

6. Model Adoption Judge's Orders in Response to Filing of a Petition for Adoption

- a. Order of Reference, For Expedited Response, and for Consolidation
- b. Order to Biological Mother to Complete Affidavit Concerning Paternity or to Appear in Court
- c. Notice to Mother of Pending Adoption Proceeding and Order to Show Cause
- d. Notice to Father of Pending Adoption Proceeding and Order to Show Cause

Mogurn

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
DOMESTIC RELATIONS BRANCH – ADOPTION

EX PARTE IN THE MATTER OF
THE PETITION OF
[REDACTED]
FOR ADOPTION OF
MINOR CHILD

) ADOPTION CASE NO. [REDACTED]
) RELATED CASE NO. [REDACTED]

Family Court
ENTERED ON DOCKET

[REDACTED]

Superior Court
of the District of Columbia
Washington, D.C.

LIMITED CONSOLIDATION WITH

IN THE MATTER OF
[REDACTED]
DOB: [REDACTED]
RESPONDENT

) NEGLECT CASE NO. [REDACTED]
)
) SOCIAL FILE NO. [REDACTED]
)
) NEGLECT REVIEW CALENDAR
) MAGISTRATE JUDGE LLOYD U. NOLAN, JR.
)
)

ORDER OF REFERENCE, FOR EXPEDITED RESPONSE,
AND FOR CONSOLIDATION

INTERIM REPORT DUE: [REDACTED]

FINAL REPORT DUE: [REDACTED]

STATUS HEARING /SHOW CAUSE HEARING: [REDACTED] AT [REDACTED] IN
COURTROOM 108 BEFORE MAGISTRATE LLOYD U. NOLAN, JR.

Upon consideration of the Petition for Adoption filed in this case on **JUNE 15, 2012**, and it appearing to the court that the adoptee is under eighteen (18) years of age, this court is now issuing this combined Order of Reference, For Expedited Response, and For Consolidation.

Petitioner has provided the following information about the child and the parents:

Child's name: [REDACTED]
Child's date of birth: [REDACTED]

Mother's name: [REDACTED]
Mother's date of birth: [REDACTED]
Mother's last known address(es): [REDACTED]

Father's name: [REDACTED]
Father's date of birth: [REDACTED]
Father's last known address(es): [REDACTED]

The child is the subject of a neglect proceeding, which is referenced on page one in the caption. ANYONE TRYING TO LOCATE THE PARENTS SHOULD, AMONG OTHER THINGS, CONDUCT A CAREFUL REVIEW OF THE NEGLECT JACKET.

According to the information provided by the petitioner, the parents have not stated whether they consent to or oppose the adoption.

It is now hereby

ORDERED:

1. JUDICIAL ASSIGNMENT

Until further order, this case is assigned to the current Neglect Review Calendar Judge, referenced on page one in the caption ("the Assigned Judge").

2. REFERRAL FOR INVESTIGATION

Based on the representations in the Petition for Adoption and supporting attachments, this matter is hereby referred to the following adoption agency for the conduct of the investigation required by D.C. Code Ann. § 16-307 and the adoption

regulations of the District of Columbia: NATIONAL CENTER FOR CHILDREN AND FAMILIES

3. CONSOLIDATION

The adoption and neglect cases captioned above are hereby consolidated. Consolidation will ensure that the due process rights of the parents are adequately protected by guaranteeing that the parents are provided with counsel to represent them in adoption proceedings, which often substitute for or are tried contemporaneously with termination of parental rights proceedings, in which the parents are entitled to appointment of counsel.

Moreover, consolidation will ensure participation in the adoption proceedings by the child's guardian *ad litem* and counsel for caretaker/adoption petitioner(s) and will guarantee that counsel for all parties appointed pursuant to the CCAN program can be paid pursuant to the CCAN program for their work in connection with the adoption case. This will promote judicial efficiency and will be in the best interests of the child by expediting permanency determinations.

This consolidation order does not limit the authority of a judicial officer to exclude parties to the neglect proceeding from portions of the adoption proceeding, when appropriate.¹

4. INTERIM REPORT - INVESTIGATION

An Interim Report shall be filed, with a chambers copy, in the Central Intake Center and served on all counsel in this case, including the child's guardian *ad litem*, and the Diligent Search Unit of the Child and Family Services Agency ("CFSA") by the date

¹ For example, the court may exclude a parent and the parent's counsel from future adoption proceedings if the parent's consent to adoption has been waived pursuant to D.C. Code Ann. §16-304 (2001).

stated on Page One of this Order. To provide the information for the Interim Report, the assigned social worker shall:

- A. Review the CFSA files for the child and the parents and the foster care agency files;
- B. Review the court neglect file for all children and siblings in the neglect and abuse system;
- C. Review the Petition for Adoption and its attachments;
- D. Meet in person with each parent, where possible, unless the parents who are living have consented to the adoption or no longer have parental rights with respect to the prospective adoptee(s); and
- E. Meet in person with the petitioners.

5. INTERIM REPORT CONTENTS

The Interim Report shall contain the information listed below. In the Interim Report, the social worker shall label the information with the corresponding paragraph letter (A – L). Each paragraph letter shall be addressed in the Report, and none shall be omitted. If the required information is unavailable or the necessary certification cannot be made, the social worker shall so state and shall provide an explanation.

- A. The identity of the mother and her last known address. The social worker shall indicate the source(s) of the information concerning the last known address;
- B. The identity of the father or putative biological father(s) and the last known addresses of each. The social worker shall indicate the source(s) of the information concerning identity and concerning the last known address(es);

C. Whether the social worker has met with the mother, and the position of the mother about consent to the adoption;

D. Whether the social worker has met with each father or putative father and the positions of each about paternity and consent to the adoption;

E. After making inquiry, yes or no answers stating whether there are any impediments to adoption as to:

- i. Marital status;
- ii. Past criminal records;
- iii. Child abuse issues; or
- iv. Other impediments to adoption.

(Any impediments to adoption shall be addressed more fully in a separate report that is filed, with a chambers copy, in the Central Intake Center, and served on petitioner's counsel or, if petitioner is *pro se*, on the petitioner, and on the child's guardian *ad litem*, but not on any other counsel or parties.)

F. Whether the Agency believes there are any jurisdictional barriers to the petition being heard in the Superior Court of the District of Columbia;

G. The name and telephone number of the assigned adoption home study social worker (see paragraph 8 below);

H. Certification that application has been made for FBI clearances for all adults living in petitioner's household (see paragraph 8 below), with date(s) of application, and a list, by initials only, of all adults living in the household;²

² Throughout this Order, all references to "clearances" mean clearances that will satisfy the requirements for adoption. For example, if to obtain ICPC approval in Maryland the FBI clearance must be obtained on the Adoption Agency's letterhead, this Order does **not** refer to FBI clearances obtained previously by a

I. For each adult in petitioner's household (named by initials only), a list of each state in which the adult has lived in the last ten years and each state in which the adult has resided, worked, or attended school in the last five years, showing the years of residence. Please note that criminal record checks are required for each state in which the adult has resided, worked, or attended school as an adult in the last five years (see D.C. Code Ann. § 4-1305.05 (Supp. 2005), Omnibus Public Safety Emergency Amendment Act of 2006, A16-0445 (July 19, 2006), and paragraph 8 below) and child protection clearances are required for each state in which the adult has lived in the last ten years (see Super. Ct. Adoption R. 7(d)(2)(F) and (G) and paragraph 8 below);

J. Certification that a referral has been made to the Adoption Subsidy Unit of Child and Family Services Agency ("CFSA") and the name and phone number of the assigned subsidy social worker (see paragraph 8 below); and

K. Certification that since the filing of the adoption petition, a request has been made to CFSA for an update of the Title IV E Foster Care eligibility determination (see paragraph 8 below).

The Interim Report shall list the name of the child in the caption and the reporting social worker's phone number under the social worker's name.

6. NEXT HEARING

The next hearing in this case is a show cause/status hearing on the date, at the time and place, and before the judicial officer stated on Page One of this Order.

7. SHOW CAUSE HEARING

foster care agency that is not the Adoption Agency; where this Order requires application, certification, or reporting about an FBI clearance, it means an FBI clearance obtained on the Adoption Agency's letterhead.

The assigned adoption social worker shall be present for the show cause hearing at least fifteen (15) minutes ahead of the scheduled time of the hearing to meet with the mother and/or the father, and his/her counsel, to explain the options available as to the child. The adoption social worker shall have the Adoption Agency file and the appropriate forms for relinquishment, consent, and denial of paternity under oath with him/her.

If the adoption is a "contested case" as defined by Super. Ct. Adoption R. 12, the hearing will be a scheduling hearing, not an evidentiary hearing. If the adoption is not a "contested case" as defined by Super. Ct. Adoption R. 12, if the parents have been served, and if the petitioner so requests and time permits, the court will take testimony concerning the factual basis for the waiver of the parents' consent.

The court does not require the petitioner(s) to attend the initial hearing if they are represented by counsel and counsel attends, unless the Assigned Judge previously ruled otherwise. The petitioner(s) should attend the initial hearing if petitioner(s) want to testify at that hearing about the factual basis for the waiver of the biological parents' consent in the event the hearing is not a contested case as defined by Super. Ct. Adoption R. 12.

8. ADOPTION HOME STUDY, ADOPTION SUBSIDY AND FOSTER CARE TITLE IV E ELIGIBILITY

Without prejudice to any parent's rights, but to avoid delay if it should be determined that this adoption is in the best interest of the child, the Adoption Agency is directed to proceed expeditiously with obtaining an adoption home study, fulfilling its responsibilities in connection with an adoption subsidy agreement, ensuring that the Foster Care Title IV E eligibility determination is updated, and obtaining all necessary clearances.

With respect to the adoption home study, by the date set for submission of the Interim Report (see paragraph 4 above), the Adoption Agency shall ensure that a specific social worker has been designated who is to complete the adoption home study and **shall ensure that an application for an FBI clearance has been made for every adult member of petitioner's household. (FBI clearances must have been obtained within two years of the date when the Final Report and Recommendation ("Final Report") is filed.** Please note that FBI clearances obtained by Maryland residents are subject to the two-year requirement.)

By thirty (30) days after the date set for submission of the Interim Report, the Adoption Agency shall ensure that application has been made for all clearances needed in addition to the FBI clearances, including:³

A. Police clearances for all persons 18 years of age or older living in petitioner's household for each state in which the person has resided, worked, or attended school as an adult in the last five years. (These must have been obtained within two years of the date when the Final Report is filed, except that police clearances obtained from the state of Maryland after August 1, 2002, will not be subject to the two-year requirement. This exception is made because of Maryland's procedures for updating police clearances.)

B. Child protection clearances for all persons 18 years of age or older living in petitioner's household for each state in which the person has lived within the last ten years. The child protection clearance from the person's current place of residence

³ Please see footnote 2 concerning all references to clearances in this Order. The requirements for clearances throughout this order are subject to any additions or modifications by the Assigned Judge.

must have been obtained within one year of the date when the Final Report is filed. This time limit applies to all persons, including Maryland Residents.

C. Medical clearances for all persons of any age residing in petitioner's household, including the adoptee, obtained within one year of the date when the Final Report is filed. This time limit applies to all persons, including Maryland residents.

If the petitioner is eligible for an adoption subsidy, the Adoption Agency shall have completed the referral to CFSA's Adoption Subsidy Unit by the date set for submission of the Interim Report and CFSA shall have assigned a subsidy social worker. Thirty (30) days after the date set for submission of the Interim Report, CFSA's Adoption Subsidy Unit shall forward to petitioner and petitioner's counsel a copy of a proposed Adoption Subsidy Agreement. Petitioner shall make a final decision concerning the proposed Adoption Subsidy within thirty (30) days of receipt of the proposed Adoption Subsidy Agreement.

Also by the date set for submission of the Interim Report, the Adoption Agency shall have requested that CFSA update the Foster Care Title IV E eligibility determination. Thirty (30) days after the date set for submission of the Interim Report, CFSA shall have completed the update of the Foster Care Title IV E eligibility determination.

9. FINAL REPORT

A Final Report shall be prepared by the Adoption Agency that includes:

An investigation of (A) the truth of the allegations of the petition; (B) the environment, antecedents, and assets, if any, of the prospective adoptee, to determine whether he is a proper subject for adoption; (C) the home of the petitioner(s), to determine whether the home is a suitable one for the prospective adoptee(s); and (D) any other circumstances and conditions that may have a bearing on the proposed adoption and of which the court should have knowledge,

including the existence and terms of a tentative adoption subsidy agreement entered into prior to the filing of the adoption petition under section 3 of the Act of July 26, 1982 (§ 4-301).

D.C. Code § 16-307 (2001).

Unless the Assigned Judge orders otherwise, the Adoption Agency shall file its Final Report and Recommendation, with a chambers copy, in the Central Intake Center no later than the date stated on page one of this order. The Final Report must include the information set forth in Super. Ct. Adoption Rule 7(d). Partial reports shall not be filed. By that same date, the Adoption Agency shall give notice in writing to petitioner's counsel whether the Final Report has been filed.

10. STATUS REPORTS

If the Adoption Agency is not prepared to file its Final Report by the deadline specified above, the Agency shall instead file a Status Report, with a chambers copy, in the Central Intake Center by that deadline and serve the Status Report on petitioner's attorney (or on petitioner, if petitioner is *pro se*) and on the child's guardian *ad litem*.

The Status Report shall include the name of the child in the caption of the report and the social worker's phone number under the social worker's name. The social worker shall label the information provided in the Status Report with the corresponding paragraph letter (A-H). Each paragraph letter shall be addressed in the Report, and none shall be omitted. If the required information is unavailable or the necessary certification cannot be made, the social worker shall so state and shall provide an explanation.

The Status Report shall include the following:

A. The name and telephone number of the social worker or social workers responsible for: 1) completing the home study; and 2) completing the Final Report and Recommendation;

B. A list of all persons living in the household, providing the birth date of each;

C. For each adult in petitioner's household, a list of each state in which the adult has lived in the last ten years and each state in which the adult has resided, worked, or attended school as an adult in the last five years, showing the years of residence. Please note that criminal record checks are required for each state in which the adult has resided, worked, or attended school as an adult in the last five years (see D.C. Code Ann. § 4-1305.05 (Supp. 2005) and Omnibus Public Safety Emergency Amendment Act of 2006, A16-0445 (July 19, 2006)), and child protection clearances are required for each state in which the adult has lived in the last ten years (see Super. Ct. Adoption R. 7(d)(2)(F) and (G));

D. The status of all clearances. For each person residing in petitioner's household, the report shall describe the status of the required FBI clearances, police clearances, child protection clearances, and medical clearances. The report shall state for each clearance the date the clearance was obtained or, if the clearance has not yet been obtained, the date that application for the clearance was made. In the case of medical clearances that have not been obtained, or that will not be current when the Final Report is filed, the report shall state the date scheduled for the medical examination. The required clearances are as follows:

1. FBI clearances for all adult members of the household. These must have been obtained within two years of the date that the Final Report is filed.
2. Police clearances for all adult members of the household for each state in which the adult has resided, worked, or attended school as an adult in the last five years. These must have been obtained within two years of the date that the Final Report is filed or, in the case of clearances obtained from the state of Maryland, after August 1, 2002.
3. Child protection clearances for all adult members of the household for each state in which the person has lived within the last ten years. The child protection clearance from the person's current place of residence must have been obtained within one year of the date that the Final Report is filed.
4. Medical clearances for all persons of any age residing in petitioner's household, including the adoptee, obtained within one year of the date that the Final Report is filed;

E. A detailed list of all outstanding items that must be completed before the Final Report can be submitted. This list should include an itemization of everything petitioner is expected to provide, but has not yet provided, necessary to complete the home study or the adoption;

F. The status of the Adoption Subsidy Agreement and the Foster Care Title IV E determination;

G. An explanation for why the Final Report was not filed by the deadline, and an estimate of the amount of time needed for completion of the Final Report, including a timetable for each action that must be completed before the Final Report can be submitted; and

H. A certification that a copy of the report is being provided to petitioner's counsel (or to petitioner, if petitioner is *pro se*) and to the child's guardian *ad litem*.

In an adoption involving petitioners residing in the District of Columbia, the Status Reports are to be submitted by the agency responsible for completing the Final Report, whether that is CFSA or a private agency contractor. In an adoption in which petitioners reside out-of-state, the Status Reports are to be submitted by CFSA but shall incorporate information obtained by CFSA from the contracting agency responsible for completing the home study.

11. SOCIAL WORKER ATTENDANCE AT HEARINGS

The assigned social worker for the agency having primary responsibility for the Final Report shall attend all court proceedings. In case of an emergency, a supervisor knowledgeable about the case may attend a court proceeding in place of the assigned social worker.

12. COMPLIANCE

The court expects compliance with this order, including the deadlines set forth in the order. Any party unable to comply with the deadlines established by this order shall file a motion seeking additional time, with a chambers copy, in the Central Intake Center, and shall serve petitioner's counsel and the adoption agency. In appropriate cases, failure to comply with this order could result in the court finding that CFSA has failed to

make reasonable efforts to achieve the permanency goal of adoption or a finding that a social worker or agency is in contempt of court.

SO ORDERED this [redacted] day of [redacted]

JUDGE CAROL ANN DALTON
(Signed in Chambers)

Copies to:

[redacted]
CHILDREN'S LAW CENTER
616 H ST., NW, STE. 300
WASHINGTON, DC 20001
(202) 467-4900 EXT. 592
(COUNSEL FOR PETITIONERS)

[redacted]
1455 PENNSYLVANIA AVE., NW,
SUITE 400
WASHINGTON, DC 20004
(202) 257-9730
(COUNSEL FOR BIRTH FATHER)

[redacted]
(BIRTH MOTHER)

[redacted]
NATIONAL CENTER FOR CHILDREN
AND FAMILIES
6301 GREENTREE RD.
BETHESDA, MD 20817
(SOCIAL WORKER)

[redacted]
14336 OLD MARLBORO PIKE
UPPER MARLBORO, MD 20772
(202) 349-5554
(COUNSEL FOR BIRTH MOTHER)

[redacted]
ADOPTION PROGRAM MANAGER
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[redacted]
P.O. BOX 6236
SILVER SPRING, MD 20915
(202) 857-0310
(GAL)

[redacted]
OFFICE OF THE ATTORNEY GENERAL
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[redacted]
(BIRTH FATHER)

[REDACTED]
DILIGENT SEARCH UNIT
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
SUPERIOR COURT OF THE DISTRICT
OF COLUMBIA
WASHINGTON, DC 20001-2131
(ASSIGNED MAGISTRATE JUDGE)

FURTHER ORDERED that if the mother does not fully and accurately complete the affidavit, she shall appear for a hearing on [REDACTED] at [REDACTED] in courtroom 107 before Magistrate Judge **MARY GRACE ROOK**.

FURTHER ORDERED that if the mother fails to comply with this order, a warrant may issue for her arrest.


JUDGE KAYE K CHRISTIAN
(Signed in Chambers)

Copies to:

[REDACTED]

(BIRTH MOTHER)

[REDACTED]

(BIRTH FATHER FOR [REDACTED])

[REDACTED]

(BIRTH FATHER FOR [REDACTED])

REBECCA GOLDFRANK
THE CHILDRE'S LAW CENTER
901 15TH ST NW SUITE 500
WASHINGTON DC 20005
202 467-4900 EXT 554
(COUNSEL FOR PETITIONER)

**LEWIS FRANKE
601 PENNSYLVANIA AVE NW SUITE 900
WASHINGTON DC 20004
202 434-8177
(COUNSEL FOR MOTHER)**

**A KEVEN FAHEY
601 A INDIANA AVE NW SUITE 100
WASHINGTON DC 20004
202 783-4475
(COUNSEL FOR FATHER OF [REDACTED])**

**MARCO CABEZAS
4508 VAN NESS ST NW
WASHINGTON DC 20016
202 744-4008
(COUNSEL FOR FATHER OF [REDACTED])**

**JOSEPH JOSE
P O BOX 15636
CHEVY CHASE MD 20825
301 907-4760
(GAL)**

**SHARON T KNIGHT
ADOPTION PROGRAM MANGER
CHILD AND FAMILY SERVICES AGENCY
400 6TH ST SW
WASHINGTON DC 20024**

**YEWANDE ADEROJU, ESQ
OFFICE OF THE ATTORNEY GENERAL
CHILD AND FAMILY SERVICES AGENCY
400 6TH ST SW
WASHINGTON DC 20024**

**DERRICK RUSSELL
DILIGENT SEARCH UNIT
CHILD AND FAMILY SERVICES AGENCY
400 6TH ST SW
WASHINGTON DC 20024**

**CAROL NICHOLSON
BOARD OF CHILD CARE
308 15TH ST SE
WASHINGTON DC 20003
(ASSIGNED SOCIAL WORKER)**

**HORONABLE
MARY GRACE ROOK
(ASSIGNED MAGISTRATE JUDGE)**

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
DOMESTIC RELATIONS BRANCH – ADOPTION**

EX PARTE IN THE MATTER OF)
THE PETITION OF)
[REDACTED])
FOR ADOPTION OF MINOR CHILD)

ADOPTION CASE NO. [REDACTED]
RELATED CASE NO. [REDACTED]

Family Court
ENTERED ON DOCKET

[REDACTED]
Superior Court
of the District of Columbia
Washington, D.C

LIMITED CONSOLIDATION WITH

IN THE MATTER OF)
[REDACTED])
DOB: [REDACTED])
RESPONDENT)

NEGLECT CASE NO. [REDACTED]
SOCIAL FILE NO. [REDACTED]
NEGLECT REVIEW CALENDAR
MAGISTRATE JUDGE [REDACTED]

**NOTICE TO MOTHER OF PENDING ADOPTION PROCEEDING
AND ORDER TO SHOW CAUSE**

TO: [REDACTED]

PLEASE TAKE NOTICE that an adoption petition with respect to the child, whose name and date of birth appears in the caption above, has been filed and is currently pending with the **ADOPTION BRANCH** of the **SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**.

Accordingly, it is hereby

ORDERED:

1. That having been identified as the mother, you are hereby ordered to appear before **MAGISTRATE JUDGE** [REDACTED] on [REDACTED] **AT** [REDACTED] in courtroom 108 **TO SHOW CAUSE AS TO WHY YOUR CONSENT TO THE ADOPTION SHOULD NOT BE WAIVED AND DISPENSED WITH**, on the legal grounds that you have abandoned the child and voluntarily failed to contribute to the child's support for a period of at least six months next preceding the date of the filing of the Petition for Adoption on [REDACTED] or alternatively, that you are withholding your consent contrary to the best interest of the child pursuant to D.C. Code § 16-304(e).

If there is reliable proof that you have received a copy of this Notice to Mother of Pending Adoption Proceeding and Order to Show Cause and you fail to appear personally at the show cause hearing, the court may infer or conclude that you have abandoned your interest in this child and waived your consent to the adoption.

The court will not send you notice of subsequent court action and proceedings in this case.

After being served, you should immediately contact your court-appointed attorney, whose name, address and telephone number is:

[REDACTED]
**14336 OLD MARLBORO PIKE
UPPER MARLBORO, MD 20772
(202) 349-5554**

Alternatively, you may retain counsel to represent you in the proceedings.

You have the right to seek custody of this child or to challenge the adoption. You may do so either by filing a written objection with the Superior Court within 20 days of the receipt of this **NOTICE**, but in any event, no later than the date of the scheduled show cause hearing, or by appearing at the scheduled show cause hearing to explain

why your consent to the adoption should not be waived. All written objections must be addressed and sent to:

**Central Intake Center
Family Court
JM Level
Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, DC 20001**

You may consent to the adoption or relinquish the child to a District of Columbia licensed child-placement agency, provided you do so voluntarily and of your own free will. If an adoption decree is issued, the biological parents' rights, responsibilities, and obligations with respect to the child will be terminated.

Your failure to respond to this NOTICE OF PENDING ADOPTION PROCEEDING AND ORDER TO SHOW CAUSE can result in the waiver of your consent to the adoption, the termination of your parental rights, and the loss of all your rights to this child.

2. An Investigator with the Diligent Search Unit of Child and Family Services Agency shall endeavor to locate and personally serve the mother named above with a copy of this Notice to Mother of Pending Adoption Proceeding and Order to Show Cause.

The Diligent Search Investigator shall also serve the mother with a copy of the attached Order to Biological Mother to Complete Affidavit Concerning Paternity or to Appear in Court, unless the Investigator already has an executed copy of the Affidavit Concerning Paternity.

The Investigator shall immediately contact the assigned adoption social worker to assure the accuracy of the address for the mother and any additional addresses the Adoption Agency may have for her.

The Investigator shall sign an affidavit as to the efforts to effect service or an affidavit of service, if service is accomplished. No later than five days before the scheduled hearing, the Investigator shall file the affidavit and a chambers copy of the affidavit in the Central Intake Center of the Family Court office and shall serve a copy of the affidavit on all counsel.

If the mother is served, the Investigator shall promptly notify the assigned adoption social worker, who shall notify, by telephone, counsel for the petitioner, the *guardian ad litem*, and counsel for the parents, that service has been accomplished. Counsel are identified on the attached service list.

3. Upon written request from counsel, the social worker shall provide counsel copies of all documents, memoranda, and case notes from the Agency files that refer to contacts between the biological parents and the Agency and the biological parents and the child; the parents' efforts at reunification; the parents' abandonment of or failure to support the child; and any other facts about the parents, including discussions with or statements by the parents, relevant to whether the parents' consent to the adoption should be waived.

SO ORDERED this  day of , 2012.



JUDGE CAROL ANN DALTON
(Signed in Chambers)

Copies to:

[REDACTED]
CHILDREN'S LAW CENTER
616 H ST., NW, STE. 300
WASHINGTON, DC 20001
(202) 467-4900 EXT. 592
(COUNSEL FOR PETITIONERS)

[REDACTED]
(BIRTH MOTHER)

[REDACTED]
14336 OLD MARLBORO PIKE
UPPER MARLBORO, MD 20772
(202) 349-5554
(COUNSEL FOR BIRTH MOTHER)

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P.O. BOX 6236
SILVER SPRING, MD 20915
(202) 857-0310
(GAL)

[REDACTED]
(BIRTH FATHER)

[REDACTED]
1455 PENNSYLVANIA AVE., NW,
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(COUNSEL FOR BIRTH FATHER)

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(SOCIAL WORKER)

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ADOPTION PROGRAM MANAGER
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
OFFICE OF THE ATTORNEY GENERAL
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
DILIGENT SEARCH UNIT
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
SUPERIOR COURT OF THE DISTRICT
OF COLUMBIA
WASHINGTON, DC 20001-2131
(ASSIGNED MAGISTRATE JUDGE)

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
DOMESTIC RELATIONS BRANCH – ADOPTION

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[REDACTED])
FOR ADOPTION OF MINOR CHILD)

ADOPTION CASE NO. [REDACTED]
RELATED CASE NO. [REDACTED]

Family Court
ENTERED ON DOCKET

[REDACTED]
Superior Court
of the District of Columbia
Washington, D.C.

LIMITED CONSOLIDATION WITH

IN THE MATTER OF)
[REDACTED])
DOB: [REDACTED])
RESPONDENT)

NEGLECT CASE NO. [REDACTED]
SOCIAL FILE NO. [REDACTED]
NEGLECT REVIEW CALENDAR
MAGISTRATE JUDGE [REDACTED]

NOTICE TO FATHER OF PENDING ADOPTION PROCEEDING
AND ORDER TO SHOW CAUSE

TO: [REDACTED]

BIRTH MOTHER: [REDACTED]

PLEASE TAKE NOTICE that an adoption petition with respect to the child, whose name and date of birth appears in the caption above, has been filed and is currently pending with the **ADOPTION BRANCH** of the **SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**. Accordingly, it is hereby **ORDERED**:

1. That having been identified as the father or putative father, you are hereby ordered to appear before **MAGISTRATE JUDGE [REDACTED]** on **[REDACTED]** **AT [REDACTED]** in courtroom 108 **TO SHOW CAUSE AS TO WHY YOUR CONSENT TO THE ADOPTION SHOULD NOT BE WAIVED AND DISPENSED WITH**, on the legal grounds that you have abandoned the child and voluntarily failed to contribute to the child's support for a period of at least six months next preceding the date of the filing of the Petition for Adoption on **[REDACTED]** or alternatively, that you are withholding your consent contrary to the best interest of the child pursuant to D.C. Code § 16-304(e).

If there is reliable proof that you have received a copy of this Notice to Father of Pending Adoption Proceeding and Order to Show Cause and you fail to appear personally at the show cause hearing, the court may infer or conclude that you have abandoned your interest in this child and waived your consent to the adoption.

The court will not send you notice of subsequent court action and proceedings in this case.

After being served, you should immediately contact your court-appointed attorney, whose name, address and telephone number is:

**[REDACTED]
1455 PENNSYLVANIA AVE., NW,
SUITE 400
WASHINGTON, DC 20004
(202) 257-9730**

Alternatively, you may retain counsel to represent you in the proceedings.

You have the right to seek custody of this child or to challenge the adoption.

You may do so either by filing a written objection with the Superior Court within 20 days of the receipt of this **NOTICE**, but in any event, no later than the date of the scheduled show cause hearing, or by appearing at the scheduled show cause hearing to explain why your consent to the adoption should not be waived. All written objections must be addressed and sent to:

**Central Intake Center
Family Court
JM Level
Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, DC 20001**

You may consent to the adoption or relinquish the child to a District of Columbia licensed child-placement agency, provided you do so voluntarily and of your own free will. If an adoption decree is issued, the biological parents' rights, responsibilities, and obligations with respect to the child will be terminated.

Your failure to respond to this NOTICE OF PENDING ADOPTION PROCEEDING AND ORDER TO SHOW CAUSE can result in the waiver of your consent to the adoption, the termination of your parental rights, and the loss of all your rights to this child.

2. An Investigator with the Diligent Search Unit of Child and Family Services Agency shall endeavor to locate and personally serve the father named above with a copy of this Notice to Father of Pending Adoption Proceeding and Order to Show Cause.

The Investigator shall immediately contact the assigned adoption social worker to assure the accuracy of the address for the father and any additional addresses the Adoption Agency may have for him.

The Investigator shall sign an affidavit as to the efforts to effect service or an affidavit of service, if service is accomplished. No later than five days before the scheduled hearing, the Investigator shall file the affidavit and a chambers copy of the affidavit in the Central Intake Center of the Family Court and shall serve a copy of the affidavit on all counsel.

If the father is served, the Investigator shall promptly notify the assigned adoption social worker, who shall notify, by telephone, counsel for the petitioner, the *guardian ad litem*, and counsel for the parents, that service has been accomplished. Counsel are identified on the attached service list.

3. Upon written request from counsel, the social worker shall provide counsel copies of all documents, memoranda, and case notes from the Agency files that refer to contacts between the biological parents and the Agency and the biological parents and the child; the parents' efforts at reunification; the parents' abandonment of or failure to support the child; and any other facts about the parents, including discussions with or statements by the parents, relevant to whether the parents' consent to the adoption should be waived.

SO ORDERED this  day of , 2012.



JUDGE CAROL ANN DALTON
(Signed in Chambers)

Copies to:

[REDACTED]
CHILDREN'S LAW CENTER
616 H ST., NW, STE. 300
WASHINGTON, DC 20001
(202) 467-4900 EXT. 592
(COUNSEL FOR PETITIONERS)

[REDACTED]
(BIRTH MOTHER)

[REDACTED]
14336 OLD MARLBORO PIKE
UPPER MARLBORO, MD 20772
(202) 349-5554
(COUNSEL FOR BIRTH MOTHER)

[REDACTED]
P.O. BOX 6236
SILVER SPRING, MD 20915
(202) 857-0310
(GAL)

[REDACTED]
(BIRTH FATHER)

[REDACTED]
1455 PENNSYLVANIA AVE., NW,
SUITE 400
WASHINGTON, DC 20004
(202) 257-9730
(COUNSEL FOR BIRTH FATHER)

[REDACTED]
NATIONAL CENTER FOR CHILDREN
AND FAMILIES
6301 GREENTREE RD.
BETHESDA, MD 20817
(SOCIAL WORKER)

[REDACTED]
ADOPTION PROGRAM MANAGER
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
OFFICE OF THE ATTORNEY GENERAL
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

[REDACTED]
DILIGENT SEARCH UNIT
CHILD AND FAMILY SERVICES
AGENCY
400 6TH ST., SW,
WASHINGTON, DC 20024

THE HONORABLE
[REDACTED]
SUPERIOR COURT OF THE DISTRICT
OF COLUMBIA
WASHINGTON, DC 20001-2131
(ASSIGNED MAGISTRATE JUDGE)