



INDEPENDENT ADOPTION
(Handled by a Lawyer)
Section 13 Pursuant to *The Adoption Act, 1998*

(Sections of the Act are in Bold; Sections of The Adoption Regulations 2003 are in regular type)

Note: The Ministry of Social Services requires copies of the documents

Adoption law directs all materials for both types of adoptions must be served to the local Regional Director of the Ministry of Social Services at least 30 days prior to an application made to the Court of Queen's Bench to obtain an Order of Adoption. The Ministry of Social Services reviews the materials for compliance with the legal requirements.

Package Complete

<input checked="" type="checkbox"/>	Requirements	<i>Act</i>	Regulations
<input type="checkbox"/>	Documents served on director where the applicants reside (30 day notice)	44(2)(a) and 16(16)	13(e)
<input type="checkbox"/>	Extension Beyond one year that the director may allow (if applicable)	16(8)	
<input type="checkbox"/>	30 Day Notice for Inter-provincial placements/other period that the director may allow	(25)	
<input type="checkbox"/>	Application For Order of Adoption	16	Form A-1 3(a)
<input type="checkbox"/>	Certified Copy of the Child's Original Birth Registration (long form)		13(a)
<input type="checkbox"/>	Certified Copy of Marriage Registration or Certificate (long form preferred)	16(2)(a)	
<input type="checkbox"/>	Divorce Decree (if applicable)		
<input type="checkbox"/>	Death Certificate (if applicable)	4(1)(a)(iv)	
<input type="checkbox"/>	Certificate of Counselling (must be completed by director prior to consent) – Birth Mother _____ Birth Father _____	4(4)(a)(ii), 4(6)	Form F-8
<input type="checkbox"/>	Consent of the Birth Parent - Birth Mother _____ Birth Father _____ Revocation Period Expires _____	4(1), (2) and (4)	Form C-1 5(1)(a)
<input type="checkbox"/>	Certificate of Independent Advice (must be completed by director after consent) – Birth Mother _____ Birth Father _____ OR	4(4)(a)(iii) and 4(7)	Form G-9
<input type="checkbox"/>	Dispensation Order-Notice re application to dispense with requirement of consent and supporting materials must be provided to the director; dispensation order (refer to Step-Parent and do exactly the same) Appeal Period Expires _____	5(2)(1) 22(2)	
<input type="checkbox"/>	Birth Parent Acknowledgment		Form N 13(h); 14(2)
<input type="checkbox"/>	Consent of a child who is 12 years of age or more and acknowledgment with affidavit of execution	7(5) 4(1)(b)	Form C-5 5(3), 13(h), 14(4)

<input checked="" type="checkbox"/>	Regulation	Act	Regulation
<input type="checkbox"/>	Accompanying the Child's Consent is the Certificate of Independent Advice	4(4)(b)(ii)	Form G 13(h); 14(3)
<input type="checkbox"/>	Child's Social, Medical and Family History OR		15(1)(b), 16(1), 18(1)
<input type="checkbox"/>	Request to waive requirement for birth parents		15(2) or 16(2)
<input type="checkbox"/>	Report for the Court (Adoption Study Report)	13(3)	16(1), 18(2)
<input type="checkbox"/>	Financial Statement		Form K 13(c)
<input type="checkbox"/>	Adoptive Parents' Agreement		Form O 13(h); 14(3)
<input type="checkbox"/>	Information for the Registrar Pursuant to <i>The Indian Act (Canada)</i>	29.3(3)(c); 29.3(4)	Form M 13(g)
<input type="checkbox"/>	Statement of Fees	16(13)	52(1) and (2)
<input type="checkbox"/>	Particulars of Adoption		Form L 13(f)
<input type="checkbox"/>	Notice of Fiat or Decision	29.3(1)	Form H 10
<input type="checkbox"/>	Order of Adoption	16(1)	Form I-1 11(a)

Department (Director) Handled:

1. Ministry Records Check (completed by Social Services)
2. Registry Search for Revocation (Section 7 of *The Adoption Act, 1998*)
3. Issue Certificate of Non-Revocation (Section 7 of *The Adoption Act, 1998* – confirms no revocation has been received from a birth parent eligible to revoke the adoption plan)
4. Issue Acknowledgment of Application and Supporting Material for an Order of Adoption