

GUAM ADOPTION

What Is Adoption? Adoption is the process of legally substituting a new parent or parents for a biological parent or parents. It usually eliminates any and all rights a biological parent may have, absolutely and forever, and gives those rights without qualification or exception to the adopting parent(s). Any person, whether a minor or adult, may be adopted. Once finalized, an adoption is nearly irreversible. This means that once you adopt a child you become financially responsible for that child until that child becomes an adult.

What Are the Types of Adoption? There are two methods of adoption: a private adoption and an agency adoption. A private adoption usually involves an adopting parent or parents and a child whose identity is previously known to them. The most common private adoptions are the stepparent adoption, where a stepparent adopts his or her spouse's children by a previous relationship, and the adoption by grandparents of a grandchild neglected or abandoned by the parents. Agency adoptions vary. They can be accomplished using state welfare offices, foster care programs, church organizations, commercial agencies, and placement services. Agency adoptions usually provide specific and detailed guidance concerning the adoption process, thus if you need more information contact your adoption agency.

What Is the Adoption Process? There are three steps which an individual must go through in order to adopt a child through a private adoption on Guam:

- 1) The parental rights of the natural parents must be terminated.
 - a) Both of the natural parents must consent to the adoption and/or
 - b) The court must terminate the parental relationship.
- 2) The adopting parents must prove to the court that they are suitable parents.
 - a) This usually involves an observed 12 month probationary period in which the child lives with the adoptive parents. This requirement can be waived.
 - b) The court must find to its satisfaction that the adoption is in the best interests of the child.
 - c) Children over 12 years old must consent to the adoption.
- 3) The court must issue a final decree which will declare the adoption as official. Once the court issues a final decree the adoptive parent becomes the natural parent and must care for the child until the child becomes an adult.

What Must I Do To Start the Process? An adoption is begun by filing a law suit with the Clerk of the Superior Court at 120 West O'Brien Drive Hagåtña, Guam 96910-5174, having copies of all papers delivered to all interested parties, and giving notice to the public. Neither the Court nor the Clerk prepares standardized forms for this process. You can hire a private attorney to help you do this or you can represent yourself. Though the NLSO is available to provide you guidance and information about the law, NLSO cannot prepare documents for you or appear in court.