

SAMPLE SURRENDER TERMS TO PLACE in State Mandated Addendum Form

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The undersigned hereby agree to the following conditions as part of and a condition of the surrender for adoption of Julia Mary Miller:

1. Julia will be surrendered for adoption by her birth father Carl Miller. Julia will be adopted by her foster mother Linda Perry. If the agency becomes aware that Ms. Perry can not or will not adopt the child Julia, the agency will immediately notify Carl Miller and the child's attorney. The agency will endeavor to find a suitable adoptive placement that will consent to the following terms and will inform the parties when and if that occurs. However, if the agency cannot locate a suitable adoptive placement within a reasonable period of time, the parties agrees that the agency may consent to the child being adopted by a suitable person without the following terms attached as part of the adoption order. Mr. Miller agrees and understands that should this occur he shall not be allowed to withdraw his surrender and the child will be adopted with no conditions.
2. Carl Miller, birth father of Julia, will have visitation with the child Julia three (3) times per year – once in March, once in August and once in December. These visits will occur on dates and times mutually agreed upon by the two parties, Mr. Miller and Ms. Perry. Mr. Miller is responsible for contacting Ms. Perry in the month before each visit – that is in February, July and November to reach agreement for the specific date and time of the next visit. If Mr. Miller does not contact Ms. Perry within the month before the month is may have a visit, Ms Perry is under no obligation to contact him and this will be considered a missed visit. This contact shall be by agreed upon email address. The parties will endeavor to agree to dates that are convenient for both of them and for the child. Mr. Miller may request that his visit coincide with a special or family occasion and Ms. Perry will endeavor to cooperate with such activity. All the visits will occur under the following conditions:
 - A. The visits will be minimally one hour in length, but may be longer if the parties so agree.
 - B. The visits will be at a location of Ms. Perry's choice. At no time shall a visit be held in a jail or a prison or an inpatient facility for mental illness or substance abuse. If the only option available for Mr. Miller is a jail, prison or inpatient facility, the visit shall not occur and shall be considered a missed visit.
 - C. The visits will be supervised by Ms. Perry or someone she has approved of as a supervisor until such time as both parties agree that the child is comfortable with an unsupervised setting.
 - D. If Mr. Miller can not or does not appear at a visit that had already been arranged for, for whatever reason, Ms. Perry is under no obligation to "make up" or offer an alternative visit and the visit will be considered a missed visit. If Ms. Perry cannot or does not appear at a visit that had already been arranged for, the visit will be "made up" within a month's time at a time the

parties mutually agree upon. The parties will show as much consideration as possible to advise each other of visits which cannot be made.

E. If Mr. Miller misses two (2) visits within any consecutive twelve (12) month time period, Ms. Perry is no longer obligated to provide any further visitation whatsoever. Ms. Perry need not apply to court, this term is self executing.

F. The parties shall provide each other with an email address to communicate regarding visits and shall only use same to communicate regarding visits. Ms. Perry is not obligated to check the email account for messages from Mr. Miller except in the month before and the month of the visit for purposes of arranging the visit.

G. All visits will be discontinued if that is the recommendation of any therapist treating the child. Visits would only then recommence upon a therapist's recommendation and under terms recommended.

H. A visit will be immediately terminated if Mr. Miller engages in any offensive conduct toward Julia, Ms. Perry, or anyone supervising the visit. A visit will terminate immediately if Mr. Miller appears to be under the influence of drugs or alcohol or uses same during a visit. Such terminated visits shall be considered a missed visit.

I. No one may accompany Mr. Miller to any visit unless this has been agreed to in advance by Ms. Perry. If anyone appears at the visit where there has been no such agreement, the visit may be terminated immediately by Ms. Perry and will be considered a missed visit.

J. Visits will be discontinued if, at any time after the child turns 14 years of age, the child states that she no longer wishes to visit Mr. Miller.

K. At the visit, Mr. Miller will be permitted to take up to three (3) photos of the child or of Mr. Miller with the child for his own use. Mr. Miller shall not display the photos in any way on any internet site or in any public media. If Mr. Miller violates this rule, Ms. Perry may discontinue all terms under this agreement. Ms. Perry need not return to court to enforce this as this term is self executing.

L. Mr. Miller may bring a greeting card or small gift to any visit but may not give the child sums of money or expensive items. Mr. Miller must advise Ms. Perry in advance if he is bringing a gift and what it is and Ms. Perry shall have sole decision making power as to the appropriateness of the gift.

3. This constitutes the entire agreement between birth father Carl Miller, foster and adoptive mother Linda Perry and Hudson County DSS