

1991 MAY 23

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

IN THE MATTER OF THE)	ADOPTION CASE NO. 91-23
ADOPTION OF:)	
)	
LOTUS CALLO CUSTORIO and)	
MARY GRACE MAURICIO CALLO,)	<u>ORDER GRANTING PETITION</u>
)	<u>FOR ADOPTION OF</u>
children,)	<u>MARY GRACE MAURICIO CALLO</u>
)	
BY: GREGOKIO BALANON ESTELLA)	
and CORAZON CALLO ESTELLA,)	
)	
Petitioners.)	

On May 2, 1991, a hearing was held to determine whether Gregorio Balanon Estella and Corazon Callo Estella can adopt Mary Grace Mauricio Callo.

With respect to their petition for adoption, the court finds that the adoption is possible even though Ms. Callo has already reached the age of majority. Ms. Callo has consented to the adoption. Since she has already reached the age of majority, the consent of her mother or any other parent is of no relevance in this proceeding.

8CMC §§ 1401 - 1404 govern the adoption process in this Commonwealth. It is important to note that the statute refers to the adoptee as the "child," rather than the "minor." It is also important to note that the statute expressly states that

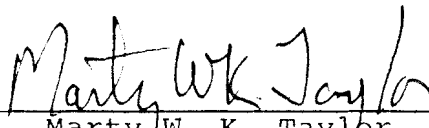
the use of the term "child" is meant to refer to the relationship between the parent and child. 8 CMC § 1401(b). This implicitly reveals a legislative intent that the term "child" not be interpreted to refer to the adoptee's minority or majority status. It is, therefore, apparent that the statute does not forbid the adoption of an individual who has attained majority status where the proposed adoption complies with the other provisions of the statute.

Such an interpretation is clearly not contrary to public policy and is in line with similar decisions in other jurisdictions. See, e.g., Matter of Appeal in Maricopa County, Etc., 637 P.2d 1092, 1093 (Ariz. App. 1981) (use of word "child" in adoption statute not conclusively a reference to minority/majority status of child where statute describes or defines the term otherwise).

Based on the foregoing, it is ordered that Gregorio Balanon Estella and Corazon Callo Estella's petition to adopt Mary Mauricio Callo shall be, and is hereby granted.

Counsel for Petitioners is hereby directed to prepare a decree of adoption for Lotus Callo Custorio and a separate decree of adoption for Mary Grace Mauricio Callo.

SO ORDERED this 8TH day of May, 1991.



Marty W. K. Taylor
Associate Judge