



SUPERIOR COURT OF CALIFORNIA
County of Kings
1640 Kings County Drive, Hanford, CA 93230
(559) 582-1010

PETITION TO DECLARE MINOR FREE FROM PARENTAL CUSTODY AND CONTROL PACKET



Online Assistance: www.courts.ca.gov/selfhelp.htm
The California Courts Self-Help Center

E-file California: <https://california.tylerhost.net>

Kings County Superior Court: www.kings.courts.ca.gov

Hours of Operation (Except for Court Holidays): Monday – Friday 8:00a.m. to 4:00p.m.

FORMS INCLUDED IN THIS PACKET

Verified Petition to Declare Minor Free From Parental Custody and Control	Local Form
Declaration of Custodial Parent	Local Form
Citation to Parent	Local Form
Application for Order Dispensing With Notice to All Alleged Natural Fathers and Termination of Parental Rights	Local Form
Order Dispensing With Notice to Alleged Father	Local Form
Order Terminating Parental Rights	Local Form
Judgment Declaring Minor Free From Parental Custody and Control	Local Form
Filing Fee: <ul style="list-style-type: none">Petition to Declare Minor Free of Custody and Control	\$350.00

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In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS

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In the Matter of the Petition of:

Case Number:

Adopting Parent.

Verified Petition to Declare Minor Free
From Parental Custody and Control

Petitioner respectfully represents:

1. Petitioner, _____ [ADOPTING PARENT'S NAME], is the spouse of the natural mother/father, _____ [NATURAL PARENT'S NAME], of the minor child, _____, [CHILD'S NAME] and seeks to adopt the minor child on the termination of the natural mother's/father's right to custody and control.

2. _____ [CHILD'S NAME] is an unmarried minor child who was born on _____ [CHILD'S DATE OF BIRTH], and is a resident of _____ [CITY OF RESIDENCE], Kings County, California.

3. _____ [NATURAL PARENT'S NAME] is the parent who has _____

[DESCRIBE CUSTODIAL RIGHT OF NATURAL PARENT (example: sole legal and sole physical custody of the child)] and resides at _____ [NATURAL PARENT'S ADDRESS], California. The child's mother/father is currently _____ [ADDRESS OF RESIDENCE OR IF INCARCERATED STATE WHERE INCARCERATED] .

1 4. The child has been left by _____ [NAME OF NATURAL
2 PARENT WHOSE RIGHTS ARE BEING TERMINATED] with _____ [NATURAL
3 PARENT'S NAME] having primary custodial care and has had no contact with the child since
4 _____ [DATE OF LAST CONTACT BETWEEN CHILD AND PARENT WHOSE
5 RIGHTS ARE BEING TERMINATED] to the present and without any provision for the child's support nor
6 communication from absent parent and with the intent on the part of
7 _____ [NAME OF PARENT WHOSE RIGHTS ARE BEING TERMINATED] to
8 abandon the child.

9 WHEREFORE, petitioner prays judgment as follows:

- 10 1. For an order declaring that the minor child _____ [CHILD'S
11 NAME] is free from the custody and control of _____ [NAME OF PARENT
12 WHOSE RIGHTS ARE BEING TERMINATED] and terminating all of his/her rights and responsibilities
13 with regard to the child;
- 14 2. For such other and further relief as the court may deem proper.

15 Dated: _____

16 _____
17 [SIGN AND PRINT ADOPTING PARENT'S NAME]

18
19 **VERIFICATION**

20 I, _____ [ADOPTING PARENT'S NAME], am the petitioner in this
21 matter. I have read the foregoing Petition and know the contents thereof. The same is true of my
22 own knowledge, except as to those matters which are therein represented on information and belief,
23 and as to those matters which are therein represented on information and belief, and as to those
24 matters, I believe to be true.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing
26 is true and correct.

27 Dated: _____

28 _____
[SIGN AND PRINT ADOPTING PARENT'S NAME]

CONSENT OF NATURAL PARENT

I, _____ [NATURAL PARENT'S NAME], am the natural
mother/father of _____ [CHILD'S NAME], the minor subject to this
proceeding and the spouse of the Petitioner, _____ [ADOPTING STEP
PARENT'S NAME]. I hereby consent to the request to terminate the parental rights to custody and
control of the minor by the natural mother/father, _____ [PARENT'S
NAME WHOSE RIGHTS ARE BEING TERMINATED], and to the adoption request by the Petitioner.

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Dated: _____

[SIGN AND PRINT NATURAL PARENT'S NAME]

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In Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS**

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In Re The Matter of The Petition of:

Case Number:

CITATION TO PARENT

_____,
Petitioner.

TO: _____
NAME OF PARENT WHO'S RIGHTS ARE BEING TERMINATED

By order of this court you are hereby advised that you may appear before the Judge presiding in Department _____ of this Court on _____ [DATE OF HEARING] at _____ am/pm, then and there to show cause, if any you have, why _____ [NAME OF CHILD] should not be declared free from your custody and control for the purpose of freeing _____ [CHILD'S NAME] for placement for adoption. The following information concerns rights and procedures that relate to this proceeding for the termination of custody and control of said minor as set forth in Family Code Section 7860 et seq.:

1. At the beginning of the proceeding the court will consider whether of not the interests of the minor child require the appointment of counsel. If the court finds that the interests of the minor do require such protection, the court will appointment counsel to represent him/her, whether or not he/she is able to afford counsel. The minor will not be present in court unless he/she requests or the court so orders.

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2. If a parent of the minor appears without counsel and is unable to afford counsel, the court must appoint counsel for the parent, unless the parent knowingly and intelligently waives the right to be represented by counsel. The court will not appoint the same counsel to represent both the minor and his/her parent.

3. The court may appoint either the public defender or private counsel. If private counsel is appointed, he or she will receive a reasonable sum for compensation and expenses, the amount of which will be determined by the court. That amount must be paid by the real parties in interest, but not by the minor, in such proportions as the court believes to be just. If, however, the court finds that any of the real parties in interest cannot afford counsel, the amount will be paid by the county.

4. The court may continue the proceeding for not more than thirty (30) days as necessary to appoint counsel to become acquainted with the case.

Date: _____

Michelle S. Martinez, Clerk of Court
Court Executive Officer

By: _____
Deputy Clerk

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In Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS**

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In the Matter of the Petition of:

Adopting Parent.

Case Number:

Judgment Declaring Minor Free
From Parental Custody and Control

The petition of _____ [ADOPTING PARENT'S NAME], for a judgment declaring _____ [CHILD'S NAME], a minor, free from the custody and control of _____ [PARENT'S NAME WHOSE RIGHTS ARE BEING TERMINATED], came on regularly for hearing on _____ [DATE OF HEARING], petitioner appearing in Pro Per. The court having examined petitioner, _____ [ADOPTING PARENT'S NAME] and other witnesses, and other evidence both oral and documentary having been introduced, and good cause appearing therefore, the court finds:

1. Notice of the hearing on the petition was given by citation to _____ [NAME OF PARENT WHOSE RIGHTS ARE BEING TERMINATED], as prescribed by Family Code Section 7881;
2. The Court Investigator of Kings County Superior Court, California, has filed a written report of his/her investigation of the circumstances of the child as required by Family Code Section 7851, in which he/she recommends that _____ [CHILD'S NAME] be

1 declared free from the custody and control of _____ [NAME OF
2 PARENT WHOSE RIGHTS ARE BEING TERMINATED].

3 Further, _____ [NAME OF NATURAL PARENT] has executed a
4 consent to the Step-Parent Adoption by _____ [ADOPTING PARENT'S
5 NAME].

6 3. There is clear convincing evidence that _____ [CHILD'S
7 NAME] should be declared free from the custody and control of his/her mother/father,
8 _____ [NAME OF PARENTS WHOSE RIGHTS ARE BEING TERMINATED]
9 pursuant to Family Code Section 7820 et seq., in that he/she has left the child in the care and custody
10 of petitioner's husband/wife, the natural parent, for a period of over one year without any provision
11 for the child's support, with the intent to abandon the child.

12 4. The child is adoptable.

13 5. It is in the best interests of the child that he/she be declared free from custody and
14 control of his/her biological parent, _____ [NAME OF PARENTS
15 WHOSE RIGHTS ARE BEING TERMINATED], and there is no less detrimental alternative to provide for
16 the child's best interests.

17 WHEREFORE IT IS ORDERED that the child, _____ [CHILD'S
18 NAME] is freed from the custody and control of _____ [NAME OF
19 PARENTS WHOSE RIGHTS ARE BEING TERMINATED].

20 Dated: _____

Judge of Superior Court

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In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS

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In the Matter of the Petition of:

Adopting Parent.

Case Number:

APPLICATION FOR ORDER DISPENSING
WITH NOTICE TO ALL ALLEGED NATURAL FATHERS
AND TERMINATION OF PARENTAL RIGHTS

Petitioner, _____, [ADOPTING PARENT'S NAME], petitions for
an Order of this Court terminating the parental rights of any alleged father of
_____, [CHILD'S NAME] a minor, who was born on _____,

[CHILD'S DATE OF BIRTH] as follows:

1. Petitioner, _____, [ADOPTING PARENT'S NAME], is the
_____ [HUSBAND, WIFE, DOMESTIC PARTNER], of the natural
parent _____ [NAME OF NATURAL PARENT].
2. The natural parent of the child _____ [NAME OF NATURAL
PARENT] has consented to the adoption.
3. Pursuant to the natural parent's declaration _____

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[STATE THE FACTS IN SUPPORT STATED IN NATURAL PARENT'S DECLARATION]
WHEREFORE, Petitioner prays for an order of this court dispensing with notice to any alleged

father. Petitioner also prays for an order terminating the parental rights of the alleged father
_____, *[NAME OF NATURAL PARENT WHOSE RIGHTS ARE BEING*
TERMINATED], pursuant to Family Code Section 7665.

Dated: _____
[PRINT AND SIGN ADOPTING PARENT'S NAME]

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In Pro Per

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS**

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In Re The Matter of The Petition of:

Case Number:

DECLARATION OF CUSTODIAL PARENT

Petitioner.

I, _____, [NAME OF NATURAL PARENT] do declare
as follows:

1. I am the natural parent of _____ [NAME OF CHILD] who was
born on _____ [DATE OF BIRTH] at _____
[PLACE OF BIRTH].

2. I believe that the non-custodial parent of the child is _____
[NAME OF PARENT WHOSE PARENTAL RIGHTS ARE BEING TERMINATED].

3. The non-custodial parent lives at: _____
[STREET ADDRESS, CITY, STATE. IF PRESENT ADDRESS IS UNKNOWN, GIVE ANY KNOWN PAST
ADDRESSES].

4. S/he works for _____ as
_____. [IF PRESENT EMPLOYMENT IS UNKNOWN, GIVE ANY KNOWN
PREVIOUS EMPLOYMENT HISTORY]

5. S/he _____ [YES or NO] in school.

Declaration of Custodial Parent

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6. S/he _____ [YES or NO] is in the armed services.

7. The non-custodial parent was born on _____ [DATE OF BIRTH]
at _____ [PLACE OF BIRTH].

8. The non-custodial parent _____ married [IS or IS NOT].

9. The non-custodial parent _____ been Ordered to pay support [HAS or HAS
NOT]. _____ [IF
SUPPORT HAS BEEN ORDERED, LIST THE NAME OF THE COURT, THE DATE OF THE ORDER, THE
AMOUNT OF THE ORDER]

10. The identity of the birth father/mother of the minor child is unknown to me because

11. I am unable to identify the birth father/mother of the minor child because

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Dated: _____

[PRINT AND SIGNATURE OF NATURAL PARENT]

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In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS

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In the Matter of the Petition of:

Adopting Parent.

Case Number:

ORDER DISPENSING WITH NOTICE TO
ALLEGED FATHER

The application of Petitioner, _____, *[ADOPTING PARENT'S NAME]*,
for an Order Dispensing with Notice to the Alleged Natural Father, _____,
[NAME OF NATURAL PARENT WHOSE RIGHTS ARE BEING TERMINATED] of
_____, *[CHILD'S NAME]* a minor, who was born on _____,
[CHILD'S DATE OF BIRTH] having come before the Court on this Application, and the Court having
reviewed the Petition for Termination of Parental Rights and the Application for an Order dispensing
with Notice and an Order Terminating Parental Rights of the Alleged Natural Father,
_____, *[NAME OF NATURAL PARENT WHOSE RIGHTS ARE BEING
TERMINATED]* who cannot be located after due diligence.

1 THE COURT MAKES THE FOLLOWING FINDING OF FACT:

- 2 1. The minor child, _____, [CHILD'S NAME] who is the subject of
3 this action, born on _____, [CHILD'S DATE OF BIRTH] has no
4 presumed father.
- 5 2. The mother of the minor child is not able to locate the whereabouts of the alleged
6 natural father. The alleged father cannot be located with reasonable diligence.
- 7 3. The alleged natural father, _____, [NAME OF NATURAL PARENT
8 WHOSE RIGHTS ARE BEING TERMINATED] has not appeared, claiming to be the natural
9 father or claiming custodial or parental rights to the minor child.

10 **IT IS ORDERED, ADJUDGED, AND DECREED** that pursuant to Family Code § 7666, notice is dispensed
11 with to the alleged natural father, _____, [NAME OF NATURAL PARENT
12 WHOSE RIGHTS ARE BEING TERMINATED] of the pending adoption proceeding.

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14 Dated: _____
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JUDGE OF THE SUPERIOR COURT

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In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KINGS

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In the Matter of the Petition of:

Adopting Parent.

Case Number:

ORDER TERMINATING PARENTAL RIGHTS

The application of Petitioner, , _____, [ADOPTING PARENT'S
NAME], for an Order Terminating Parental Rights of Natural Father, _____,
[NAME OF NATURAL PARENT WHOSE RIGHTS ARE BEING TERMINATED], of
_____, [CHILD'S NAME] a minor, who was born on _____,
[CHILD'S DATE OF BIRTH] having come before the Court on this Application, and the Court having
reviewed the Petition for Termination of Parental Rights and Application for an Order Dispensing with
Notice and an Order Terminating Parental Rights of the Alleged Natural Father.

THE COURT MAKES THE FOLLOWING FINDING OF FACT:

1. The minor child, _____, [CHILD'S NAME] a minor, who was born on _____, [CHILD'S DATE OF BIRTH], has no presumed father.

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2. The mother of the minor child is not able to locate the alleged father's current whereabouts and he cannot be located with reasonable diligence.
3. The alleged natural father has not appeared, claiming to be the natural father or claiming custodial or parental rights to the minor child.

IT IS ORDERED, ADJUDGED, AND DECREED that the parental rights of,

_____, [NAME OF NATURAL PARENT WHOSE RIGHTS ARE BEING
TERMINATED], the alleged natural father of _____, [CHILD'S NAME] a minor,
who was born on _____, [CHILD'S DATE OF BIRTH], shall be, and are, terminated.

Dated: _____

JUDGE OF THE SUPERIOR COURT