

	<p>Register in Probate Dodge County Justice Facility 210 West Center Street Juneau, WI 53039-1091 Telephone: (920) 386-3550</p>	
	<p><b>TERMINATION OF PARENTAL RIGHTS</b> <b>(when held in conjunction with a step-parent adoption)</b></p>	

**PLEASE NOTE:** This Guideline is provided as a public service and is not intended to be legal advice. If you have any questions about the Forms or the procedures, please contact an attorney as Court staff cannot give legal advice.

**TERMINATION OF PARENTAL RIGHTS** means to permanently stop or end all rights, powers, privileges, immunities, duties and obligations (including child support) existing between parent and child. If the other parent does not let you see your child, or does not pay child support and does not see the child, you may terminate his/her parental rights, but there must be a step-parent willing to adopt the child and take on all of the obligations for the child. There are options available in Family Court that you can exercise to enforce or request child support or placement orders.

- ❖ You may access Termination of Parental Rights forms on the internet at:  
<http://www.wicourts.gov/forms1/circuit.htm>
- ❖ If you do not understand the forms or your duties as the petitioner, please seek advice from an Attorney.
- ❖ Complete the above forms and either mail in or drop off at the Register in Probate office.
- ❖ Copy fees: \$1.00 per page – If a certified copy is needed, the cost is \$1.00 for the copy and \$3.00 for the certification. Please make checks payable to the Clerk of Circuit Court.

Form No.	Name of Form
<a href="#">JC-1630</a>	<b>Petition for Termination of Parental Rights</b> (filed in the County where the child resides)
<a href="#">GF-150</a>	<b>Uniform Child Custody Jurisdiction and Enforcement Act Affidavit</b>
<a href="#">JC-1633</a>	Summons (Termination of Parental Rights) <b>The court will generate this form for pro se filers.</b>
<a href="#">JD-1798A</a>	Order Appointing Guardian ad Litem or Attorney (mandatory §48.235, Wis. Stats) <b>The court will generate this form.</b>
<a href="#">JC-1636</a>	<b>Consent to Termination of Parental Rights (Affidavit)</b> (if applicable) The person terminating their Parental Rights must sign before a notary <b>and</b> two witnesses that are not interested parties must also sign.
<a href="#">JC-1634</a>	<b>Consent to Use Mother's Name for Publication</b> (if applicable)
Fee Required	<b>\$250 deposit for Guardian ad Litem fees must be paid at the time of filing the Petition.</b> (if there is more than one child it is an additional \$50 for each additional child)

#### **GUARDIAN AD LITEM:**

- ❖ A Guardian ad Litem is required by Wisconsin Statutes to be appointed for a child who is the subject of a Termination of Parental Rights proceeding. The GAL is to investigate and report on the best interests of the child.
- ❖ Only one Guardian ad Litem will be appointed for more than one child of the same family who are the subject of the same termination proceedings if they have the same parents.

- ❖ A Guardian ad Litem will also be appointed for any parent whose rights are being terminated and is a minor or incompetent.

Petitioner is responsible for personal service – All documents must be served at least 10 days prior to hearing. Publication (constructive notice) - Pursuant to §48.42(4)(b) Wis. Stats. A Notice under this section shall be published as a Class 1 notice at least 7 days prior to the hearing. Review §48.42 Wis. Stats. to acquire proper notice. For confidentiality purposes, use only the child's initials in the publication notice.

Under §48.422 Wis. Stats., the TPR hearing shall be held within 30 days of the filing of the petition. Petitioner must serve the Petition for Termination of Parental Rights, Uniform Child Custody Jurisdiction and Enforcement Act Affidavit, Order Appointing Guardian ad Litem and Consent to Termination (if applicable) on the parent(s) to be terminated, and file the proof of service or proof of attempted service and proof of publication to the Court no later than 48 hours prior to the hearing. Notice of the TPR hearing must be given to the child if 12 years of age or older by service of a the Petition.

**Prior to the hearing:**

Form No.	Name of Form
<a href="#">JD-1825</a>	<b>Affidavit of Service indicating that you served the Petition for Termination of Parental Rights, the Uniform Child Custody Jurisdiction and Enforcement Act Affidavit, Consent to Termination of Parental Rights and Order Appointing Guardian ad Litem (if applicable)</b>
Obtain from Newspaper	<b>Proof of Publication</b> (if applicable)
<a href="#">JC-1638</a> OR <a href="#">JC-1639</a>	<b><i>Proposed Order Concerning Termination of Parental Rights (Voluntary)</i></b>  <b><i>Proposed Order Concerning Termination of Parental Rights (Involuntary)</i></b>

- ❖ Certified Copies: If certified copies are required, the statutory cost is \$4.00 (\$3.00 for the certificate and \$1.00 for each page copied) or compared per §814.66, Wis. Stats.