

## **IC 31-19-14**

### **Chapter 14. Limitations on Direct or Collateral Attacks or Appeals of Adoption Decrees**

#### **IC 31-19-14-1**

##### **Expedited appeal proceedings**

Sec. 1. An appeal of an adoption decree shall be decided on an expedited basis.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-14-2**

##### **Time for challenge to adoption decree**

Sec. 2. Except as provided in section 3 of this chapter, if a person whose parental rights are terminated by the entry of an adoption decree challenges the adoption decree not more than the later of:

- (1) six (6) months after the entry of an adoption decree; or
- (2) one (1) year after the adoptive parents obtain custody of the child;

the court shall sustain the adoption decree unless the person challenging the adoption decree establishes, by clear and convincing evidence, that modifying or setting aside the adoption decree is in the child's best interests.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-14-3**

##### **Time for withdrawal of consent to adoption, contest or challenge to adoption, or establishment of paternity**

Sec. 3. (a) A person who consents to an adoption may not withdraw the consent to adoption after the entry of the adoption decree under IC 31-19-10-4.

(b) A person who is served with notice of an adoption under IC 31-19-4 may not:

- (1) contest the adoption; or
- (2) establish paternity;

more than thirty (30) days after the date of service of notice of the adoption.

(c) A person who receives actual notice of an adoption under IC 31-19-3 may not:

- (1) contest the adoption; or
- (2) establish paternity;

more than thirty (30) days after the date of receiving actual notice of the adoption.

(d) A person who is prohibited from taking action by subsection (a), (b), or (c) may not challenge an adoption decree.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-14-4**

##### **Expiration of time to challenge; appeal for lack of notice or**

**defective proceedings barred**

Sec. 4. After the expiration of the period described in section 2 of this chapter, a person whose parental rights are terminated by the entry of an adoption decree may not challenge the adoption decree even if:

- (1) notice of the adoption was not given to the child's putative father; or
- (2) the adoption proceedings were in any other manner defective.

*As added by P.L.1-1997, SEC.11.*