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COUNTY OF LOS ANGELES

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**CHAPTER SIX
ADOPTION RULES**

6.1 ELECTRONIC FILING IN ADOPTION ACTIONS

(a) Mandatory Electronic Filing. Except as otherwise provided in this rule, a represented party in an adoption, abandonment, or emancipation action must file documents electronically. The filer must use an approved electronic filing service provider (“EFSP”). EFSP provider information is available on the court’s website at www.LACourt.ca.gov.

(b) Litigants Exempt from Mandatory Electronic Filing.

(1) A self-represented litigant is exempt from mandatory electronic filing requirements. Although not required, self-represented litigants are encouraged to participate in electronic filing and service.

(2) A represented party or other person may be excused from electronic filing requirements upon a showing of undue hardship or significant prejudice.

(c) Documents That May Not Be Filed Electronically. The following documents may not be filed electronically:

(1) A challenge for cause or a peremptory challenge of a judicial officer pursuant to Code of Civil Procedure sections 170.3 or 170.6;

(2) Trial and evidentiary hearing exhibits.

(d) Timing for Filing Exempted Document. A filer must file a document exempt from mandatory filing requirements under subdivision (b) at the clerk’s filing window between 8:30 a.m. and 4:30 p.m. Except as directed by the court, the clerk may not allow the public to enter the offices for the purpose of filing papers or obtaining other official services after 4:30 p.m. Persons in the clerk’s office at 4:30 p.m. may complete their filing.

(e) Ex Parte Applications. A submitting party must electronically file an *ex parte* application and all supporting documents no later than 10:00 a.m. the court day before the *ex parte* hearing. A filer opposing an *ex parte* application must electronically file the opposition by 8:30 a.m. the day of the *ex parte* hearing.

(f) Technical Requirements for Electronically Filed Documents. A filer must electronically submit all documents pursuant to the following technical requirements:

(1) A document must be in text-searchable portable document format (PDF).

(2) An electronic document containing exhibits must comply with CRC, rule 3.1110(f)(4).

(3) An attachment to primary documents must be indexed separately by selecting the corresponding document type. Examples include, but are not limited to, the following:

- i. medical reports;
- ii. educational reports;
- iii. psychological reports;
- iv. birth certificates;
- v. photographs of minors; and
- vi. any other documents that are sealed or are statutorily confidential.

(4) An exhibit to a document must be text-searchable when technologically feasible without impairment of the document’s image and must be bookmarked within the document pursuant to CRC, rules 3.1110(f)(4) and 2.256(b).

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(5) In the limited circumstances in which a document cannot practicably be converted to a text-searchable PDF, the document may be scanned or converted to non-text searchable PDF.

(6) Accompanying/multiple documents. A filer may upload accompanying or multiple documents related to one case in one electronic envelope transaction.

(g) Sealed Documents. A submitting party must electronically file documents sealed or conditionally sealed under CRC, rule 2.551, and accurately designate the documents as sealed or conditionally sealed at the time of filing.

(h) Redaction. A submitting party must redact confidential information (Social Security number, caregiver's address, etc.) so that the information is not publicly displayed. (CRC, rule 1.201.)

(i) Adoption Reports. Any Adoption Report or document completed by a social worker or adoption agency that is required on an adoption case must be provided to, and filed by, the petitioner(s) or attorney of record.

(j) Trial Court Records. Pursuant to Government Code section 68150, trial court records are created, maintained, and preserved in electronic format. The court must clerically process any document that the court receives electronically and will only file as an official court record those documents that satisfy all legal filing requirements. (CRC, rule 2.253(b)(6) and CRC, rule 2.100 et seq.)

(Rule 6.1 [7/1/2011, 5/17/2013, 7/1/2023] amended and effective January 1, 2026)

6.2 AGENCY ADOPTION (Fam. Code, § 8700 *et seq.*)

(a) Petition & Supporting Papers. An agency adoption case must be commenced by filing an Adoptions Case Cover Sheet LASC form ADPT 029 and an Adoption Request ADOPT-200. All adoption forms may be obtained at the court's website www.LACourt.ca.gov, or from the applicable courthouse.

(b) Joinder by Agency. The petitioner must arrange with the agency involved for any necessary joinder.

(c) Report by Agency. The petitioner must provide the agency with the case information in order for the agency to prepare the necessary reports, documents, and/or consent to facilitate the adoption. The petitioner must file those documents at the applicable courthouse.

(d) Hearing. For a hearing to be scheduled, the petitioner must also file an Adoption Agreement ADOPT-210, Adoption Order ADOPT-215, Adoption Expenses ADOPT-230, Indian Child Inquiry Attachment ICWA-010A, and Parental Notification of Indian Status ICWA-020. Agency adoptions are heard in the department where the dependency case originated. Hearings in other districts will be set as directed by the district supervising judge. The clerk must mail notice or provide electronic notice of the hearing.

(Rule 6.2 [7/1/2011, 5/17/2013, 7/1/2023] amended and effective January 1, 2026)

6.3 INDEPENDENT ADOPTION (Fam. Code, § 8800 *et seq.*)

(a) Petition & Supporting Papers. An independent adoption case must be commenced by filing an Adoptions Case Cover Sheet LASC form ADPT 029 and an Adoption Request ADOPT-200. The Adoption Request ADOPT-200 must include an attached Independent Adoptive Placement Agreement or Letters of Guardianship. (*See* Fam. Code, § 8802.)

(b) Reports by Agency. The petitioner must provide the Los Angeles County Department of Children and Family Services (DCFS) Adoption Unit or other designated private agency with the applicable case information in order for the agency to prepare the necessary report and recommendation with the court. The petitioner must file those documents at the applicable courthouse.

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The court will not make an order of adoption until after the report and recommendation have been filed and considered. (*See* Fam. Code, §§ 8807, 8816, 8817, 8821.) The petitioner must pay the applicable fee for the agency's report. (*See* Fam. Code, § 8810.)

(c) Hearing. For a hearing to be scheduled, the petitioner must also file an Adoption Agreement ADOPT-210, Adoption Order ADOPT-215, Adoption Expenses ADOPT-230, Indian Child Inquiry Attachment ICWA-010A, and Parental Notification of Indian Status ICWA-020 for a hearing to be scheduled. Independent adoptions are heard at the Edmund D. Edelman Children's Court. The clerk must mail notice or provide electronic notice of the hearing.

(Rule 6.3 [7/1/2011, 5/17/2013] amended and effective July 1, 2023)

6.4 STEPPARENT ADOPTION (Fam. Code, § 9000 *et seq.*)

(a) Petition & Supporting Papers. A stepparent adoption case must be commenced by filing an Adoptions Case Cover Sheet LASC form ADPT 029 and an Adoption Request ADOPT-200.

(b) Reports by Designated Agency. The petitioner must provide the DCFS Adoption Unit or other designated private agency with the applicable case information in order for the agency to prepare the necessary report and recommendation with the court. The petitioner must file those documents at the applicable courthouse. The court will not make an order of adoption until after the report and recommendation have been filed and considered. (*See* Fam. Code, § 9001.) The petitioner must pay the applicable fee for the agency's report. (*See* Fam. Code, § 9002.)

(c) Hearing. For a hearing to be scheduled, the petitioner must also file an Adoption Agreement ADOPT-210, an Adoption Order ADOPT-215, Adoption Expenses ADOPT-230, Indian Child Inquiry Attachment ICWA-010A, Parental Notification of Indian Status ICWA-020, and a Declaration Confirming Parentage in Stepparent Adoption ADOPT-205 or Declaration Confirming Parentage in Stepparent Adoption: Gestational Surrogacy ADOPT-206. Stepparent adoptions are heard at the Edmund D. Edelman Children's Court. The clerk must mail notice or provide electronic notice of the hearing.

(Rule 6.4 [7/1/2011, 5/17/2013] amended and effective July 1, 2023)

6.5 ADULT AND MARRIED MINORS ADOPTION (Fam. Code, § 9300 *et seq.*)

(a) Petition & Supporting Papers. An adult or married minor adoption case must be commenced by filing an Adoptions Case Cover Sheet LASC form ADPT 029 and a verified Petition along with any Consent of Spouse of Adopting Party, Consent of Spouse of Adoptee, an Agreement of Adoption, and a proposed Decree of Adoption.

(b) Report by Designated Agency. No investigation is required, but the court may require DCFS to investigate and make recommendations before the hearing. (Fam. Code, § 9325.)

(c) Hearing. Upon the filing of a petition for adult or married minor adoption, the clerk shall set the matter for a hearing. Adult and married minor adoptions are heard at the Edmund D. Edelman Children's Court. The clerk must mail notice or provide electronic notice of the hearing.

(Rule 6.5 [7/1/2011, 1/1/2012] amended and effective July 1, 2023)

6.6 INTERCOUNTRY ADOPTION (Fam. Code, § 8900 *et seq.*)

(a) Petition & Supporting Papers. An intercountry adoption case must be commenced by filing an Adoptions Case Cover Sheet LASC form ADPT 029 and an Adoption Request ADOPT-200.

(b) Joinder by Agency. The petitioner must arrange with the agency involved for any necessary joinder.

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(c) Reports by Agency. The petitioner must provide the agency with the case information in order for the agency to prepare the necessary reports, documents, and consent to facilitate the adoption. (See Fam. Code, §§ 8902, 8914, 8915.) The petitioner must file those documents at the applicable courthouse.

(d) Hearing. For a hearing to be scheduled, the petitioner must also file an Adoption Agreement ADOPT-215, an Adoption Order ADOPT-210, Adoption Expenses ADOPT-230, Indian Child Inquiry Attachment ICWA-010A, and Parental Notification of Indian Status ICWA-020 for a hearing to be scheduled. Intercountry adoptions are heard at the Edmund D. Edelman Children's Court. The clerk must mail notice or provide electronic notice of the hearing.

(e) Hague Convention. All applicable intercountry adoptions must comply with the Hague Convention on Protection of Children and Co-operation Adoption Requirements.

(Rule 6.6 [7/1/2011] amended and effective July 1, 2023)

6.7 PETITION TO DETERMINE PARENT AND CHILD RELATIONSHIP (Fam. Code, § 7630 *et seq.*)

(a) Petition and Supporting Papers. An alleged parent who brings a Petition to Determine a Parent and Child Relationship to determine parentage of a child, and who has reason to believe that the child is in the physical or legal custody of an adoption agency or one or more persons (other than the child's other alleged parent) who are prospective adoptive parents, must file the parentage petition in the family law court and serve the pleading on, and give notice of all proceedings to, the adoption agency and prospective adoptive parents. (See Fam. Code, § 7630(e)(2).)

(b) Joinder of Interested Parties. Upon filing a response, or on the court's own motion, the agency and prospective adoptive parents will be joined as parties to the parentage action without the necessity of a motion for joinder. A joined party is not required to pay a fee for participating in the action. (See Fam. Code, § 7630(e)(1).)

(c) Consolidation. The parentage action shall be consolidated with any Petition to Terminate Parental Rights in an adoption proceeding. (See Fam. Code, §§ 7630(d)(1), & 7630(d)(2).) A motion to consolidate may be heard by the family law court in which a parentage action has been filed. The consolidated petitions will be heard at the Edmund D. Edelman Children's Court unless the family law court finds by clear and convincing evidence that transferring the petition to the Edmund D. Edelman Children's Court would pose a substantial hardship on the petitioner.

(d) Mandatory Stay. The parentage action will be stayed until the final determination of the Petition to Terminate Parental Rights in the adoption. (See Fam. Code, § 7662(c).)

(e) Hearing. The clerk shall set a hearing on a parentage petition that has not been stayed after the petitioner files a request to set the hearing.

(f) Assisted Reproduction Action. A Petition to Determine a Parent and Child Relationship involving a matter where a child has been conceived as a result of assisted reproduction, as defined under Family Code section 7606, may be submitted before or after the child's birth as an *ex parte* application if all parties to the action: 1) have been served with the petition; 2) consent to the matter being heard on an *ex parte* basis; 3) consent to the relief sought; and 4) all parties have executed a waiver to issuance of a judgment and/or executed a waiver. The petition must be filed with the clerk of the family law court. The *ex parte* application must be supported by: 1) a stipulation between the parties agreeing to the requested relief; 2) supporting declarations sufficient to support each fact asserted and the relief sought; 3) supporting points and authorities; 4) a signed advisement and waiver of rights form; and 5) a proposed judgment. Upon receipt of the application, the court will either grant

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the petition without a hearing or set the matter for hearing. The clerk must direct counsel to provide notice of the hearing.

(Rule 6.7 [7/1/2011] amended and effective July 1, 2023)

6.8 PETITION TO TERMINATE PARENTAL RIGHTS IN ADOPTION PROCEEDING (Fam. Code, § 7660 *et seq.*)

(a) Petition and Supporting Papers. A Petition to Determine Parental Rights of Alleged Natural Father and to Determine Necessity of Consent LASC form ADPT 024 must be filed. A Notice of Hearing must be filed and must specify the date of the hearing consistent with Family Code section 7667. The alleged natural father must be served with the petition and notice of hearing. If the alleged natural father's location is unknown, the petitioner must conduct a due diligence search in the county of the alleged natural father's last known address and obtain a signed Declaration and Order Dispensing with Notice to Alleged Natural Father LASC form ADPT008.

(b) Mandatory Stay. All proceedings affecting a child under Divisions 8 (commencing with Section 3000) to 11 (commencing with Section 6500), inclusive, and Parts 1 (commencing with Section 7500) to 3 (commencing with Section 7600), inclusive, must be stayed pending final determination of the petition to terminate parental rights. (*See* Fam. Code, § 7662(c).) A motion for a stay may be heard in either the court in which the custody, parentage, or guardianship case is filed, or at the Edmund D. Edelman Children's Court.

(c) Mandatory Consolidation. Any parentage action filed by an alleged father under Family Code section 7630 must be consolidated with the Petition to Terminate Parental Rights. (Fam. Code, § 7630(d)(2).) A motion to consolidate may be heard in either the family law court in which the parentage action has been filed, or at the Edmund D. Edelman Children's Court.

(Rule 6.8 [7/1/2011, 1/1/2012, 7/1/2022] amended and effective July 1, 2023)

6.9 PETITION FOR FREEDOM FROM PARENTAL CUSTODY AND CONTROL (Fam. Code, § 7800 *et seq.*)

(a) Petition and Supporting Papers. A Petition for Freedom from Parental Custody and Control LASC form ADPT 025 must be filed.

(b) Citation. A Citation LASC form ADPT 004 must be filed at the time the petition is filed. The citation must specify a date, department, and time of hearing at the Edmund D. Edelman Children's Court consistent with Family Code section 7880. The petitioner must serve the Petition and Citation on the parent or parents against whom the Petition for Freedom from Parental Custody and Control is brought. If a parent cannot be located, the petitioner may apply to the court for permission to serve that parent by publication (FL-980). Where there is service of a parent by publication, the petition and citation also must be served on any grandparents, brothers, sisters, uncles, aunts, and first cousins whose relationship and residence are known to the petitioner. (Fam. Code, § 7881.) If service by publication is requested, then a military search is required and a Certificate/Declaration re Military Service LASC form ADPT 002 must be filed.

(c) Reports by Designated Agency. When a petition is filed, the clerk shall immediately notify the juvenile probation officer to investigate the child's circumstances and the child's placement in the petitioner's home.

(d) Mandatory Stay. All proceedings affecting a child under Divisions 8 (commencing with Section 3000) to 11 (commencing with Section 6500), inclusive, and Parts 1 (commencing with Section 7500) to 3 (commencing with Section 7600), inclusive, must be stayed pending final determination of the petition to declare the minor free from parental custody and control. (*See* Fam. Code, § 7807.) A

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motion for a stay may be heard in either the court in which the custody, parentage, or guardianship case is pending or at the Edmund D. Edelman Children's Court.

(e) Mandatory Consolidation. Any parentage action filed by an alleged parent under Family Code section 7630 must be consolidated with the Petition to Declare the Minor Free from Parental Custody and Control. (Fam. Code, § 7630(d)(2).) A motion to consolidate may be heard in either the family law court in which the parentage action has been filed, or at the Edmund D. Edelman Children's Court.

(Rule 6.9 [7/1/2011] amended and effective July 1, 2023)

6.10 MANDATORY CONSOLIDATION OF GUARDIANSHIP AND ADOPTION CASES

(a) Notice. A party to an adoption action who becomes aware that the subject child is also the subject of a guardianship action must immediately provide the court and all other parties with written notice of the guardianship action. The notice must include the caption of the guardianship action and docket number, and must attach a copy of the guardianship petition (whether for a permanent or temporary guardianship) and any letters (whether permanent or temporary) of guardianship.

(b) Mandatory Consolidation. The Guardianship Petition must be consolidated with the Adoption Petition and the consolidated cases shall be heard and decided in the court in which the adoption case is pending. (Fam. Code, §§ 8714(e), 8714.5(f), 8802(d), 9000(d), & Prob. Code, § 1510(h).) A motion to consolidate may be heard in either the family law court in which the guardianship petition is pending or at the Edmund D. Edelman Children's Court.

(Rule 6.10 [7/1/2011] amended and effective July 1, 2023)

6.11 PETITION TO TERMINATE PARENTAL RIGHTS IN GUARDIANSHIP (Prob. Code, § 1516.5.)

(a) Petition & Supporting Papers. A Petition for a Child to be Declared Free from the Parental Custody and Control of one or both parents under the provisions of Probate Code section 1516.5 may be brought in a pending adoption or guardianship action, or in a separate action, pursuant to Family Code section 7800 *et seq.*

(b) Investigation. The court will appoint a court investigator or other qualified professional to investigate all pertinent factors. The investigator's findings shall be included in the written report required pursuant to Family Code section 7851.

(c) Parental Rights. The rights of the parent, including the right to notice and counsel, provided in Family Code section 7800 *et seq.*, will apply to the action.

(d) Mandatory Consolidation. The petition must be consolidated with any pending adoption action as required by Probate Code section 1510(h) and will be heard at the Edmund D. Edelman Children's Court. A motion to consolidate may be heard in either the family law court in which the adoption action is pending or at the Edmund D. Edelman Children's Court.

(e) Non-Applicability. This rule does not apply to any child who is a dependent of the juvenile court or an Indian child.

(Rule 6.11 [7/1/2011] amended and effective July 1, 2023)

6.12 RELATED ADOPTION CASES

(a) Notice of Related Adoption Cases. Two or more adoption cases which involve the same adopting parent(s) and the same birth parents and concern issues governed by the Family Code are deemed to be related adoption cases. Counsel must inform the court of related adoption cases by filing

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and serving a notice of related cases in each case or by orally informing the court on the record. The first filed adoption action shall be the lead case.

(Rule 6.12 [7/1/2011] amended and effective July 1, 2023)

6.13 DISCLOSURE OF INFORMATION REGARDING AN ADOPTION (Fam. Code, § 9200 *et seq.*)

The court will not authorize any person to inspect the court documents in an adoption case except in exceptional circumstances. A person filing a request to inspect documents must seek a review at the Edmund D. Edelman Children's Court.

(Rule 6.13 [7/1/2011] amended and effective July 1, 2023)

6.14 SETTING ASIDE/VACATING ADOPTION (Fam. Code, § 9100)

(a) Filing Petition. A Petition to Set Aside/Vacate an adoption must be filed at the Edmund D. Edelman Children's Court within 5 years after the entry of the order of adoption. The clerk shall notify the department in Sacramento that the petition has been filed.

(b) Hearing. The department shall file a report with the court within 60 days after the notice. The set aside hearing will take place at the Edmund D. Edelman Children's Court. The department shall appear at the hearing for the purpose of representing the adopted child.

(Rule 6.14 [7/1/2011] amended and effective July 1, 2023)

6.15 EMANCIPATION OF MINORS LAW (Fam. Code, § 7001 *et seq.*)

(a) Filing Petition. A Petition for Declaration of Emancipation of Minor EM-100 and Notice of Hearing – Emancipation of Minor EM-109 must be filed along with Emancipation of Minor Income and Expense Declaration EM-115.

(b) Hearing. The emancipation hearing will take place at the Edmund D. Edelman Children's Court (Fam. Code, § 7120).

(Rule 6.15 [7/1/2011] amended and effective July 1, 2023)

6.16 SPECIAL IMMIGRANT JUVENILE STATUS

(a) Jurisdiction. Special Immigrant Juvenile Status ("SIJS") is a classification under federal law that assists children in obtaining lawful permanent residency. The court has jurisdiction under California law to make judicial determinations about the custody and care of juveniles within the meaning of the Immigration and Nationality Act, 8 United States Code section 1101(a)(27)(J), and 8 Code of Federal Regulation section 204.11.

(b) Findings. If a non-dependency adoption case is pending, before a child can apply to the U.S. Citizenship and Immigration Services ("CIS") for SIJS eligibility, at the Edmund D. Edelman Children's Court must make several findings of fact.

(c) Hearing. If a non-dependency adoption case is pending, the SIJS motion must be filed and heard at the Edmund D. Edelman Children's Court.

(Rule 6.16 [7/1/2011] amended and effective July 1, 2023)

6.17 EXCUSE FROM COMPLIANCE

(a) Applicability. The court for good cause may waive application of this Chapter in a particular case.

(Rule 6.17 new and effective July 1, 2023)