

STEPPARENT ADOPTION

Stepparent adoptions in North Carolina are usually a simple process and relatively inexpensive. A recent study showed that as many as one-third of all children today can expect to be stepchildren by the age of 18. There are many reasons why a stepparent might want to adopt a stepchild:

1. The stepparent may want to protect the inheritance he or she plans to leave their stepchild;
2. Adoption severs the legal relationship between the stepchild and an abusive or non-existent biological parent;
3. Adoption is a demonstration of affection and commitment to the child; and
4. Adoption provides emotional security to the stepchild and the stepparent – adoption is permanent and says, “I love you and I will take care of you – you are mine!”

Stepparent adoptions transfer the emotional, financial and legal responsibility of the child from the biological parent to the stepparent.

For a stepparent to adopt stepchildren in North Carolina:

1. The stepparent must be married to the parent that has legal and physical custody of the child/ren;
2. The parties must be married for at least 6 months and they must have resided in North Carolina for 6 months immediately preceding the filing of the adoption petition;
3. The child/ren must have also lived primarily with the stepparent and the biological parent who is the spouse of the stepparent for 6 months preceding the filing of the adoption petition;
4. A home study is required for stepparent adoptions unless the parties have been married for at least 2 years. It is important to remember that every adoption requires post-placement visits and reports to the Court.

A stepparent adoption typically takes about 3 to 6 months to complete. This time will vary depending upon the county in which the adoption is filed, the issues related to the rights of the non-spouse biological parent and general processing times based on the Court.

If the non-spouse biological parent does not agree to the proposed stepparent adoption, then you will need the assistance of an experienced adoption lawyer to help you address the rights of that other biological parent.

To set up a consultation with one of our attorneys, call our office and ask to speak to our paralegal, Sandie Beardsley. She will explain the process and if you feel you want talk to the attorney before scheduling a consultation, she will arrange for you to have an introductory meeting or telephone conference with an

attorney. Our office is open from 8:30 a.m. to 5:30 p.m. on Monday through Friday and consultations are generally offered between the hours of 10:00 a.m. and 4:00 p.m. in our downtown Raleigh offices located in the BB&T Building, 434 Fayetteville Street, Suite 2135, Raleigh, North Carolina 27601. Our office number is (919) 821-1860. You can also email Sandie directly at sbeardsley@weputfamiliesfirst.com.

Our fee for a stepparent adoption varies depending on the facts and/or issues related to your specific situation. During the initial consultation, you will discuss these facts and/or issues so that the attorney will be able to quote you a legal fee that reflects the estimated work involved for your stepparent adoption. the best way to limit your fee is to be able to provide the name and physical address of the non-spouse biological parent and all contact information and ask them ahead of time if they will consent to the adoption.

As always, we are available to provide you with any additional information you may need and to answer any questions you may have.

Angel L. Simpson