

General Information:

Family adoption (also known as “kinship adoption”) is where a child is adopted by a close family member.

Family adoption of a child who is a resident of Canada can be completed by applying to an Ontario family court (the Ontario Court of Justice or the Family Court Branch of the Superior Court of Justice). You can find a list of court addresses by visiting the [Ministry of the Attorney General's website](http://www.attorneygeneral.judiciary.on.ca/).

Court staff can provide you with forms and information about the process of family adoption, but they cannot give you any legal advice. You may wish to speak with a lawyer about your situation before you file your documents with the court.

The family adoption process is only available to an adoptive parent with one of the following relationships to the child:

- step-parent
- “relative” which is defined as:
 - grandparent
 - aunt or uncle
 - great-aunt or great-uncle

If you are seeking to adopt a child to whom you are related in another way, or to adopt a child who is not a resident of Canada, you must contact an adoption licensee and proceed through the [private adoption](http://www.children.gov.on.ca/) process. For more information, see the Ministry of Children and Youth Services' website at <http://www.children.gov.on.ca/>.

Court Forms can be found at: www.ontariocourtforms.ca

Step 1: Consents to Adoption (Form 34 and Form 34F)

In a family adoption, where the parents and child (if over age 7) have provided consent, **the adoption application process may only be started after 21 days have passed since the consent forms were signed.**

The following are the consent forms that must be signed by the parents and the child (if over 7):

- ☐ **[Form 34: Child's Consent to Adoption:](#)** The child must speak to a lawyer who is a representative of the Office of the Children's Lawyer. All documents must be signed and sworn before the same lawyer. You may contact the Office of the Children's Lawyer at 416-314-8000 or by writing to:

Office of the Children's Lawyer
393 University Avenue, 14th Floor
Toronto, ON M5G 1E6

- ☐ **[Form 34F: Parent's or Custodian's Consent to Adoption:](#)** This form needs to be completed by each “parent” of the child as defined under section 180 of the [Child, Youth and Family Services Act, 2017](#). This consent form must be witnessed by a lawyer, who completes the affidavit of execution on the back of the form.

If you are not able to provide these consent forms for your family adoption, you should speak to a lawyer about your options.

Step 2: File the Required Documents with the Court

Once the 21-day period has passed since the consents to adoption were signed, **complete and file** the following documents with the court, in addition to the consent form(s) signed at Step 1. These documents must all be filed at the same time:

Form Name	Purpose	Who Completes It	Commissioning / Witnessing Requirements
Form 34	Child's Consent to Adoption (if over 7)	Child	Signed before lawyer from Office of the Children's Lawyer
Form 34F	Parent's or Custodian's Consent	Each parent/custodian	Witnessed by lawyer; affidavit of execution required
Form 8D	Application for Adoption	Applicant	Must be signed within 12 months
Proof of Birth*	Certified copy of child's birth	Applicant	Certified by Notary Public or obtained from ServiceOntario
Form 34A	Affidavit of Parentage	Parent(s)	Sworn/affirmed before commissioner
Form 34D	Affidavit of Adoption Applicant	Applicant	Sworn/affirmed before commissioner
Form 34H	Affidavit for Family Adoption	Applicant	Sworn/affirmed before commissioner
Form 34H.1	Affidavit of Person Over 18 Living with Applicant	Adult household members	Sworn/affirmed before commissioner
Broad Record Check**	Criminal background check	Applicant + adult household members	Required under s.199(2)
Marriage Certificate	Proof of marriage	Applicant	If applying with spouse
Form 34B	Non-Parent's Consent to Adoption by Spouse	Applicant's spouse	Witnessed by lawyer
Form 34I	Parent's Consent to Adoption by Spouse	Child's parent	Witnessed by lawyer
Custody/Access Orders	Certified copies of any custody/access orders	Applicant	If applicable
Form 25C	Draft Adoption Order	Applicant	Typed, 3 copies
Continuing Record	Court file organization	Applicant	Includes cover page & table of contents

*You must file a certified copy of the child's statement of live birth, or an equivalent document. A certified copy is a photocopy of an original document produced and certified by a person authorized to do so. A qualified [Notary Public](#) can make a certified copy. If the child was born in Ontario, and you do not have the statement of live birth, you can get a copy of the child's birth registration from [ServiceOntario](#). Note there is a fee charged to obtain a copy. You may contact ServiceOntario toll free at 1-800-267-8097 or within Toronto at 416-326-1234. The Office of the Registrar General may be contacted toll free at 1-800-461-2156 or within Toronto at 416-325-8305.

** Any person applying to adopt a child under s. 199(2) of the [Child, Youth and Family Services Act, 2017](#) and who is not a "parent" of the child as set out under section 4 of the [Children's Law Reform Act](#) is required to provide to the court a broad record check and updates on any new charges or convictions. Broad record checks and updates on new charges or convictions is also required for any other adults residing in the home of any adoptive applicant who is not a parent of the child as set out under section 4 of the [Children's Law Reform Act](#).

Adoptions can be a complicated process!

You may wish to retain a lawyer to help you with this process. If you would like to speak with a lawyer, but do not know who to call, the Law Society Referral Service can provide you with the name of a lawyer who will provide a free initial consultation for up to 30 minutes to help determine your rights and options. If you decide to retain the lawyer, their normal fees and disbursement would apply.

The Law Society Referral Service is available at www.findlegalhelp.ca. The telephone number for the service is 1-800-268-8326 or, within the Greater Toronto Area, 416-947-3330.

For information on accessibility of court related services, including accessible formats of this document

for people with disability-related needs, contact:

Tel: 416-326-2220/1-800-518-7901

TTY: 416-326-4012/1-877-425-0575