

## Chapter 001 : General Provisions

(Cite as: 15A V.S.A. § 1-101)

- **§ 1-101. Definitions**

As used in this title:

- (1) "Adoptee" means a person who is adopted or is to be adopted.
- (2) "Adult" means a person who has attained 18 years of age.
- (3) "Agency" means the Department or a child-placing public or private entity that is licensed in this State to place minors for adoption.
- (4) "Child" means a minor or an adult son or daughter, by birth or adoption.
- (5) "Child with special needs" means a child with a special factor or condition, including ethnic background, age, membership in a minority or sibling group, medical condition, or physical, mental, or emotional disability, because of which it is reasonable to conclude that the child cannot be placed with adoptive parents without providing adoption or medical assistance.
- (6) "Court," with reference to a court of this State, means the Probate Division of the Superior Court.
- (7) "Department" means the Department for Children and Families.
- (8) "Former parent" means the parent of the adoptee whose rights were terminated, voluntarily or involuntarily.
- (9) "Guardian" means a person, other than a parent, appointed by a court to act as a parent for another individual and specifically authorized by the Court to place the individual for adoption.
- (10) "Identifying information" means any information which might establish the current whereabouts of an adoptee, the adoptee's former parent or other family member, including full name, date and place of birth, and last known address.
- (11) "Legal custody" means the right and duty to exercise continuing general supervision of a minor as authorized by law. The term includes the right and duty to protect, educate, nurture, and discipline the minor and to provide the minor with food, clothing, shelter, medical care, and a supportive environment.
- (12) "Minor" means a person who has not attained 18 years of age.

(13) "Parent" means a person who is legally recognized as a mother or father or whose consent to the adoption of a minor is required under subdivision 2-401(a)(1)-(4) or (6) of this title. The term does not include a person whose parental relationship to a child has been terminated judicially or by operation of law.

(14) "Physical custody" means the physical care and supervision of a minor.

(15) "Place for adoption" means to select a prospective adoptive parent for a minor and transfer physical custody of the minor to the prospective adoptive parent.

(16) "Records" means all documents, exhibits and data pertaining to an adoption, whether collected prior to or after the decree of adoption.

(17) "Registry" means the adoption registry administered by the Department.

(18) "Relative" means a grandparent, great-grandparent, sibling, first cousin, aunt, uncle, great-aunt, great-uncle, niece, or nephew of a person, whether related to the person by the whole or the half blood, affinity, or adoption. The term does not include a person's stepparent.

(19) "Relinquishment" means the voluntary surrender to an agency by a minor's parent or guardian, for purposes of the minor's adoption, of the rights of the parent or guardian with respect to the minor, including legal and physical custody of the minor.

(20) "Sibling" means a full or half brother or sister.

(21) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or insular possession subject to the jurisdiction of the United States.

(22) "State Registrar" and "State Registrar of Vital Records" mean the supervisor of the Office of Vital Records in the Department of Health.

(23) "Stepparent" means a person who is the spouse or surviving spouse of a parent of a child but who is not a parent of the child. (Added 1995, No. 161 (Adj. Sess.), § 1; amended 2009, No. 154 (Adj. Sess.), § 238a, eff. Feb. 1, 2011; 2013, No. 96 (Adj. Sess.), § 72; 2013, No. 131 (Adj. Sess.), § 114; 2017, No. 46, § 59, eff. July 1, 2019.)