

STEPPARENT ADOPTION

The Adoption Readiness Checklist

See where your family stands before you begin a stepparent adoption in Georgia.

- [x] Your family's situation
- [x] The other parent
- [ ] Paperwork to gather

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GENERAL INFORMATION, NOT LEGAL ADVICE

HOW TO USE THIS CHECKLIST

Could a Stepparent Adoption Work for Your Family?

This checklist does not decide whether an adoption will be granted. It helps you separate what you know, what you need to find, and which issues deserve legal review before you take the next step.

HOW TO USE IT

Check the items you can answer today. Note anything you are unsure about. Bring the unanswered questions to your consultation. A blank box is not a problem; it is a prompt to gather information. This checklist is fillable on your phone or computer, or you can print it.

The Georgia Starting Points

- ☐ A stepparent adoption is filed by the spouse of a child's parent.
- ☐ The other living parent's legal status, surrender, consent, notice, and possible objection can determine the route the case takes.
- ☐ A child who is age 14 or older must give written consent in the presence of the court.
- ☐ Adoption matters are heard in superior court, generally in a county where a petitioner resides.
- ☐ A home study may be required. The court may, but is not required to, appoint an agent to investigate and report. The petitioner generally must complete a fingerprint-based criminal history check.
- ☐ A court hearing is part of the process, and the judge must be satisfied that the legal requirements are met and that the adoption is in the child's best interests.

IMPORTANT

Do not treat this list as a legal eligibility test. The meaning of “parent,” “legal father,” consent, surrender, abandonment, support, communication, notice, and best interests depends on Georgia law and the facts of the case.

Part One: Your Family and Marriage

- ☐ The prospective adoptive parent is legally married to one of the child's parents.
- ☐ I know the date and place of the marriage and can obtain a certified marriage record if needed.
- ☐ The child lives with the parent and stepparent, or I can explain the current living arrangement.
- ☐ I know whether any divorce, custody, legitimation, child support, guardianship, juvenile court, or DFCS case has involved this child.
- ☐ I have copies of the current orders, or I know which courts issued them.

Part Two: The Child and Parentage

- ☐ I have or can obtain the child's certified birth certificate.
- ☐ I know who is listed as each parent on the birth certificate.
- ☐ I know whether paternity or legitimation has ever been established by acknowledgment or court order.
- ☐ I know whether the child has ever been adopted before.
- ☐ I know whether another adult or agency is the child's guardian or legal custodian.
- ☐ I know whether the child or either biological parent may have Native American tribal heritage.
- ☐ If the child is age 14 or older, we understand that the child's consent is legally required and must be acknowledged in court.

Questions to write down

- ☐ Is anyone's status as a legal parent or biological father uncertain?
- ☐ Is there a prior order that uses names or parentage information differently from the birth certificate?
- ☐ If the child's biological father is not the legal father, has he been identified? He may still be entitled to notice of the adoption.

Part Three: The Other Parent

Choose the description closest to your situation. Your attorney may need more facts before deciding which legal route applies.

CURRENT SITUATION	FACTS TO GATHER
Cooperative	The other parent says they are willing to sign. Save all communications and do not rely on an informal promise or homemade form. A signed surrender can be revoked in writing within four days, so proper preparation and timing matter.
Uncertain	The other parent has not given a clear answer, has conditions, or starts and stops communicating. Record dates and exact statements.
Cannot be located	Gather every address, telephone number, employer, relative, social account, incarceration record, military connection, and search effort known to you.
Likely to object	Gather court orders, communication history, visitation records, support records, and facts that may explain both the parent's conduct and any barriers to contact.
Deceased	Obtain a certified death certificate and identify any current guardian or custodian.

Contact and support timeline

- ☐ Date of the last in-person visit or parenting time _____
- ☐ Date and method of the last meaningful communication with the child _____
- ☐ Dates and amounts of child support or other support provided _____
- ☐ Any court-ordered support, arrears, enforcement, or contempt history _____
- ☐ Any periods when contact was blocked, restricted, unsafe, or impossible _____
- ☐ Any letters, texts, calls, gifts, school involvement, medical involvement, or attempts to maintain a parental relationship _____

KEEP IN MIND

A lack of contact or support does not automatically mean that consent can be skipped. Georgia law requires particular grounds, proof, notice, and a best interests determination when a petitioner asks the court to proceed without a voluntary surrender.

Part Four: Documents to Gather

- [ ] Certified birth certificate for the child
- [ ] Certified marriage certificate for the parent and stepparent
- [ ] All custody, visitation, child support, legitimation, guardianship, juvenile court, and protective orders
- [ ] The other parent's current or last known address and identifying information
- [ ] Payment history from the child support agency, court registry, bank records, or payment applications
- [ ] Calendar or timeline of visits, calls, messages, gifts, school events, and medical involvement
- [ ] Relevant texts, emails, letters, and social media messages
- [ ] Records of reasonable efforts to locate an absent parent
- [ ] Any death certificate, military information, incarceration information, or immigration information that may affect notice or participation
- [ ] The child's requested name after adoption, if a name change is being considered

Part Five: Issues to Raise Early

- [ ] The other parent has threatened to object or recently resumed contact.
- [ ] No one knows where the other parent is.
- [ ] The identity or legal status of the father is unclear.
- [ ] The child is age 14 or older or is hesitant about the adoption.
- [ ] There is an open juvenile court, DFCS, guardianship, custody, or child support case.
- [ ] A parent, stepparent, or child lives outside Georgia or outside the United States.
- [ ] There may be Native American tribal heritage.
- [ ] There is an urgent deadline, deployment, serious illness, safety concern, or planned move.

WHERE YOU STAND

Your Readiness Snapshot

IF THIS SOUNDS LIKE YOUR FAMILY	YOUR LIKELY NEXT CONVERSATION
The other parent is willing to sign and the legal parentage is clear.	Ask counsel about the surrender and consent documents, required timing, filing package, fingerprint check, and hearing.
The other parent might sign but has not committed.	Ask counsel how to approach the issue without relying on an invalid form or incomplete promise.
The other parent is absent or cannot be located.	Ask counsel about diligent search, service, publication, and the evidence needed for any request to proceed without surrender.
The other parent will object.	Ask counsel to evaluate the statutory grounds, available evidence, likely contested process, cost, and risk.
Parentage, guardianship, or another court case is unclear.	Resolve the legal status and existing orders before assuming the stepparent process is straightforward.

My Three Questions for the Attorney

1.

2.

3.

WHEN GENERAL INFORMATION IS NOT ENOUGH

Your Stepparent Adoption Strategy Consultation

A checklist can help you spot the questions. A consultation is where those questions are evaluated against your family's facts, documents, and court history.

Use the consultation to discuss:

- whether the proposed adoption appears to fit Georgia's stepparent adoption process
- whose surrender, consent, or notice may be required
- whether the matter appears cooperative, uncertain, or potentially contested
- what facts and records may matter if the other parent is absent or objects
- what filing county, court process, expenses, and next steps may apply

Bring what you have

You do not need a perfect file. If available, bring existing custody or child support orders, the child's birth certificate, your marriage certificate, a timeline of the other parent's contact and support, and any written messages about the proposed adoption.

Ready to talk about your family's situation?



When your question changes from “What does this mean?” to “What does this mean for me?”, start with a free Intake Call. Our team will gather the basics, check for conflicts, and schedule your 30-minute Strategy Consultation with Attorney Samantha Holloway ($150, collected during the Intake Call).

BOOK MY INTAKE CALL

Prefer to call? (678) 390-3503. If you retain the firm within five calendar days after your consultation, the $150 fee is credited toward your initial flat fee or retainer, subject to case acceptance, a signed engagement agreement, and timely payment. Third-party financing options are available; ask about terms.

STEP 1

Intake Call (free)

Our team gathers the basics of your situation, checks for conflicts, collects the $150 consultation fee, and schedules your consultation.

STEP 2

Strategy Consultation

30 minutes with Attorney Holloway about your specific situation, your options, and your next steps.

HOW REPRESENTATION IS PRICED

Cooperative stepparent adoptions, where the other parent's legal status is clear and the required surrender is signed, are handled for a flat fee. Contested or uncertain matters, including cases where the other parent objects or cannot be located, are handled on a retainer because the work depends on how the case develops. Court filing fees, background check fees, service costs, and certified copies are separate. Your attorney will confirm which structure applies during the consultation.

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Laws, court rules, procedures, forms, and websites change, and individual facts matter. Consult a licensed Georgia attorney about your specific situation.

Use only records, accounts, devices, mail, cloud storage, and other information that you own or are authorized to access. Do not guess passwords, impersonate another person, bypass security, or alter, hide, or destroy records.

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Legal references reviewed November 2026: O.C.G.A. §§ 19-8-2, 19-8-6, 19-8-9, 19-8-10, 19-8-12, 19-8-16, and 19-8-18. This list is not exhaustive.