
TERMINATION OF PARENTAL RIGHTS

BURNETT COUNTY
PROBATE OFFICE
7410 COUNTY RD K #110
SIREN WI 54872

HOURS:
MONDAY – FRIDAY
8:30 AM – 4:30 PM

PHONE: 715-349-2147, ext. 2453

NOTE:

- This information is provided as a public service to persons involved in a Termination of Parental Rights (TPR) proceeding and is **NOT** intended to be legal advice. Persons having questions should contact an attorney; probate office staff **cannot** give legal advice.
- All forms listed on this guideline are included in the packet, except the service forms (Certificate of Service, Affidavit of Service, and Proof of Publication).
- If the child is subject to the Indian Child Welfare Act (ICWA), please refer to a separate guideline specific for that situation.
- Please read the forms carefully and fill them out completely.

STEP ONE: FILE THE FOLLOWING DOCUMENTS TO START A TPR PROCEEDING:

- Summons (Termination of Parental Rights) JC-1633
- Petition for Termination of Parental Rights JC-1630
- Order Appointing Guardian ad Litem (see below) GF-131
- Uniform Child Custody Jurisdiction Act Affidavit GF-150
- Court Report for Centralized Birth Record CFS-134
- Family History Questionnaire – completed by the petitioner DCF-F-CFS0149
- Family History Questionnaire Pregnancy & Delivery Information DCF-F-CFS0149A

Note: JC and GF forms are found at www.wicourts.gov; the CFS and DCF forms are found at www.dhs.wisconsin.gov/forms.

Guardian ad Litem appointment: A Guardian ad Litem (GAL) is required, by statute, to be appointed in this proceeding.

- It is the petitioner's responsibility to retain and pay for a guardian ad litem for the child. A guardian ad litem is an attorney licensed in the State of Wisconsin. A deposit of \$200 is requested at the time you file.
 - The Guardian ad Litem is not your attorney. If you have legal questions, contact an attorney.
- When the above documents are filed with the court, a hearing date will be set. Copies of the Summons and Petition for TPR will be provided to the petitioner for service on the terminating parent.

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STEP TWO: SERVICE OF DOCUMENTS:

1. It is the petitioner's responsibility to personally serve the terminating parent with the Summons, Petition for TPR, and a Family History Questionnaire at least 7 days prior to the hearing date.
2. If the address of the terminating parent(s) is not known, Notice must be published in a newspaper: Notice and Order of Hearing (for publication) JC-1635 and Consent to Use Mother's Name for Publication JC-1634 must be completed and filed with the court.

STEP THREE: FILE PRIOR TO THE COURT HEARING:

- Certificate/Affidavit of Personal Service or the Proof of Publication.
- Order Concerning Termination of Parental Rights (Involuntary; JC-1639) OR (Voluntary; JC-1638)
- Family History Questionnaires of *both* parents (if not previously filed).

NOTES:

- Order for TPR must be filled in completely prior to the hearing.
- Complete the medical/genetic questionnaires as thoroughly as possible. Add any additional information you feel is important that is not requested. {48.432, 48.425(1)(am), 48.02(12m)}
- Contact an attorney if you have questions.
- Probate office staff **cannot** give legal advice.
- **FORMS:** additional/duplicate state mandated forms can be found at: www.wicourts.gov
- **Medical/genetic questionnaire forms:** additional/duplicate Family History Questionnaires can be found at: <http://dhfs.wisconsin.gov/forms> (forms arranged by form number/name/division)