

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

IN THE FAMILY COURT OF THE COUNTY OF _____ MISSOURI
JUVENILE DIVISION

In the Matter of the Adoption of:)
)
)
 BABY BOY/GIRL_____,)
 (born ____/____/2010))
) Cause No. _____
 _____ and)
 _____, his wife) Division No. _____
)
)
 Petitioners.)

**PETITION FOR TERMINATION OF PARENTAL RIGHTS, TRANSFER
OF CUSTODY AND ADOPTION**

I. Termination of Parental Rights

COME NOW your Petitioners _____ **and** _____, and for their
Petition state:

1. Petitioners were married on _____ and are now living together as husband and wife at _____, _____, _____.

2. Your Petitioners desire to adopt **Baby Boy/Girl, a male/female** minor child, who was born on _____ at _____ in the **City of _____, County of _____, State of _____**.

3. Your Petitioners seek an order terminating the parental rights of the biological parents of **Baby Boy/Girl** for the purpose of future adoption.

4. The name of the biological mother of the child is _____.

5. The name of the (biological/ alleged putative) father of the minor child is _____.

6. The consent of the minor child is not required because the child is under fourteen years of age.

7. The minor child is subject to the jurisdiction of the _____ County Court since _____, based upon _____.

8. The written consent of the biological mother of the minor child to the termination of her parental rights, in accordance with §211.444, RSMo., has been duly executed and is filed herewith.

9. The written consent of the (biological/alleged putative) father of the minor child to the termination of his parental rights, in accordance with §211.444 RSMO, has been duly executed and is filed herewith. **or (The identity of the (biological/alleged putative) father to be adopted is unknown and cannot be ascertained. No man has asserted his paternity of the minor child).**

10. The termination of parental rights of the biological mother [and/or biological/alleged putative father] is in the best interest of the minor child.

11. During the preceding **six (6) months** and since _____, the minor child has resided with _____ and _____ at _____.

12. Your Petitioners have not participated in any capacity in any other litigation concerning the custody of the child in this or any other state; that your Petitioners have no knowledge of any other custody proceeding pending in this or any other state concerning the child; nor do the Petitioners know of any person not a party to this proceeding who has physical custody or who claims to have custody or visitation rights with the minor child.

WHEREFORE, your Petitioners pray that the parental rights of the biological mother a **(and biological/alleged putative father)** be terminated by law under the terms of Chapter 211, and further that the Court find that the termination of parental rights is in the best interest of the minor child, and for such further Orders as the Court deems just and proper.

Count II. Transfer of Custody

COME NOW your Petitioners _____ **and** _____, and for Count II, state:

1. Petitioners incorporate by reference paragraphs 1 through ____, of Count I as if fully set forth herein.

2. Petitioners were married on _____ and reside as husband and wife at _____.

3. Your Petitioners desire to adopt **Baby Boy/Girl** _____, a **male/female** minor child, who was born on _____ at _____ in the **City of** _____, **County of** _____, in the **State of** _____.

4. Your Petitioners seek an Order of Transfer of Custody of **Baby Boy/Girl** _____, to them for the purpose of future adoption.

5. Your Petitioners desire to change the name of the minor child to _____.

6. The name of the biological mother of the child is _____.

7. The name of the (biological/alleged putative) father of the child is _____.

8. Your Petitioners have ability to care for, maintain and educate properly the minor child.

9. The transfer of custody and subsequent adoption of the minor child by your Petitioners is in the child's best interest and it is fit and proper that this transfer of custody and subsequent adoption be made.

10. The consent of the minor child is not required because the child is under fourteen years of age.

11. The written consent of the biological mother, _____, of the minor child to this adoption in accordance with Chapter 453 RSMo., and to the termination of her parental rights in accordance with §211.444 RSMO., has been duly executed and is filed herewith. The termination of parental rights of the biological mother is in the best interest of the minor child.

12. The written consent of the [biological/alleged putative] father, _____, of the minor child to this adoption, in accordance with Chapter 453 RSMo., and to the termination of his parental rights in accordance with §211.444 RSMo., has been duly executed and is filed herewith. The termination of parental rights of the natural father is in the best interest of the minor child. **OR** *[When one year of age or older: (**Consent is not necessary because for a period of at least six months immediately prior to the filing of this Petition of Adoption, the biological mother/father has willfully abandoned the minor person and has willfully, substantially and continuously neglected to provide the minor person with necessary care and protection**) When the parent has abandoned the minor child and the child is less than one year of age, then set forth: (**Consent is not necessary because for a period of at least sixty (60) days immediately prior to the filing of this Petition for Adoption, the biological mother/father has willfully abandoned the minor person who is less than one year of age. [When the parent has neglected the minor child regardless of age: [For a period of at least six months immediately prior to the filing of this Petition for Adoption, the***

biological mother/father has willfully, substantially and continuously neglected to provide the minor person with necessary care and protection.] OR [*When alleged putative father has not affirmatively asserted paternity*: [Neither the named father, _____, nor any other man has filed a Notice of Intent to Claim Paternity or Acknowledgment of Paternity with the Putative Father Registry of this state. Neither _____, the named father, nor any other man has filed an action to establish paternity in a Court of competent jurisdiction, therefore, neither the named father nor any other man has any parental rights with regard to the child.] OR [The identity is unknown and cannot be ascertained.]

13. During the preceding **six (6) months** and since birth, the minor child has resided with _____ and _____ at _____.

14. Your Petitioners have not participated in any capacity in any other litigation concerning the custody of the child in this or any other state; that your Petitioners have no knowledge of any other custody proceeding pending in this or any other state concerning the child; nor does the Petitioners know of any person not a party to this proceeding who has physical custody of who claims to have custody or visitation rights with the minor child.

15. The Uniform Child Custody Jurisdiction Act is no longer a law in Missouri.

16. [There is compliance with] Indian Child Welfare Act [is not applicable in this cause].

17. [There is compliance with] the Interstate Compact on Placement of Children or [is not applicable in this cause].

WHEREFORE, your Petitioners pray that this Court order that the parental rights of the biological mother (and biological/alleged putative) be terminated, and that your Petitioners have

the lawful and actual custody of **Baby Boy/Girl** _____ for the purposes of subsequent adoption on **Count II** of this Petition.

Count III. Adoption

COME NOW your Petitioners, _____ and _____, and for Count III, state:

1. Petitioners reallege by reference and incorporate, as if fully set forth herein, paragraphs 1 through _____ of Count I, and paragraphs 1 through _____ of Count II.

2. Your Petitioners have had the lawful and actual custody of the minor child since entry of the Court's Order of Transfer of Custody in this cause.

3. The adoption of the minor child by Petitioners is in the child's best interest and it is fit proper that the adoption be made.

WHEREFORE, your Petitioners pray that this Court enter its Decree of Adoption in this cause ordering and adjudging that the minor child named hereinabove be adopted by Petitioners, and that for all legal intent and purposes the minor child named herein be the child of Petitioners as fully as if born to them in lawful wedlock, and that the name of the minor child be changed to _____.

, Petitioner

, Petitioner

Stewart, Mittleman, Heggie & Henry, L.L.C.

ALLAN F. STEWART #22825

Attorney for Petitioners

222 S. Central Avenue, Suite 501

St. Louis, Missouri 63105

(314) 863-8484

(314) 863-5312 Facsimile