paternity hearing based on this Court's finding clear evidence that such notice is a safety risk to the child and/or mother.

☐ No notice of the final hearing shall be given to the birth father because he has not filed notice of intent to claim paternity as required by Neb. Rev. Stat. § 43-104.02.

☐ No notice of the final hearing shall be given to the birth father because he did not file a petition to adjudicate his claim of paternity within forty-five (45) days of filing his claim of paternity as required by Neb. Rev. Stat. § 43-104.05(1)(b).

☐ Notice of the abandonment of parents' capability to give consent hearing shall be given to the father/mother pursuant to Neb. Rev. Stat. § 25-505.01, et al.

HOME STUDY REQUIRED:

☐ A preplacement 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 preplacement or postplacement 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.**

☐ No pre-placement home study is required because the child was voluntarily placed by a parent or guardian in a placement for purposes other than adoption without the assistance of any attorney, physician, other individual or agency which later results in an adoption petition. **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 proper 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.

☐ No medical history is required from the birth father because his consent or waiver of rights was not obtained and not required.

OTHER: ☑ Lines ☐ Remove Lines