**IN THE**

**COURT OF COMMON PLEAS REPUBLIC OF PALAU**

) CP/CIVIL ACTION NO. IN THE MATTER OF THE )

ADOPTION (AND NAME ) CHANGE) OF )

)

 , )

) PETITION FOR ADOPTION A Minor Child. ) (AND NAME CHANGE)

 )

)

 , )

) Petitioner(s). )

 )

Petitioner(s), appearing pro se, for his/her/their Petition state(s) and allege(s) as follows:

1. The above court has jurisdiction over this matter by virtue of Article X of the

Constitution of the Republic of Palau, 4 PNC §206 and 21 PNC §401 et. seq.

2. Petitioner is a citizen of and currently a resident of

 . Petitioner is a citizen of and currently a resident of . (Attach a certified police clearance from the place of residence for Petitioner(s) and a copy of a valid form of identification for Petitioner(s), such as passport, identification card or driver’s license).

3. If Petitioners are husband and wife, state length of marriage and place of marriage:

 . (If Petitioner is married to a legal parent of the child, state name of spouse, length of marriage

and place of marriage: ). (Attach a certified copy of marriage certificate, if any. If Petitioner is not married, proceed to next paragraph).

4. Petitioner(s) has/have other child(ren). List gender and age and whether they

still live in household:

|  |  |  |  |
| --- | --- | --- | --- |
| GenderAge |  | Lives in household |  |
|  |  | [ ] Yes | [ ] No |
|  |  | [ ] Yes | [ ] No |
|  |  | [ ] Yes | [ ] No |
|  |  | [ ] Yes | [ ] No |

5. If Petitioner(s) are employed, list place of employment and length of employment:

 .

(Attach copies of most recent pay stub). If not employed, list source of income/support:

 .

6. State whether Petitioner(s) own(s)/lease(s)/etc. a home/apartment/etc. List how many bedrooms/baths: . List other individuals (aside from those listed in paragraph 4, living in household, if any, and their relationship to Petitioner(s):

GenderAge Relation to Petitioner(s)

7. The minor child herein, , was born on in

 and currently resides in . (Attach a certified copy of the minor child herein’s birth certificate). If the minor child herein is over the age of 12, he or she must sign an Affidavit of Consent, agreeing to the request for adoption. (Attach a copy of the minor child herein’s consent, if applicable).

8. The minor child herein’s biological/legal mother is . (Attach a copy of a valid form of identification such as passport, driver’s license, or identification card of the minor child’s biological/legal mother). The biological/legal mother concurs with the Petitioner(s) request for adoption (and name change). (Attach a copy of the

biological/legal mother’s consent. If none, state why there is no consent:

 ;

if deceased, attach a certified copy of death certificate).

9. The minor child herein’s biological/legal father is . (Attach a copy of a valid form of identification such as passport, driver’s license, or identification card of the minor child’s biological/legal father). The biological/legal father concurs with the Petitioner(s) request for adoption (and name change). (Attach a copy of the biological/legal father’s consent. If none, state why there is no consent:

 ;

if deceased, attach a certified copy of death certificate).

10. If the minor child herein’s biological/legal parent(s) has/have any relationship with Petitioner(s), state what the relationship is: . (If Petitioner(s) have no familial relationship with the biological/legal parent(s) of the minor child prior to the request for adoption, Petitioner(s) must submit at least two letters of

support/recommendation and meet with a local social worker who will need to submit an assessment/report to the court; the biological/legal parents of the minor child will also need to meet with a local social worker who will need to submit an assessment/report to the court; the biological/legal parents also need to appear for the hearing).

11. The minor child herein has the legal name and Petitioner(s) wish(es) to have it changed to . (If Petitioner(s) are not requesting a name change for the minor child, proceed to next paragraph).

12. If Petitioner(s) currently reside(s) outside of the Republic of Palau, a copy of his/her/their travel itinerary showing he/she/they will be traveling with the minor child must be attached, including a copy of his/her/their and the minor child’s passports.

13. Petitioner(s) state he/she/they is/are filing this Petition in good faith and not for any improper purpose.

WHEREFORE, Petitioner(s) request(s) the court issue a decree providing the following:

1st. Granting the adoption of the minor child herein, , by

Petitioner(s), ;

2nd. Ordering that the minor child herein, be considered the legal child of the

Petitioner(s);

3rd. Ordering that the minor child herein, be entitled to any benefits normally provided to the legal children of the Petitioner(s), including the right of inheritance;

4th. Changing the minor child herein’s name to .

5th. Any other relief as it deems just and equitable.

VERIFICATION

Petitioner(s), being first duly sworn under oath, state(s) that he/she/they has/have read the above Petition, and hereby verify that its contents are true and correct to the best of his/her/their knowledge.

Respectfully Submitted:

Petitioner Petitioner Address: Address: Telephone: Telephone:

SUBSCRIBED AND SWORN TO before me this day of , 20 .

Clerk of Courts, ROP

**IN THE**

**COURT OF COMMON PLEAS REPUBLIC OF PALAU**

) CP/CIVIL ACTION NO. IN THE MATTER OF THE )

ADOPTION (AND NAME ) CHANGE) OF )

)

 , )

)

A Minor Child. ) AFFIDAVIT OF CONSENT

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)

 , )

) Petitioner(s). )

 )

I, the undersigned, , being of legal age and sound mind do hereby state under oath as follows:

1. I am a citizen of and currently reside in

 .

2. I am the biological/legal mother/father of , the minor child herein.

3. I hereby consent to the Petition for Adoption (and Name Change) of said minor child filed by Petitioner(s) on day of ,

20 .

4. I understand the legal significance and consequence of such request, in that if the court grants the request, my rights as a parent over the said minor child will be terminated and the

legal

Affidavit of Consent (of Biological/Legal Parent) - Page 1 of 2 (as of 09/22/11).

relationship of parent and child between me and the said minor child will cease to exist.

5. I am signing this Affidavit of Consent in good faith and not for any improper purpose and, I certify under the penalty of perjury that the above information is true and correct to the best of my knowledge.

Dated:

Affiant

SUBSCRIBED AND SWORN TO before me this day of , 20 .

Clerk of Courts, ROP

Affidavit of Consent (of Biological/Legal Parent) - Page 2 of 2 (as of 09/22/11).

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 , )

)

A Minor Child. ) AFFIDAVIT OF CONSENT

 )

)

 , )

) Petitioner(s). )

 )

I, the undersigned, , am the minor child herein.

I am of sound mind and understand the difference between telling a lie and telling the truth and I

hereby agree that all the following is true:

1. I currently reside in .

2. I know that Petitioner(s) want(s) to adopt me as his/her/their own child and have filed a Petition for Adoption (and Name Change) with the court and I have no objections to his/her/their request.

3. I understand the that if the court grants the adoption, Petitioner(s) will be my legal parent(s) and I will be considered his/her/their legal child. My biological/legal parents rights over me will also terminate and I will not be legally considered their child.

Affidavit of Consent (of Minor Child Over 12) - Page 1 of 2 (as of 09/22/11).

4. I also understand that my legal name will be changed from to

 and agree to the name change.

Dated:

Affiant

SUBSCRIBED AND SWORN TO before me this day of , 20 .

Clerk of Courts, ROP

Affidavit of Consent (of Minor Child over 12) - Page 2 of 2 (as of 09/22/11).

INSTRUCTIONS FOR FILING PETITIONS FOR ADOPTION(AND NAME CHANGE) IN THE

COURT OF COMMON PLEAS:

1. Before a Petition for Adoption (and Name Change) can be filed, either Petitioner(s) must currently reside in the Republic of Palau or the minor child to be adopted must currently reside in the Republic.

2. Petitioners must fill out the Petition thoroughly and attach the following documents. All copies of official documents must be certified.

[ ] Official police clearance

[ ] Official marriage certificate, if applicable

[ ] Pay stubs, if applicable

[ ] Official birth certificate of minor child

[ ] Affidavit of consent for both biological/legal parents

[ ] Affidavit of consent of minor child, if applicable

[ ] Official death certificate, if applicable

[ ] Letters of support/recommendation, if applicable

[ ] Assessment/report from local social worker, if applicable

[ ] Travel itinerary and copies of passport of Petitioners and minor child, if applicable

[ ] Copy of valid form of identification for Petitioners

[ ] Copy of valid form of identification for minor child’s biological/legal mother

[ ] Copy of valid form of identification for minor child’s biological/legal father

3. If Petitioners have no relationship with the biological/legal parent(s) of the minor child, prior to the request for adoption, Petitioners need to submit at least two letters of support/recommendation and meet with a local social worker who will need to submit his/her report/assessment to the court. The biological/legal parents will also need to meet with a local social worker, who will need to submit his/her report/assessment to the court.

4. The biological/legal parents need to appear for the hearing, even if an affidavit of consent is signed.

5. The minor child must be present during the hearing.

6. If Petitioners are from outside of the Republic of Palau, a travel itinerary for the minor child

must be submitted to the court showing the minor child will be traveling with the Petitioners, along with copies of the passports.

7. The above instructions do not limit the authority, power, and discretion of any court to deviate from these procedures in particular cases and shall apply to the extent that is not inconsistent with the ROP Rules of Civil Procedures or any other law or rules established by the Chief

Justice.

(As of 09/22/11)