

Rule 21. Intervention**21.01 Intervention of Right**

Subdivision 1. Child. A child younger than age ten (10) who is the subject of the adoption matter has the right to intervene as a party at any point in the proceeding.

Subd. 2. Indian Tribe. In any adoption matter relating to an Indian child, if the child's Indian tribe is not already a party pursuant to Rule 20.01(g), the child's tribe has the right to intervene as a party at any point in the proceeding.

Subd. 3. Local Social Services Agency. The local social services agency has the right to intervene as a party at any point in the proceeding.

Subd. 4. Procedure. A child younger than age ten (10), the child's Indian tribe, or the local social services agency may intervene as a party by filing with the court and serving upon the parties a notice of intervention as a matter of right. The notice of intervention form shall be available from the court administrator. The intervention shall be deemed accomplished upon service of the notice of intervention, unless a party files and serves a written objection within ten (10) days of the date of service.

21.02 Parent Intervention Prohibited

No parent who has executed a valid consent to the adoption or whose parental rights to the child who is the subject of the adoption petition have been terminated may intervene in an adoption matter.

21.03 Permissive Intervention

Subdivision 1. Generally. Any person or agency may be permitted to intervene as a party if the court finds that such intervention is in the best interests of the child.

Subd. 2. Procedure. A person or agency seeking permissive intervention shall file with the court and serve upon all parties a notice of motion and motion to intervene pursuant to Rule 15. The motion form shall be available from the court administrator and shall state the nature and extent of the person's interest in the child and the reason(s) that the person's intervention would be in the best interests of the child. A hearing on a motion to intervene shall be held within ten (10) days of the filing of the motion to intervene.

21.04 Effect of Intervention

The court may conduct hearings, make findings, and issue orders at any time before intervention is accomplished or denied. The intervention shall be effective as of the date accomplished or granted and shall not affect prior proceedings and decisions of the court, unless otherwise ordered by the court or required by the Indian Child Welfare Act, 25 U.S.C., section 19.01, et seq.