

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2015-048  
(Supersedes Administrative Order S-2014-041)**

**ADOPTION PROCEDURES**

The Florida Adoption Act (chapter 63, Florida Statutes) provides a multitude of procedural and technical requirements designed to ensure that basic safeguards in adoption-related proceedings are met.

In an effort to ensure that all parties adhere to the statutory and other requirements for adoption filings, it is necessary to adopt uniform procedures for filing documents and providing sufficient time for the court to review all pleadings and required filings prior to the final hearing.

It is also necessary for the proper and efficient administration of justice to update the assignment procedures so that chapter 63 adoption cases are assigned to the divisions of the Family Law Divisions on a random equitable basis.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is therefore **ORDERED**:

**1. Allocation of Cases**

All actions under chapter 63, Florida Statutes, are assigned to one of the divisions of the Family Law Division on a random equitable basis. All adoption cases pending in any of the divisions of the Family Law Division on the effective date of this administrative order will remain pending in the respective divisions.

**2. Applicability**

The procedures outlined below apply to any actions under chapter 63, Florida Statutes, including termination of parental rights pending adoption proceedings and adoption proceedings.

**3. Required Documents Filed Prior to Final Hearing**

The court must conduct a final hearing in all termination of parental rights pending adoption and adoption proceedings arising under chapter 63.

Petitioner(s) must file all documents required to be filed under chapter 63 at least 21 days in advance of the scheduled final hearing. A petitioner's failure to file any required document at least 21 days in advance of a final hearing may result in the cancellation of the hearing by the court, unless the court recognizes good cause for a shortened time frame.

A. Termination of Parental Rights Pending Adoption Proceedings

In addition to the documents required by section 63.087, Florida Statutes, other documents which must be timely filed prior to the hearing include, but are not limited to:

- Certificate of search of the Florida Putative Father Registry (section 63.054, Florida Statutes);
- All affidavits of inquiry, diligent search, and service (section 63.088, Florida Statutes);
- A certified copy of the minor's birth certificate as provided in section 4 of this administrative order;
- Interview summaries or statements, if applicable (section 63.082(3)(b), Florida Statutes); and
- Any acknowledgment or affidavit (section 63.085, Florida Statutes).

B. Adoptions Proceedings

In addition to the documents required by section 63.112, Florida Statutes, other documents which must be timely filed prior to the hearing include, but are not limited to:

- Report of the final home investigation, if applicable (section 63.125, Florida Statutes);
- Affidavit of expenses and receipts, if applicable (section 63.132, Florida Statutes); and
- Any acknowledgment or affidavit, if applicable (section 63.085, Florida Statutes).

4. Birth Certificate

Unless other grounds are shown, at the time of the filing of a petition for termination of parental rights, section 63.062(1)(b)4., Florida Statutes, requires the father's consent to the termination of his parental rights pending adoption if he is listed on the child's birth certificate. It is therefore critical for the Court to be aware of whether the child's birth certificate names a father to determine if consent is necessary. Accordingly, in termination of parental rights proceedings under

chapter 63 (including proceedings involving joint petitions), a certified copy of the child's birth certificate must be filed, except that if the child's adoptive name is listed on the birth certificate, the certified copy must be filed in the related adoption file and a copy with the child's adoptive name redacted must be filed in the termination of parental rights proceeding.

**5. Required Inquiry**

In any termination of parental rights pending adoption proceeding in which the Petitioner does not submit a sworn affidavit as prescribed by section 63.088(4), Florida Statutes, the Petitioner must ensure that the persons identified in that statutory subsection are present at the hearing and prepared to address each inquiry enumerated under the statute. In addition, by way of notice filed with the Clerk of the Circuit Court, Petitioner must alert the court of its intent to have the required inquiry conducted orally at the hearing. The notice must be filed at least 30 days in advance of the final hearing. This provision also applies to cases in which one hearing is held on the joint petition for termination of parental rights and adoption.

**6. Separate Proceedings**

Except in cases where joint petitions are expressly permitted under chapter 63, a petition for termination of parental rights pending adoption and the petition for adoption must be filed under separate case numbers. Failure to comply with this provision may result in dismissal of the petition without prejudice or denial of the requested relief, or both. Reports to the court of intended placement under section 63.092, Florida Statutes, and petitions for declaratory statement under section 63.102, Florida Statutes, if applicable, must be filed in the adoption proceeding.

**7. Statement Regarding Jurisdiction in TPR Proceedings**

If a Notice of Related Cases form (required in all actions filed in the Family Law Division under Administrative Order S-2014-022 (*Unified Family Court*)) or Uniform Child Custody Jurisdiction and Enforcement Act information (required in a petitioner's first pleading or an attached affidavit under section 61.522, Florida Statutes) lists a separate action that may affect the court's jurisdiction to proceed in the termination of parental rights proceeding, the Petitioner must file a Statement Regarding Jurisdiction either within the body of the petition, or as a stand-alone document at the time the original petition is filed.

The Statement Regarding Jurisdiction must contain a brief statement of the relationship of the actions and any other information relevant to the Court's jurisdiction to proceed. The Petitioner must attach, or file no later than 21 days

prior to the final hearing, certified copies of the most recent order(s) from another court that (1) involves a child custody determination concerning the minor child; or (2) addresses the jurisdiction of that court over the child subject to the proceeding in this Court.

To the extent the Petitioner is unable to obtain the court order(s), Petitioner must state this and explain the circumstances arising within the Statement Regarding Jurisdiction.

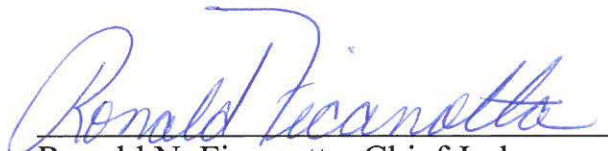
**8. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2014-041 (*Adoption Procedures*).

**9. Effective Date**

This administrative order is effective September 1, 2015.

It is ORDERED in Tampa, Hillsborough County, Florida, on this 26 day of August, 2015.

  
Ronald N. Ficarrotta, Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court

Copy to: All Unified Family Court Division Judges  
Hillsborough County Bar Association, Marital and Family Law  
Section