

ARE ADOPTION FILES ACCESSIBLE?

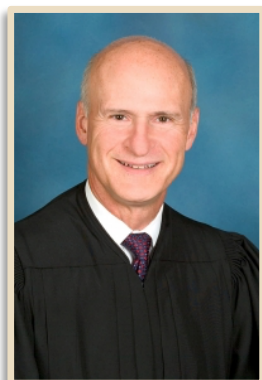
The accessibility of adoption records depends upon the date of finalization of the adoption. Upon written request and payment of a fee, persons adopted prior to 1964 may obtain a copy of their adoption records on file with the State of Ohio Department of Health.

Adoption records for persons adopted between 1964 and September 18, 1996 are closed. Identifying information will be released to an adopted person only if the biological parents or an adult sibling have signed a Release of Information prescribed by the Bureau of Vital Statistics. The adopted person seeking identifying information must file a petition in the appropriate probate court along with the filing fee.

For adoptions occurring after September 18, 1996 a person aged 21 or older or the adoptive parent may request a copy of the contents of an adoption file from the Bureau of Vital Statistics.

This pamphlet is provided as a public service to provide an understanding for the Adoption Process. It is an overview and should not be considered a legal reference.

Ashtabula County Court of Common Pleas Probate Division Albert S. Camplese, Judge



25 W. Jefferson St.
Jefferson, OH 44047
440-576-3451
Hours: 8:00am - 4:30pm

Adoptions



ASHTABULA COUNTY COURT OF
COMMON PLEAS
PROBATE DIVISION
ALBERT S. CAMPLESE, JUDGE

Adoptions

WHO MAY ADOPT?

A married couple jointly; a stepparent; or an unmarried adult may adopt.

WHO MAY BE ADOPTED?

- A minor child
- An adult who:
 - Is determined to be totally and permanently disabled
 - Is determined to be developmentally disabled
 - Had a stepparent or foster parent relationship while a minor

IS IT NECESSARY TO HAVE AN ATTORNEY?

Yes, the adopting parents of a minor or a disabled adult must be represented by an attorney.

WHERE SHOULD AN ADOPTION BE FILED?

The probate court has exclusive jurisdiction over adoptions. One may file a petition in the probate court of the county in which:

- The agency having custody of the child is located;
- The child was born;
- The person or persons seeking to adopt reside;
- The home of record for a person stationed in military service is; or
- The birth parents reside.

DO I, AS A BIRTH PARENT, HAVE A RIGHT TO AN ATTORNEY?

The Ohio Supreme Court recently recognized the right of birth parents to be represented by an attorney in the case *In re Adoption of Y.E.F.*, 2020-Ohio-6785. If you wish to contest the adoption and cannot afford an attorney, one will be appointed to you.

WHAT ARE THE TYPES OF ADOPTIONS?

Stepparent adoption - The person seeking to adopt is a stepfather or stepmother of the person to be adopted.

Agency adoption - The parties use the services of a licensed adoption agency.

Private adoption - The parties use the services of a private attorney who facilitates adoption and acts as an intermediary between the adopting parents and the birth parents.

Interstate adoption - This proceeding occurs when a child is born in one state and the adopting parents reside in another.

Guardian/Custodian adoption - This is an adoption where the person seeking to adopt has custody of the minor through Juvenile Court or is the guardian for the purposes of adoption by the Probate Court.

Foreign adoption - This is an adoption where the child is born in another country and is adopted by an Ohio resident. Typically, the adoption is done under the laws of the foreign jurisdiction, with a second adoption proceeding held in Ohio to obtain an Ohio birth certificate.

WHAT IS THE ROLE OF AN INVESTIGATOR?

In stepparent, agency, and private adoptions, the Court Investigator investigates the adopting family and prepares a report called a Home Study. This assists the court in determining whether the adoption is in the best interests of the adoptee.

IS A HOME STUDY ALWAYS NECESSARY?

All minor adoptions require home studies.

WHO MUST CONSENT TO THE ADOPTION?

Generally, the legal parents of the minor to be adopted, a child being adopted who is over the age of 12, and an adult adoptee must consent.

CAN A PUTATIVE FATHER PRESERVE HIS PARENTAL RIGHTS?

A putative father can preserve his rights as father of the child by registering with the Ohio Department of Job & Family Services Putative Father Registry. This must be done no later than 30 days after the birth by calling (888) 313-3100. No fee is required for this registration.

IS A COURT APPEARANCE REQUIRED?

Yes, unless otherwise ordered by the court, the adopting parents and child must appear for the scheduled hearing.

IS A NEW BIRTH CERTIFICATE ISSUED?

The original birth certificate will be sealed and a new one issued by the Ohio Department of Health, Bureau of Vital Statistics. The adoptive parents will be reflected on the new birth certificate.

CAN AN ADOPTION BE OPEN?

Yes, an adoption of a child not related to the adopting parents may be open. If all parties agree, the birth parents and adoptive parents may know each other's identities. Any agreements made by the birth parents and the adopting parents for post-adoption communication and contact are not enforceable by a court in Ohio.

HELPFUL RESOURCES

State of Ohio, Department of Health
Bureau of Vital Statistics
614-466-2531

State of Ohio, Department of Job & Family Services
Putative Father Registry
888-313-3100

Ashtabula County Bar Association
<http://www.ashtabulacountybar.com>

