



Wednesday, November 19, 2025

Types of Adoption

Judge Stephanie Williams and
Special Master Kristen Menke

Stepparent and Relative Adoptions

Overview of Stepparent and Relative Adoption

- Relative and stepparent adoptions are the most common type of adoptions we see.
- Relative and stepparent adoption are the easiest process for adoption a child.
- The birthparent can sign the adoption petition with confirmation. They do this under oath and with a notary.
- Birthparent joins as a co-petitioner
- When consenting, an unrepresented birthparent must sign the adoption petition, pro se, AND also sign the verification portion, which must be acknowledged by a notary public.

Overview of Stepparent and Relative Adoption (con't .)

- Parental consents are revocable until they are confirmed by the court
- If a parent executes a parental consent and the adoption is never finalized, the birth parent's rights have not been terminated.
- The court may waive the waiting period, order of reference, home study, order of guardianship and final court report; however, the court is not required to waive any of these requirements in a stepparent or relative adoption.
- The adoptive parent(s) attorney usually signs the petition on behalf of the petitioner(s) and the petitioners personally sign the verification

Overview of Stepparent and Relative Adoption (con't .)

- This is the only type of adoption where any parent's rights survive adoptions.
- Be sure to confirm the petitioner is actually related to the child, not the birth parent
- "Related" means grandparents, or any degree of great-grandparents, aunts or uncles, or any degree of great-aunts or great-uncles, or stepparent, or cousins of the first degree once removed (a child of the petitioner's first cousin), or any siblings of the whole or half degree or any spouse of the above listed relatives.
- Stepparent and relative adoptions do not preclude the enforcement of a prior grandparent visitation order secured pursuant to the grandparent visitation statute.

Confirmatory Adoptions

Adult Adoptions

Overview of Adult Adoptions

- Easiest adoption available in Tennessee
- No need to obtain the birth parent's consent
- Notice to the birth parent is not required in 4th Circuit
- Birth parents do not have to be a party to the lawsuit
- Adoptee and adoptive parent(s) are co-petitioners
- No requirement for an order of reference, home study, or court report
- No waiting period
- Appearance may be waived in 4th Circuit Court

Non - Relative Adoptions

Agency and DCS Adoptions

Agency and DCS Adoptions Overview

- The Tennessee Department of Children's Services is the public agency in Tennessee
- Private agencies include: Miraiam's Promise, Catholic Social Services, Harmony Family Center, Life Choices, Agape Child and Family Services, Jewish Family Service, Bethany Christian Services, and Church of God Home for Children
- Typically the agency terminates the parenting rights, accepts full guardianship, conducts the home study, supervises placement, prepares a court report and consents to the adoption.
- Both DCS and private agencies may file TPR actions.

DCS vs. Agency

- DCS has a broader mission: protecting children in the state from abuse and neglect, rehabilitating struggling families, providing temporary and permanent homes for children when families fail, and supervising delinquents.
- DCS has more mandates, including offering children to family members first, trying to avoid the separation of the child and family, administering adoption assistance funds, and complying with child welfare laws only applicable to public agencies.
- Private agencies pair women who seek to place their child for adoption with a family prepared to adopt an expected child.
- Private agencies usually depend on private funding and choose who to serve.
- Private agencies have no requirement to seek to place the child with a family member.
- Adoption assistance with DCS pays attorneys to finalize adoptions. Private agencies do not have such funding.

Agency and DCS Adoptions (con't .)

- Must submit an obtain of reference, home study and final court report. Also, waiting period is not waived.
- If child is being adoption from an out-of-state agency and the child is traveling to Tennessee for the purpose of adoption, agency must comply with the Interstate Compact on the Placement of Children (ICPC) and include an approved ICPC 100A in the packet filed with the court.
- The Confidential Packet from the Agency:
 - All termination documents
 - Proof of the agency's guardianship
 - Preliminary court report
 - Home study
 - PFR
 - Birth certificate application
 - Child's social and medical history
 - Agency's consent
 - Agency's fee declaration
 - Any other relevant documents

Questions?



THANK
YOU!