

Cherokee Nation Code Annotated

Title 10: Children

Chapter 2A: Uniform Adoption Act

§ 60.10. Withdrawal of consent—Notice and hearing—Limitation

Cite as: 10 CNCA § 60.10

A. Withdrawal of any consent for adoption of a child pursuant to 10 CNCA § 60.5 shall not be permitted, except that the Court pursuant to the provisions of this section may, if it finds that the best interest of the child will be furthered thereby, issue a written order permitting the withdrawal of such consent if a petition for leave to withdraw consent is submitted in writing not later than thirty (30) days after consent was executed.

B. Notice of the petition to withdraw the consent and hearing on the petition to withdraw consent to the adoption shall be provided to:

1. the person who filed for adoption of the child;
2. any agency participating in the adoption; and
3. any person or agency in whose favor the consent was given.

The Court shall provide an opportunity to be heard to the person who has filed for adoption and to any agency participating in the adoption as to why the withdrawal of consent would not be in the best interest of the child.

C. The entry of the interlocutory or final decree of adoption renders any consent irrevocable.