

## Adoptions

### Are adoption files accessible?

The accessibility of adoption records depends upon the date of finalization of the adoption, and other circumstances. Persons seeking adoption records may make a written request to the State of Ohio, Department of Health, Bureau of Vital Statistics. The Bureau of Vital Statistics will release accessible adoption records to eligible persons with the payment of the appropriate fees.

### Other helpful resources:

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

State of Ohio, Department of Job and Family Services  
Office for Children and Families  
614-466-1213

Putative Father Registry  
1-888-313-3100

Columbus Bar Association Lawyer Referral Service  
614-221-4112  
Website: [www.cbalaw.org](http://www.cbalaw.org)

This pamphlet has been prepared as a public service to provide an understanding of the adoption process. It is an overview and should not be considered as a legal reference.

## Jeffrey D. Mackey, Judge

FRANKLIN COUNTY  
COURT OF COMMON PLEAS  
PROBATE DIVISION



## Jeffrey D. Mackey, Judge Adoptions



### Franklin County Probate Court

Franklin County Courthouse  
373 South High Street • 22nd Floor  
Columbus, Ohio 43215-6311

#### HOURS

Monday - Friday: 8:00 a.m. - 5:00 p.m.  
(Cashier closes at 4:30 p.m.)

#### ADOPTION DESK

614-525-3840

#### GENERAL INFORMATION

614-525-3894

#### ADDITIONAL INFORMATION

[probate.franklincountyohio.gov](http://probate.franklincountyohio.gov)



### Franklin County Probate Court

## 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; or
  - Is the current stepchild of the adopting parent.

### Is it necessary to have an attorney?

Yes, the adopting parents must be represented by an attorney. The probate court will appoint an attorney to represent a birth parent when the birth parent is a minor or under legal disability, or upon the request of the birth parent, when the birth parent is appearing before the court to place the child for adoption. Adoptions of an adult or a foreign adoption may be exempted from this requirement.

### 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. The birth parents either voluntarily surrender custody of the child directly to the agency, or the juvenile court has terminated their parental rights.

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

*Adult Adoption* – The person to be adopted is an eligible adult.

*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.

*Recognition of Foreign Adoption* – This is an adoption in which a child adopted by an Ohio resident under the laws of a foreign jurisdiction with a second adoption proceeding held in Ohio, primarily to obtain an Ohio Certificate of Foreign Birth.

### Who must consent to the adoption?

Generally, the legal parents of a minor to be adopted, a child being adopted who is over the age of 12, and an adult adoptee must consent. Notice and consent may be required from a child's putative father under certain circumstances.

### Can a putative father preserve his parental rights?

A putative father is a man who may be the father of the child, but is not legally recognized as such. He can preserve his rights as father of the child by registering with the Ohio Department of Job and Family Services Putative Father Registry. This must be done not later than 15 days after the birth. No fee is charged for this registration. The telephone number for the Franklin County area is 614-728-9659 and the toll free number is 1-888-313-3100.



### 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 has its primary place of business;
- The child was born;
- The person or persons seeking to adopt reside;
- The county of record for a person stationed in military service; or
- The birth parents resided at the time of filing.

### Is a court appearance required?

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

### Is the birth certificate changed?

The original birth certificate will be sealed and a new birth certificate issued. The adopting parents will be named on the new birth certificate, as though they had been the birth parents.

### Can an adoption be open?

Yes, an adoption of a child not related to the adopting parents may be "open." In other words, if all parties to the adoption agree, the birth parents and the adopting parents may know each other's identity. Otherwise, the adoption will be closed and the identity of the parties will remain confidential. However, 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.