

THE TENNESSEE ADOPTION PROCESS

Because Each Adoption Is Unique It Is Impossible to Provide a Precise Outline of the Steps Required in Every Adoption; However, There are Some Steps Which Must Take Place in All Tennessee Adoptions





Adopting a child can be an amazing and emotionally fulfilling experience. It can also be an emotional roller coaster for a hopeful parent. The process can be intimidating and confusing for a prospective parent who has no experience with the Tennessee adoption process. Because there are several avenues by which adoption can occur, a prospective parent may not know which way to proceed.

Moreover, once the adoption process begins there are frequently a number of obstacles that can hinder the process. Having an experienced Tennessee adoption attorney on your side can increase your chances of a successful adoption process, resulting in the much awaited addition of a child to your family.

Types of Adoption

The steps required to complete an adoption will depend, to a great extent, on the type of adoption you choose to pursue. The following are some of the more common types of adoption:

- **Public agency** – this involves adopting a child who is currently in the custody of the Tennessee Department of Children’s Services, or is otherwise a ward of the court. As the prospective parent, you will need to qualify first and then you will be matched with prospective children.
- **Private agency** – numerous private adoption agencies help facilitate adoptions. Like a public agency adoption you will first go through the agency’s screening process and then will be matched with potential children.
- **Independent adoption** – this involves a prospective parent and child who find each other without the help of an agency. The two may already know each other or may find each other through advertising or an intermediary other than an agency.
- **Family or relative adoption** – adopting a stepchild, a nephew, or grandchild are examples of a family adoption.
- **International adoption** – if you decide to go outside the United States to adopt a child it is considered an international adoption. These are usually the most complicated type of adoption because you must satisfy both the home country requirements for taking the child out of the country and the United States requirements for bringing the child into the U.S. to live permanently.

Who Can Adopt a Child in Tennessee?

In order to adopt a child in Tennessee there are some basic qualification that must be met by the adoptive parent(s), including:

- You must be at least 18 years old
- You must have been a resident of Tennessee for at least six months prior to the date you file the Petition to Adopt
- A single persona may adopt; however, if you are married your spouse must join the in the Petition if he or she is competent to do so.
- You are **not** required to be a citizen of the United States.

The Adoption Home Study and Other Requirements

Unless you plan to adopt a step-child or relative, you will most likely be required to submit to a home study conducted by a licensed child placing agency to adopt a child in Tennessee. The home study looks at your circumstances to determine if you are financially, emotionally, and physically able to parent a child.

If you go through the Tennessee Department of Children's Services you must complete a parent preparation process called "Parents as Tender Healers", or PATH. PATH is a 30 hour course that is designed to help prospective parents understand adoption from the perspective of the adoptee. It also requires self-assessment on the part of a prospective parent which helps determine what type of child you would best be able to parent.

The Adoption Process

The amount of time it takes to adopt a child can vary from a few weeks to several years, again depending on the facts and circumstances. International adoptions frequently take longer because of the additional steps required to satisfy requirements in two countries. At the other end of the spectrum, family or relative adoptions typically take the least amount of time as long as everyone involved agrees to the adoption. Steps that must occur in most adoptions include:

- **Termination of parental rights** –the rights of *both* birth parents (except in the case of a step-parent or adult adoption) must be terminated before the adoption process can proceed. A birth parent's rights may be terminated voluntarily or involuntarily. For example, the birth mother may surrender the child and voluntarily terminate her rights to the child but the father's rights might be terminated through a court order to terminate them.
- **Filing of Petition to Adopt** –adoption is a legal process that begins with the filing of a Petition to Adopt. Typically, an attorney who specializes in adoptions will prepare the required documents and file them with the appropriate court.
- **Home study** –unless you are adopting a relative you may have to submit to a home study before the court will finalize the adoption.
- **Court hearing to finalize adoption** –in many cases, the adoption cannot be finalized until at least six months after the filing of the Petition to Adopt.

An adoptive parent can have custody of the child before the adoption is finalized under some circumstances. In that case, the adoptive parent will need to have legal guardianship of the child while the adoption is pending.

If you have additional questions about the adoption process, or are considering adoption yourself, consult with an experienced [Tennessee adoption attorney](#) as soon as possible.



Tennessee Department of Children's Services, [Adoption Best Practices Manual](#)

Tennessee Department of Children's Services, [The Adoption Process](#)

Adopt Us Kids, [Tennessee Foster Care and Adoption Guidelines](#)

The Adoption Center of the MidSouth, [Tennessee Laws on Adoption](#)

About Bennett and Michael, Attorneys at Law



The law firm of Bennett & Michael is located on the historic public square in Murfreesboro, Tennessee. We offer knowledgeable and effective representation for families in divorce and family law situations, injured victims of negligent accidents, and those charged with misdemeanor or felony offenses.

Our firm takes pride in being a local law firm that delivers superior results at competitive prices right here at home for the people of Murfreesboro, Smyrna, La Vergne, and the greater Rutherford County area. Our staff is professional and helpful, and our attorneys are experienced litigators and trial lawyers.

When you need legal help, you should be confident that the lawyer you choose will provide you with exceptional and trustworthy services. Our experienced, dedicated, and compassionate lawyers and legal staff are committed to always protecting clients' rights and relentlessly fighting for their best interests. Enlist the unyielding advocacy at Bennett & Michael, and you can trust that you and your family will get the results, service, and respect that you deserve. You won't be disappointed.