

Rule 39. Answer When Contested Adoption Matter**39.01 Answer When Contested**

Within twenty (20) days after service of the adoption petition, or as soon thereafter as the party or agency becomes aware that the matter is contested, a Notice of Contested Adoption and, if appropriate, a competing adoption petition, shall be filed by:

- (a) any party or agency opposing the adoption;
- (b) any party or agency with knowledge of two or more adoption petitions regarding the same child; or
- (c) the Commissioner of Human Services or responsible social services agency if consent to adopt is being withheld from the petitioner.

(Amended effective January 1, 2007.)

39.02 Notice of Contested Adoption

Subdivision 1. Content. A Notice of Contested Adoption shall:

- (a) set forth the allegations upon which the adoption is being contested; and
- (b) be signed by the party or by an agent of the agency opposing the adoption.

Subd. 2. Service. The Notice of Contested Adoption shall be served upon all parties in the same fashion as other motions are served under these Rules.

(Amended effective January 1, 2007.)

39.03 Pretrial Conference

The court shall schedule a pretrial conference within fifteen (15) days of the filing of a Notice of Contested Adoption and provide notice of hearing to the parties.