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IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN THE MATTER OF THE)	ADOPTION CASE NO. 91-20
ADOPTION OF:)	
)	
SHARMIN NESTLE ANTOLIN REYES)	
and RAMON LICERIO ISIDORO,)	
)	<u>ORDER FOR ADOPTION</u>
Minors,)	
)	
BY: MARIANO CRUZ CAMACHO,)	
)	
Petitioner.)	
)	

Mariano Cruz Camacho has petitioned this court to allow him to adopt Ramon Licerio Isidoro. Mr. Camacho is 25 years old. Ramon Isidoro is 16 years old. Since Ramon is a minor, his parents have given their written consent to this adoption pursuant to 8 CMC § 1402. Ramon, being a child over 12 years of age, has also given his consent pursuant to § 1402.

Having found that this adoption complies with all other provisions of the statute, the only issue left for resolution is whether the 9-year age differential between the petitioner and the child to be adopted is in compliance with the statute.

Though many state adoption statutes contain provisions requiring that an adopting parent be at least ten (10) years older

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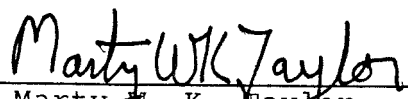
than the child to be adopted, our statute contains no such provision. See Cal. Civ. Code § 222(a) ("the person adopting a child must be at least 10 years older than the person adopted"); Nev. Rev. Stat. § 9:3-43(b) (requiring a 10 year differential, but allowing the court to waive the requirement for good cause); S.D. Codified Laws § 25-6-2 (10 year requirement); Utah Code Ann. § 78-30-2 (10-year minimum). Section 18 of the Uniform Adoption Act also requires a 10-year age differential between the adopting parent and the adopted child.

8 CMC §§ 1402 - 1404 govern the eligibility requirements for adoptions in the Commonwealth. Nothing in the Code places any limitations on the age differential that must exist between an adopting parent and the child to be adopted. Furthermore, there is no minimum age requirement that must be attained in order to qualify as an adopting parent. The only requirement is that the court must find the adopting parent "suitable" and do that which is "in the best interests of the child." Therefore, it is entirely possible that under the proper set of circumstances, the court could allow a suitable 16-year-old person to adopt a 15-year-old child if such adoption is in the best interests of the child.

Since nothing has been submitted in this case that would tarnish the suitability of Mr. Camacho, and the court finds that this adoption would be in the best interests of the child, the petitioner's request for a decree of adoption is granted.

petitioner's attorney is directed to prepare the decree of adoption for signature.

SO ORDERED this 15th day of May, 1991.



Marty W. K. Taylor
Associate Judge