

Adopting a Child in New Jersey

You Don't Have to Be Related to Adopt a Child

There are various ways to adopt a child in New Jersey. While many adoptions are completed by married couples, other relatives and third parties are also qualified to go through the process. For example, adoption by a stepparent is the most common type of adoption in the U.S.

Several Types of Adoptions

Third-party adoption agencies are the traditional way to adopt a child. It is often an unrelated child that is placed with the adoptive parents. These parents undergo an extensive background check to make sure they can meet the emotional and financial needs of the child. After the adoption, the parents are often monitored by the agency to ensure the child is thriving in the new environment. With this type of adoption, the biological parents sign away all legal rights to the child.

Open Adoptions

Until recently, most adoptions were considered to be closed. In such cases, the biological parents had no contact with the child or the adoptive parents. Many children with these types of adoptions did not have the legal right to contact their biological parents until the age of 18. Today, adoption protocols have changed. Many biological parents know who completed the adoption, and they may even be in communication with the family.

Stepparent Adoptions

Stepparent adoption is becoming more common in the United States. When the one parent remarries, the other spouse may want to adopt the children. In this case, the other parent must give up their rights to children for the adoption to proceed in the court.

Second-Parent Adoption

In the past, same-gender couples often faced an uphill battle for the non-biological parent to adopt the children. If the couple breaks up or a spouse dies, the other spouse

has no legal rights to the child. However, federal courts have been ruling that a non-biological parent partner can adopt their partner's children. For this to happen, the other biological parent must give up the rights to the children. This only extends to unmarried same-sex partners. Married couples can adopt in the same manner as a stepparent adoption.

Grandparent Adoptions

In the United States, many grandparents are raising their grandchildren. In some cases, the parents are unable to provide care and choose to give up their parental rights. In the past, this type of arrangement was completed without any legal agreement. Today, many grandparents are choosing to have formal custody arrangements in place for the children. These agreements help the grandparents seek medical treatments for the kids or enroll the children in school without any disruption. It also protects the child if the biological parents want to restore their custody rights.

Rights of the Biological Parents

Biological parents' rights cannot be terminated without cause. Many biological parents choose to give up their rights to their kids. However, the courts may step in and terminate the rights of "unfit" parents. After this happens, the child can be adopted by another party. For a child to be adopted, both parents must give up their rights. Fathers also have equal rights to their children, and the mother cannot give up a child without the consent of the father. If you have questions about your rights, contact a New Jersey adoption attorney today.

Children's Consent

If the child is age 11 or under, he or she does not have to consent to the adoption. If the child does not want to be adopted by a certain individual, this can raise red flags with the courts. After the age of 12, the child must give his or her consent for the adoption to proceed.

Contact an New Jersey Adoption Attorney

An experienced attorney can help you navigate through the legal process of adoption. Whether you are a grandparent, stepparent, second-parent, or third party, Donald Cofsky can help you with the adoption. We can help make sure that all the legal requirements are met in your case. To learn more, contact our Haddonfield office at (856) 429-5005 or our Woodbury office at (856) 845-2555.