

- an English language newspaper.
- Once it is published, you must bring the whole page on which it was advertised.
- You will then file an *Affidavit of Service* in court. If you need help, visit the Legal Aid Office nearest you.

What happens in court?

- The applicants, the child, the birth parent(s) or guardian and a Social Welfare officer must be present.
- If the birth parents are not present, you must explain to the court the reasons.
- The Court will then ask the Social Welfare Officer to prepare a report which the Court will want to see before allowing you to adopt the child.
- If the court is satisfied with the report of the Social Welfare Officer, you must then inform the court if you want to change the name of the child.

What happens after adoption is granted?

Prepare four copies of the Adoption Order which the Magistrate will sign, and the Family Court Registry will send it to the Birth, Death and Marriage Office for registration. This means your name will now be written on the child's birth certificate.

Legal Aid Commission

Head Office: Suva

Legal Aid Fiji Building
41 Loftus Street
Private Mail Bag
Government Buildings
Ph: 331 1195 Fax: 330 3023

Nausori

Level 1 Y.M.Haniff Arcade
Lot 10, Main Street
P.O.Box 3495
Ph: 347 0003 Fax: 347 0005

Lautoka

Level 1
Magistrates' Court Complex
Tavewa Avenue
Private Mail Bag
Ph: 665 0011 Fax: 665 1788

Labasa

Ground Floor
New Court Complex
Katonivere House
P.O.Box 1241
Ph: 881 5118 Fax: 881 7322

Ba

Magistrates' Court Complex
P.O.Box 433
Ph: 667 8000 Fax: 667 8426

Email: info@legalaid.org.fj

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LEGAL AID
COMMISSION

ADOPTION

What is adoption?

This is when you ask the Court to make you the legal parent of a child over 6 weeks old but less than 21 years.

Who can apply?

- Any married couple can, or a single person as long as they are living in Fiji.
- You must be domiciled or living in Fiji. This means that you must have a home or work in Fiji.
- You cannot just visit Fiji and adopt a child. You must live with the child in Fiji for at least 3 months.
- If you are living overseas then you can only apply to adopt a child who is a Fiji citizen through your relevant Social Welfare or Community Welfare or Government Agency in your country.
- A single man cannot adopt a female child unless you can show the Court special reasons.

What papers you need to bring?

You will need to bring the original copies of the following:-

- Birth Certificate of the child to be adopted.
- Marriage Certificate, if you are married.
- Letter of consent of the birth parent(s) of the child.

What happens if I cannot get consent from the birth parent(s)?

You can do away with consent if you can show the Court the following;

- The child has been abandoned, neglected or ill treated;
- The parent(s) of the child has not given money or contributed to the welfare of the child for five years or more;
- The parent cannot be found, cannot give consent or is refusing to give consent without proper reasons.

How can I apply?

You need to prepare and file in Court four copies of the following:-

- Notice of Motion and an Affidavit
- Application for Adoption Order
- Consent to Adoption Order by the child's parent(s)
- Affidavit Verifying Statement of Application
- Notice of Appointment of Guardian-Ad-Litem

You will have to pay filing fees to the Family Court Registry. If you cannot afford the filing fees you can visit the Legal Aid office. We can also help you in preparing your documents.

What does the Court need to know?

- You are able to look after the child's welfare and well being;
- That the consent of the child's parent(s) or

guardian has been given;

- The child is under 21 years of age and not married;
- If you want to change the name of the child.

What happens after the documents have been filed in court?

You must give a copy of the documents to the following people:-

- The Social Welfare Office nearest you
- Keep a copy for yourself
- The birth parent(s) and guardian

What happens if I cannot find the birth parent(s)?

- If you cannot find the birth parent(s) you must ask the court for special permission to advertise in a local newspaper.
- Once permission has been given, you need to file a *Notice of Advertisement*. If you need help, visit the Legal Aid Office nearest you.
- The *Notice of Advertisement* once prepared will have to be filed at the nearest Family Court Registry for a Magistrate to sign.
- Once the Magistrate has signed the *Notice of Advertisement*, you will have to pick it up from the same Family Court Registry.
- You must then take the *Notice of Advertisement* and have it published in