5 Things To Know About Stepparent Adoption

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Families come in all different shapes and sizes. For families formed through marriage, in which the child is the biological child of only one of the parents, the stepparent can become an important part of the child's life. So, it can be heartwarming for families who choose stepparent adoptions. April Urban, a principal attorney at Maryland's Joseph, Greenwald & Laake family law practice, breaks down the legal requirements of these adoptions, including what to expect from the process and what to prepare ahead of time, which can sometimes feel intimidating for parents.

This interview was edited for length and clarity.

What is stepparent adoption?

Stepparent adoption is finalizing, on paper, something families already have. You would normally see a family of a mother and a child or a father and a child, with a stepparent who has been living [with them] for a number of years. They may be married and want to formally finalize their family, so they file for stepparent adoption [to] have a legal document that grants them that legal authority to be a family.

Why do families go through stepparent adoption?

The stepparent adopting the minor child essentially steps into the shoes of the other biological parent whose parental rights are being terminated. That parent may not have been in the child's life or was unable to serve as the child's mother or father. Through the adoption, the stepparent becomes the child's legal parent.

The new parent can then pass down inheritance to the child. The child would also have the ability to have the stepparent make decisions on their behalf, such as decisions about education and health.

How long does the whole process take?

If there is consent from the biological parent, then the process is really quick. Once you have everything ready and filed, it takes up to 90 days. If the adoption is contested because the biological parent does not consent to the termination of their parental rights, then it could take 180 days, all the way to a year.

What happens in the adoption process?

The stepparent must be married to one of the biological parents and would have to provide a marriage certificate, any divorce certificates, the child's health records, the child's original birth certificate and a drafted adoption certificate for the court. The child would receive a new birth certificate, and the name of the stepparent who is adopting the child would then be listed on the birth certificate as the child's legal parent.

It is also a closed hearing, so the court closes the doors, they are locked and the public is not allowed in for the adoption process.

What do the outcomes of stepparent adoptions often look like?

The stepparent adoptions are probably the most fulfilling things that the courts do. I hear a lot of judges after the adoption telling parties that this is a really happy occasion, that most things that come before the court are not happy occasions like this, and the judges normally come down from the bench, take a picture with the parents and the child to make it official and congratulate them. ■