

To be inserted by Court

Case Number:

Date Filed:

FDN:

ORDER - ADOPTION

YOUTH COURT OF SOUTH AUSTRALIA
ADOPTION JURISDICTION

IN THE MATTER OF [*NAME OF ADOPTIVE/ADOPTED PERSON*]

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

First Adoptive Parent

Only displayed if applicable

Second Adoptive Parent

Birth Mother

Birth Father

Adoptive/Adopted Person

Only displayed if applicable

Chief Executive

Only displayed if applicable

First Interested Party

Introduction

Hearing

[Hearing date]

[Presiding Officer]

Appearances

[First Adoptive Parent Appearance Information]

Only displayed if applicable

[Second Adoptive Parent Appearance Information]

[Birth Mother Appearance Information]

[Birth Father Appearance Information]

[Adoptive/Adopted Person Appearance Information]

Only displayed if applicable

[Chief Executive Appearance Information]

Only displayed if applicable

[Other party title's Appearance Information]

Date of Order:

Next box only displayed if originating process is application for adoption order
Next box only displayed if one or more recitals are entered

Recitals

The Court is satisfied that:

Adoption order granted

[] there has been due and proper compliance with the requirements of the Act and that it is in the best interests of the adoptive person that an order be made.

Adoption order not granted

[] there has been due and proper compliance with the requirements of the Act but that it is not in the best interests of the adoptive person that an order be made.

Adoption order not granted

[] there has not been due and proper compliance with the requirements of the Act.

[] [any other recitals to appear in order].

Next box only displayed if originating process is application to discharge an adoption order
Next box only displayed if one or more recitals are entered

Recitals

The Court is satisfied that:

Discharge order granted

[] the adoption order or consent for the purposes of the adoption order was obtained by fraud, duress or other improper means.

Discharge order granted

[] it is in the best interests of the adoptive person, taking into account the rights and welfare of the adoptive person, for the discharge order to be made.

Discharge order not granted

[] the grounds of the Application to Discharge an Adoption Order have not been made out.

[] [any other recitals to appear in order].

Next box only displayed if originating process is application for recognition of an adoption order made outside Australia
Next box only displayed if one or more recitals are entered

Recitals

The Court is satisfied that:

Recognition order granted

- a) the Adoption Order was made in accordance with the law of that country; and
- b) when the Adoption Order was made, each applicant was domiciled in that country or had been resident in that country for at least 12 months; and
- c) The circumstances in which the order was made would, if they had existed in this State, have constituted a sufficient basis for making an adoption order under this Act; and
- d) The proceedings in which the order was made involved no denial of natural justice or failure to observe the requirements of substantial justice.

Recognition order not granted

the grounds of the Application to Recognise an Adoption Order made outside Australia have not been made out.

[any other recitals to appear in order].

Next box only displayed if originating process is application to dispense with, or recognise the validity of consent
Next box only displayed if one or more recitals are entered

Recitals

The Court is satisfied that:

Order granted to dispense with consent

the person cannot, after reasonable inquiry, be found or identified.

Order granted to dispense with consent

the person is in such a physical or mental condition as not to be capable of properly considering the question of consent.

Order granted to dispense with consent

the person has abandoned, deserted or persistently neglected or ill-treated the child.

Order granted to dispense with consent

there are circumstances by reason of which the consent may properly be dispensed with.

Order granted recognising consent

the person has given valid consent to the adoption.

Dispensation/recognition order not granted

the grounds of the Application to Dispense with, or Recognise the Validity of Consent have not been made out.

[any other recitals to appear in order].

Next box only displayed if originating process is application to revoke an order dispensing with or recognising the validity of consent, application for interlocutory orders, application for costs or other
Next box only displayed if one or more recitals are entered

Recitals

The Court is satisfied that:

[any other recitals to appear in order].

Next box only displayed if originating process is application for adoption order

Order

It is ordered

Mandatory if outcome is adjournment or interim order

1. That the hearing of the application is adjourned until [date].

Mandatory if application is dismissed

1. That the Application for an Adoption Order is dismissed.

Mandatory if application is withdrawn

1. That leave is granted for the Application for an Adoption Order to be withdrawn.

If application is granted

That the adoptive person be adopted by the applicant[s].

If application is granted

That the name by which the adoptive person is to be known is *[name]*.

If outcome is interim order

The period between service upon the *[party title]* *[name]* and the hearing of the application is reduced to *[number of days]* days.

If outcome is interim order

Service upon the *[party title]* *[name]* is dispensed with.

other *[orders in separately numbered paragraphs]*.

Next box only displayed if originating process is application to discharge an adoption order

Order

It is ordered

Mandatory if outcome is adjournment or interim order

1. That the hearing of the application is adjourned until *[date]*.

Mandatory if application is dismissed

1. That the Application to Discharge an Adoption Order is dismissed.

Mandatory if application is withdrawn

1. That leave is granted for the Application to Discharge an Adoption Order to be withdrawn.

If application is granted

That the adoption order dated *[date]* be discharged.

If application is granted

That the name by which the adoptive person is to be known is *[name]*.

If outcome is interim order

The period between service upon the *[party title]* *[name]* and the hearing of the application is reduced to *[number of days]* days.

If outcome is interim order

Service upon the *[party title]* *[name]* is dispensed with.

other *[orders in separately numbered paragraphs]*.

Next box only displayed if originating process is application for recognition of an adoption order made outside Australia

Order

It is ordered

Mandatory if outcome is adjournment or interim order

1. That the hearing of the application is adjourned until *[date]*.

Mandatory if application is dismissed

1. That the Application for Recognition of an Adoption Order Made Outside Australia is dismissed.

Mandatory if application is withdrawn

1. That leave is granted for the Application for Recognition of an Adoption Order Made Outside Australia to be withdrawn.

If application is granted

That the adoption order dated *[date]* and made outside Australia is to be recognised under the law of the State of South Australia.

If outcome is interim order

The period between service upon the *[party title]* *[name]* and the hearing of the application is reduced to *[number of days]* days.

If outcome is interim order

Service upon the *[party title]* *[name]* is dispensed with.

[] Other [orders in separately numbered paragraphs].

Next box only displayed if originating process is application to dispense with or recognise the validity of consent

Order

It is ordered

Mandatory if outcome is adjournment or interim order

[] 1. That the hearing of the application is adjourned until [date].

Mandatory if application is dismissed

[] 1. That the Application to Dispense with or Recognise the Validity of Consent is dismissed.

Mandatory if application is withdrawn

[] 1. That leave is granted for the Application to Dispense with or Recognise the Validity of Consent to be withdrawn.

If application is granted

[] That the consent of the [party title] is dispensed with.

If application is granted

[] That the consent given by the [party title] on [date] is recognised.

If outcome is interim order

[] The period between service upon the [party title] [name] and the hearing of the application is reduced to [number of days] days.

If outcome is interim order

[] Service upon the [party title] [name] is dispensed with.

[] Other [orders in separately numbered paragraphs].

Next box only displayed if originating process is application to revoke an order dispensing with or recognising the validity of consent, application for interlocutory orders, application for costs or other

Order

It is ordered

Orders in separately numbered paragraphs.

1.

Court use only

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Registrar