

CLERKS ASSOCIATION PROPOSED REVISED RULE

Rule 419. Notice of Completed Adoption

- (a) **Generally.** The purpose of this rule is to assure that a parent's child support obligations terminate upon adoption of the child, as required under A.R.S. §§ 8-117, 8-539, and 25-503(Q)(3).
- (b) **Verified Parent Information Form (Form 7).**
- (1) Either DCS or the prospective adoptive parent must complete a Verified Parent Information form, Form 7, and ~~file provide~~ the completed form ~~with to~~ the juvenile court clerk, under seal, in the adoption case, no later than 10 days before the adoption hearing. DCS must complete the form if the child is dependent. Otherwise, the prospective adoptive parent must complete the form.
 - (2) Form 7 must include:
 - (A) the child's full name and date of birth; and
 - (B) the full name, date of birth, and social security number for each parent whose rights were terminated after consent or by court order.
 - ~~(3) The juvenile court clerk must maintain Form 7 as an unfiled document in the adoption case.~~
- (c) **Search of the Registry.** At the time the court enters an adoption order and using the information provided in Form 7, the clerk must search the Arizona state case registry established under A.R.S. § 46-442 for both Title IV-D and Non-IV-D cases to determine whether there is a child support order for the adopted child.
- (d) **Search Results; Notice of Completed Adoption (Form 8).** If the clerk's search confirms the existence of a child support order, the clerk must take the following action as applicable.
- (1) If there is a child support order in a Title IV-D case, whether it is an in-state or out-of-state order, the clerk must transmit a completed Notice of Completed Adoption, Form 8, to the Arizona IV-D agency.
 - (2) If there is a child support order in an in-county, non-IV-D case, the clerk must send a completed Form 8 to the last known address of the parties in the family law case and their attorney of record.
 - (3) If there is a child support order in an out-of-county, non-IV-D case, the clerk must transmit a completed Form 8 to the clerk of that county. The receiving clerk also must send a completed Form 8 to the to the last known address of the parties in the family law case and their attorneys of record; or

(4) If a child support order is listed on Form 7 for an out-of-state court in a non-IV-D case, the clerk must send a completed Form 8 to the address of the parties listed on Form 7.

(e) **Clerk's Subsequent Duties.** After completing the responsibilities specified above, the clerk must:

(1) file Form 8 in the Arizona family law case, if an Arizona case has been identified, as a confidential record under Family Law Rule 43.1(h); ~~and~~

~~(2) destroy Form 7.~~

