



17th Judicial Circuit Court for the County of Kent

Adoption Department

RESCISSION OF ADOPTION – MCL 710.66 - PROCEDURES

(Only applies to Stepparent Adoptions after Adoptee is an Adult)

- The birth parent, whose rights were terminated at the time of the adoption, must agree to be reinstated as the parent.
- Adoptee and biological parent whose rights were terminated complete **PCA 349 – Petition for Rescission of Adoption and Order**. Both the adoptee and birth parent must sign the petition.
- All required paperwork is filed with the Adoption Department of this court.
- File the following:
 - One copy of PCA 349 – Petition for Rescission of Adoption and Order, with original signatures
 - One copy of the adoptees current legal birth certificate (the one created after the adoption). This does not have to be a certified copy.
 - Copy of adoptee and birth parent's ID
 - Check or money order for **\$20 made out to the 17th Circuit Court-Family Division**

Mail to: **Adoption Department**
 17th Circuit Court-Family Division
 180 Ottawa NW, Suite 3500
 Grand Rapids, MI 49503

- A judge will be assigned to the case, and a hearing will be set before a judge or referee of this court. The petitioners (adoptee and birth parent-if available) shall attend the hearing. Notice of the hearing will be sent to the adoptive stepparent and the birth parent whose rights were not terminated at the time of the adoption. They are considered interested parties regarding a rescission petition.
- In addition to the hearing, the court may order an investigation by an employee or agent of the court.
- The court may rescind the adoption and restore the parental rights of the birth parent, or the court may deny the petition.
- If the adoption is rescinded, the adoptee will become an heir at law of the birth parent whose parental rights are restored and will no longer be an heir at law of the prior adoptive parent. The adoptee will remain an heir at law of the biological parent whose rights were not terminated at the time of the adoption.
- If the adoption is rescinded, the court will notify the vital records department in the state where the adoptee was born that the adoption has been rescinded. The vital records office will reinstate the original birth certificate. In Michigan, the fee for a copy of a reinstated original birth certificate would be \$34. Fees in other states will vary. If the adoptee would like a copy of the original birth certificate, they should provide the court with a check or money order made out to the State of Michigan for \$34. Additional copies ordered at the same time are \$16 each.

STATE OF MICHIGAN
17th JUDICIAL CIRCUIT-FAMILY DIVISION
KENT COUNTY

PETITION FOR RESCISSION OF
ADOPTION AND ORDER

CASE NO. and JUDGE

Court address

Court telephone no.

In the matter of _____, adoptee
Full name of adoptee at birth

_____ Birth date
Full name of adoptee immediately after adoption

_____ City, county, state of birth

1. I, _____ was adopted by _____
Adoptee's current name Stepparent's current name

2. I, _____, birth parent, had my parental rights terminated by order of this court.
Birth parent's name

My name at the time of the termination of parental rights was _____
First, middle, and last name

3. I desire to rescind the adoption by the stepparent and restore the parental rights of the birth parent.

4. A copy of my new live birth certificate is attached.

5. The adoptee's name will be _____
First Middle Last

6. The adoptee's legal parents are:

Name of natural parent

Name of stepparent at time of adoption

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

Birth date

Birth date

City, county, state of birth

City, county, state of birth

Maiden name (if applicable and if known)

Maiden name (if applicable and if known)

7. **I REQUEST** that the court conduct a hearing, and an investigation if necessary, and enter an order of rescission of the adoption and restore the parental rights of the petitioner birth parent.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Signature of adoptee petitioner

Address

City, state, zip Telephone

Date

Signature of birth parent petitioner

Address

City, state, zip Telephone

Attorney signature

Attorney name (type or print) Bar no.

Address City State Zip Telephone no.

IT IS ORDERED:

8. The adoption of the adoptee named above by the stepparent named above is rescinded. The parental rights of the birth parent named above are restored.

9. The petition is denied.

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Judge signature and date