

Attorney Name
Address
Phone Number

MONTANA [DISTRICT NUMBER] JUDICIAL DISTRICT COURT,
[COUNTY NAME] COUNTY

IN THE MATTER OF THE ADOPTION)	
OF [NAME OF MINOR CHILD],)	Cause No.
)	
A minor child,)	PETITION FOR
)	STEPPARENT ADOPTION
by)	
[NAME OF PETITIONER],)	
)	
Petitioner.)	

Petitioner, [NAME OF PETITIONER], respectfully represents as follows:

1. The full name, address, and age of the Petitioner are as follows: (§ 42-5-101(1)(a), MCA)

Name: [NAME OF PETITIONER]

Address: ADDRESS CITY STATE ZIP (_____) COUNTY)

Age: _____

Duration: Petitioner has resided at this residence for [DURATION].

2. The Petitioner is currently married to [NAME OF STEPPARENT'S SPOUSE]. They were married in CITY, STATE, on DATE. (§ 42-5-101(1)(b), MCA)

3. [NAME OF MINOR CHILD], the minor child, was born in [PLACE OF BIRTH], on [DATE OF BIRTH]. (§ 42-5-101(1)(d), MCA)

4. [FIRST NAME OF MINOR CHILD] resides with her natural mother, [NAME OF STEPPARENT'S SPOUSE], and the Petitioner. [FIRST NAME OF MINOR CHILD] has been in the physical custody of her natural mother [NAME OF STEPPARENT'S SPOUSE] since she was born, and has resided with and been in the physical custody of Petitioner since _____, 20___. [NAME OF STEPPARENT'S SPOUSE] has legal and physical custody of [FIRST NAME OF MINOR CHILD] pursuant to an Order entered on [MONTH] ___, 20___, by the Montana [DISTRICT NUMBER] District Court for [COUNTY NAME] County, in Cause No. [DOCKET NUMBER]. The Order is attached here as Exhibit A. (§ 42-5-101(1)(c), MCA)

5. [NAME OF STEPPARENT'S SPOUSE]'s consent to the adoption of [FIRST NAME OF MINOR CHILD] by Petitioner is attached as Exhibit B. (§ 42-4-303, 304, MCA)

6. The name used for this child in this proceeding is [NAME OF MINOR CHILD], and Petitioner and the child's mother [NAME OF STEPPARENT'S SPOUSE] desire the name of the child to be changed to [NEW NAME OF MINOR CHILD]. (§ 42-5-101(1)(e), MCA)

7. It is the desire of the Petitioner that the relationship of parent and child be established between himself and the minor child and that the Petitioner and the minor child shall have all the rights, duties and other legal consequences of the parent-child relationship. (§ 42-5-101(1)(f), MCA)

8. The minor child, [FIRST NAME OF MINOR CHILD], owns or possesses no property of any value. (§ 42-5-101(1)(g), MCA)

9. The natural father, [NAME OF RELINQUISHING PARENT], consents to the adoption of [FIRST NAME OF MINOR CHILD] by the Petitioner. He also waives his right to

notice and hearing. His affidavit of waiver and consent is in writing, duly signed and notarized, attached to this petition and marked Exhibit C. (§ 42-2-301(2), MCA; §§ 42-2-401, 402, MCA)

10. Petitioner accepts the relinquishment of [FIRST NAME OF MINOR CHILD] by [NAME OF RELINQUISHING PARENT]. (§ 42-2-301(2), MCA)

11. Because this is a stepparent adoption, the best interests of the minor child will be furthered if the six-month post-placement evaluation period and the post-placement evaluation are waived and a final decree of adoption is entered at the time of the hearing of the Petition. (§ 42-2-309, MCA)

12. Petitioner has complied with all applicable laws governing interstate or inter-country adoptive placements. (§ 42-5-101(1)(i), MCA)

13. This is not an adoption of an Indian child, and the Indian Child Welfare Act is not applicable. (§ 42-5-101(1)(j), MCA)

14. The Petitioner has not filed a previous petition to adopt the child at issue or any other child in any court. (§ 42-5-101(1)(k), MCA)

15. The Petitioners believe the best interests of the child will be promoted by this adoption. (§ 42-5-107, 109(9), MCA- requirements of decree)

WHEREFORE, Petitioner requests the following relief:

1. That the Court enter an Order fixing a date and time for a hearing on this petition.
2. That upon such hearing, the Court waive the post placement waiting period of six (6) months and grant a final decree of adoption of the minor child [FIRST NAME OF MINOR CHILD] by Petitioner.
3. That the Court include in its decree of adoption that the name of the child be changed from [NAME OF MINOR CHILD] to [NEW NAME OF MINOR CHILD].

Dated this _____ day of _____, 20____.

Petitioner

Attorney for Petitioner

STATE OF MONTANA

County of [COUNTY NAME]

I, [NAME OF PETITIONER], being first duly sworn on oath, state that I am the Petitioner herein and that I have read the foregoing petition and know the contents thereof, that the statements are true of my own knowledge, except as to those matters stated on information and belief, and as to those I believe them to be true.

Petitioner

Signed and sworn to before me this ____ day of _____, 200__ by _____.

[NAME OF PETITIONER]

NOTARY PUBLIC for the State of Montana

printed name of notary

Title

Residing at: _____