

# What Happens To an Adopted Child During a Divorce?

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If a married couple wants to adopt a child, then both parents are responsible for adopting that child. The child has two parents, not just one. Therefore, the child is legally tied to both parents. Similar to how a couple with biological children has to go through complex divorce proceedings involving their children, the same thing has to happen with adopted children as well. There are a few points that you need to keep in mind if you are divorcing with an adopted child.

## In General, The Process Is The Same

Adopted children have the same legal rights as all children when it comes to divorce proceedings. In this manner, adopted children are entitled to a custody arrangement that has been set up in their best interests. In general, this arrangement is going to include continuing contact with both of their parents unless there is a serious confounding factor involved. Furthermore, adopted children are also entitled to have their custody arrangements enforced to make sure that their best interests are always represented. Finally, adopted children are also entitled to financial support from both parents to make sure that their needs are met.

At the same time, there are a few key points to keep in mind. These include:

- Adopted children might have special needs
- There could be unique financial situations if the adopted child is being subsidized by the state
- These special factors are going to be weighed by the court just like all other factors

Therefore, it is important to identify and address these special circumstances as quickly and as thoroughly as possible.

## **Adopted Children have a Right To Child Support**

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Similar to biological children, an adopted child is entitled to financial support from both parents. Therefore, child support proceedings follow the same process. Both parents have a right to seek custody of the child and the court has the right to decide child support based on the income of each parent and the individual needs of the children. There could be extraordinary circumstances if the child has special needs that could drive up the child support payments.

***If the adopted child is receiving a subsidy from the state, this payment is going to continue even if the parents get divorced.*** The parent who receives this payment may still collect child support from the other parent; however, the court might also decide to include this payment when they are calculating the needs of the child. It is important to note that child support payments are not meant to be punitive but are meant to reflect the needs of the child. Therefore, the court may include this state subsidy in its calculations.

## **Rely on the Law Offices of David Pedrazas**

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If you are going through a divorce involving adoption in Utah, then you need to rely on a Utah divorce attorney. The Law Firm of David Pedrazas provides you with access to an expert Salt Lake City divorce lawyer. Our divorce attorneys have an unparalleled level of experience when it comes to divorces in the local area. If you are going through a divorce in Utah, then you need a trained professional who will advocate for your best interests. Contact us today for a case evaluation!