

**CONSENT and RELINQUISHMENT CHECKLIST**

1. Administer oath
2. Prescription medication?
3. Consumed alcohol or drugs in last 24 hours?  
  
Anything else that would affect your ability to understand and answer my questions?
4. Independent legal counsel?
  - A. Attorney – did you have a choice in the selection of your independent legal counsel?
  - B. Are you satisfied with representation? What was the most important thing that your attorney explained to you?
  - C. Did you have an opportunity to privately disclose any **reservations** you may have or to report any **coercive** influences?
  - D. Attorney Fees paid by agency or adoptive parents – issue?
5. Counseling Narrative – Read, reviewed and signed?
  - A. Counselor of your choice?
  - B. Questions asked regarding whether child has Native American heritage?
  - C. With the information received in counseling and with the knowledge you now have, are you voluntarily and unequivocally consenting to the adoption of your child?
6. Form of Consent/Relinquishment
  - A. Reviewed form with your attorney?
  - B. Questions regarding the meaning of any of the terms or provisions of the form?
7. What rights does any parent have to her/his child?
  - A. Control activities; make decisions about child; custody
  - B. Right to withhold consent to adoption
  - C. Notice of legal action involving child that may affect your rights –waiver of notice
8. By signing Consent/Relinquishment you are giving up your rights to your child.
9. Once given, you may not withdraw your consent/relinquishment.
10. Once you sign Consent/Relinquishment, the document is legally binding, final and irrevocable. Please tell me in your own words what that means.

11. Has anyone promised you anything of value in exchange for your consent/relinquishment?
12. Has anyone threatened you or forced you to give consent/relinquishment against your will?
13. Conditional consent: Conditions??
14. No informal agreements for pictures, information or visits will be enforced by the court. Only written open adoption agreements approved by the court will be enforced.
15. Option for Open Adoption: Discuss.
16. If your open adoption agreement is not approved by the court, are you still willing to give consent/relinquishment? [Present a hypothetical that addresses whether a court-approved open adoption agreement is an expectation that motivates his/her consent/relinquishment.]
17. Failure to abide by the terms of open adoption agreement does not affect the validity of the relinquishment, adoption or custody of the child.
18. Explain other parent's due process rights and importance of giving notice to him/her. [Explain in context of ensuring permanency of placement and avoiding disruption for the child. If facts warrant, probe for information as to identity and whereabouts of other birth parent.]
19. Have you been offered a copy of the Consent/Relinquishment?
20. Questions of attorney, court or counselor?
21. FINDINGS
22. OBTAIN SIGNATURE