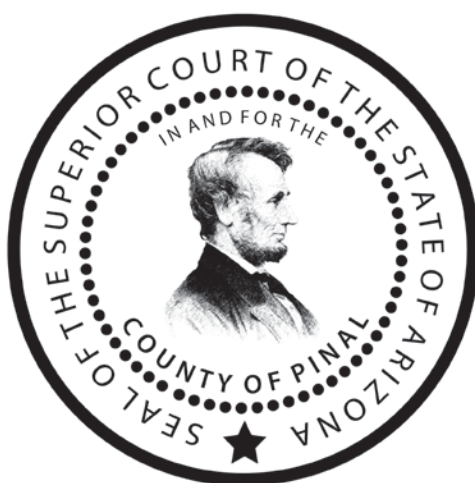


PETITION FOR TERMINATION OF PARENT / CHILD RELATIONSHIP



PINAL COUNTY

HOW TO SEVER THE PARENTAL RIGHTS BETWEEN
A PARENT AND MINOR CHILD

INSTRUCTIONS AND FORMS

Provided as a Public Service by
REBECCA PADILLA
Clerk of the Superior Court

PETITION FOR TERMINATION OF PARENT / CHILD RELATIONSHIP

CHECKLIST

USE THESE FORMS AND INSTRUCTIONS in this packet only if the following factors apply to your situation.

√ You are the natural parent, legal guardian of the child(ren) for whom you wish to sever parental rights.

AND

√ The parent(s) for whom you wish to sever parental rights has not maintained a parental relationship with child(ren)

AND

√ The parent(s) for whom you wish to sever parental rights has not provided financial support with child(ren).

You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents. It is strongly recommended that you contact an attorney to assist you in completing these forms if you have any questions.

PETITION FOR TERMINATION OF PARENT / CHILD RELATIONSHIP

How to assemble these documents:

This packet contains general information and instructions to file Petition for Termination of Parent / Child Relationship. Be sure this packet contains the following documents:

Order	Title	# of Pages
1	Checklist – Use these forms if the following	1
2	Table of Contents (This Page)	1
3	Instructions: How to fill out the Petition for Termination of Parent / Child Relationship forms	2
4	Procedures: How to file an Petition for Termination of Parent / Child Relationship	1
5	Petition for Termination of Parent / Child Relationship	4
6	SV Cover Sheet	2
7	Notice of Petition to Terminate Parental Rights A.R.S. §8-106 and Notice of Hearing	2
8	Order of Termination	2

You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents. It is strongly recommended that you contact an attorney to assist you in completing these forms if you have any questions.

INSTRUCTIONS

How to fill out the Petition for Termination of Parent / Child Relationship (Initial Forms for Filing: Type or Print Neatly. Use black ink.)

PETITION FOR TERMINATION OF PARENT / CHILD RELATIONSHIP:

1. Fill in the name, address, and telephone number of the person filing the form.
2. In the Case Caption list the name(s) of the child(ren) for whom you want to terminate parental rights.
3. Leave the case number blank, this will be completed by personnel at the Office of the Clerk of the Superior Court when you file these documents.
4. Answer all the questions of the Petition for Termination of Parent / Child Relationship.
5. Sign your name on the Petitioner line and 2nd page of the Petition before a Notary to affirm that the information on the form is true and correct to the best of your knowledge and belief.

SV COVER SHEET:

1. Fill in the Initiating Agency's name and address in appropriate box, if applicable.
2. Fill in the Petitioner's name and address in the appropriate box.
3. Fill in the Minor's name and address in the appropriate box. If there are additional children, continue on the next page.
4. Fill in the Petitioner's attorney's name and address in the appropriate box, if applicable.
5. Place a check mark next to the Nature of Action.
6. Sign the document on the signature line provided on the next page.

NOTICE OF PETITION TO TERMINATE PARENTAL RIGHTS AND NOTICE OF HEARING:

NOTICE OF PETITION TO TERMINATE PARENTAL RIGHTS:

1. In the Case Caption list the name(s) of the child(ren) for whom you want to terminate parental rights.
2. Leave the case number blank, this will be completed by personnel at the Office of the Clerk of the Superior Court when you file these documents.
3. Fill in the name of the absent parent(s) in the first line, the Petitioner's or natural mother in the next appropriate line of the document. Fill in the address of the absent parent(s) in the appropriate line. Complete the date of birth of the child(ren) and place of birth in appropriate line.
4. Fill in the name of the natural mother.

NOTICE OF HEARING:

5. Fill in your name and the other parent's name in the appropriate first three lines of the document. The deputy clerk at the Office of the Clerk of the Superior Court will complete the remaining part of this document.

ORDER FOR TERMINATION:

1. In the Case Caption list the name(s) of the child(ren) for whom you want to terminate parental rights.
2. Leave the case number blank, this will be completed by personnel at the Office of the Clerk of the Superior Court when you file these documents.
3. The Judge will complete the remaining part of the Order.

MAKING COPIES:

Once you have filled out the above forms, Petition (and signature notarized) Severance Cover Sheet, Notice Petition to Terminate Parental Rights and Notice of Hearing and Order for Termination make the appropriate set of copies of the these documents:

- 1 set of copies for you, the Petitioner
- 1 set of copies for Mother, if applicable
- 1 set of copies for Father, if applicable

Take the above initial original documents and set of copies, along with the other forms in the packet to the Office of the Clerk of Superior Court, see PROCEDURES: How to File Petition for Termination of Parent / Child Relationship.

PROCEDURES

How to File Petition for Termination of Parent / Child Relationship

STEP 1 You have filled out the “Petition for Termination of Parent / Child Relationship” and made copies as directed in the instructions provided in this package.

Make sure you take all the forms provided in the packet, so that the deputy clerk can stamp all documents with the case number and judge that the case will be assigned to.

STEP 2 **DETERMINE WHERE TO FILE THE COURT FORMS:** Please keep in mind that any court hearings will be conducted at the Florence location. You should go to the Court at **least 2 hours** before closing.

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyaz.gov/office.html

PAPERS: Give the completed **original initiating documents**, Petition for Termination of Parent / Child, Severance Coversheet, Notice of Petition to Terminate Parental Rights and Notice of Hearing and Order for Termination, plus the sets of copies to the Deputy Clerk at the customer service counter. The Deputy Clerk will process your Petition and return stamped copies to you.

Make sure to give the Deputy Clerk all other forms provided in the packet so that the Deputy Clerk can stamp the case number and judge’s name. When stamped, the deputy clerk will return the forms to you for you to use at a later time, if applicable.

STEP 3 **NOTIFY THE OTHER PARTY:** Give legal notice of the “**Petition for Termination of Parent / Child Relationship.**” After filing original documents, the clerk will return to you the set of copies; one for your records, the other for service on the other party, by:

- Service by Acceptance
- Service by a licensed process server or Sheriff’s Office
- Service by Publication

See the packet “Helpful information on Serving the Other Party” to help you determine how to give legal notice to the other party.

STEP 4 **VERIFICATION OF SERVICE TO THE COURT:** Once service is complete, you must file the original proof of service to the court.

STEP 5 **FINAL HEARING:** At the Final Hearing, the Judge will review pleading and method of service and if appropriate sign the Order for Termination.

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

IN THE MATTER OF THE SEVERANCE OF: CASE NUMBER: SV 2

**PETITION FOR TERMINATION
OF PARENT / CHILD RELATIONSHIP**

Minor Child / Children HONORABLE: _____

THE PETITIONER ALLEGE AS FOLLOWS:

1. That the names and residence of the Petitioner(s) is:
Name: _____
Address: _____

2. That the name(s), date of birth(s) residence and place(s) of birth and of the minor child(ren) is / are:
 - a. Name: _____ Date of Birth: _____
Address: _____
County of Residence: _____ Place of Birth: _____

 - b. Name: _____ Date of Birth: _____
Address: _____
County of Residence: _____ Place of Birth: _____

 - c. Name: _____ Date of Birth: _____
Address: _____
County of Residence: _____ Place of Birth: _____

 - d. Name: _____ Date of Birth: _____
Address: _____
County of Residence: _____ Place of Birth: _____

3. That the minor child(ren) is /are present in the State of Arizona: Yes or No. If no, Explain:

4. That the relationship of the Petitioner(s) to the minor child(ren) is:

5. That the names, addresses, and the dates of birth of the natural parents, if known are:

Name of Mother of Minor Child(ren): _____

Address: _____

Date of Birth: _____

Name of Father of Minor Child(ren): _____

Address: _____

Date of Birth: _____

6. That the person or agency having legal decision-making of the minor child(ren):

7. That the grounds for termination of the parent – child relationship under A.R.S. §8-533(B) are:
(Check All That Apply)

The Mother Father _____

- 1. That the parent has abandoned the child.
- 2. That the parent has neglected or willfully abused a child. This abuse includes serious physical or emotional injury or situations in which the parent knew or reasonably should have known that a person was abusing or neglecting a child.
- 3. That the parent is unable to discharge parental responsibilities because of mental illness, mental deficiency or a history of chronic abuse of dangerous drugs, controlled substances or alcohol and there are reasonable grounds to believe that the condition will continue for a prolonged indeterminate period.
- 4. That the parent is deprived of civil liberties due to the conviction of a felony if the felony of which that parent was convicted is of such nature as to prove the unfitness of that parent to have future legal decision-making and control of the child, including murder of another child of the parent, manslaughter of another child of the parent or aiding or abetting or attempting, conspiring or soliciting to commit murder or manslaughter of another child of the parent, or if the sentence of that parent is of such length that the child will be deprived of a normal home for a period of years.
- 5. That the potential father failed to file a paternity action within thirty days of completion of service of notice as prescribed in section 8-106, subsection G.
- 6. That the putative father failed to file a notice of claim of paternity as prescribed in section 8-106.01.

- 7. That the parents have relinquished their rights to a child to an agency or have consented to the adoption.
- 8. That the child is being cared for in an out-of-home placement under the supervision of the juvenile court, the division or a licensed child welfare agency, that the agency responsible for the care of the child has made a diligent effort to provide appropriate reunification services and that one of the following circumstances exists:
 - (a) The child has been in an out-of-home placement for a cumulative total period of nine months or longer pursuant to court order or voluntary placement pursuant to section 8-806 and the parent has substantially neglected or willfully refused to remedy the circumstances that cause the child to be in an out-of-home placement.
 - (b) The child who is under three years of age has been in an out-of-home placement for a cumulative total period of six months or longer pursuant to court order and the parent has substantially neglected or willfully refused to remedy the circumstances that cause the child to be in an out-of-home placement, including refusal to participate in reunification services offered by the department.
 - (c) The child has been in an out-of-home placement for a cumulative total period of fifteen months or longer pursuant to court order or voluntary placement pursuant to section 8-806, the parent has been unable to remedy the circumstances that cause the child to be in an out-of-home placement and there is a substantial likelihood that the parent will not be capable of exercising proper and effective parental care and control in the near future.
- 9. That the identity of the parent is unknown and continues to be unknown following three months of diligent efforts to identify and locate the parent.
- 10. That the parent has had parental rights to another child terminated within the preceding two years for the same cause and is currently unable to discharge parental responsibilities due to the same cause.
- 11. That all of the following are true:
 - (a) The child was cared for in an out-of-home placement pursuant to court order.
 - (b) The agency responsible for the care of the child made diligent efforts to provide appropriate reunification services.
 - (c) The child, pursuant to court order, was returned to the legal decision-making of the parent from whom the child had been removed.
 - (d) Within eighteen months after the child was returned, pursuant to court order, the child was removed from that parent's legal decision-making, the child is being cared for in an out-of-home placement under the supervision of the juvenile court, the division or a licensed child welfare agency and the parent is currently unable to discharge parental responsibilities.

8. That Petitioner(s) intend to petition for the adoption of minor child(ren) or is the natural parent and is only terminating parental rights of absent parent:

Child's Name: _____

Child's Name: _____

Child's Name: _____

Child's Name: _____

WHEREFORE it is requested that the Court set the matter for hearing and that the parent / child(ren) relationship be severed.

Date

Signature

State of Arizona)

)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20

by _____

Name of Signer

Commission Expires

Notary Public

Date

Signature

State of Arizona)

)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20

by _____

Name of Signer

Commission Expires

Notary Public

Arizona Superior Court, Pinal County

SV Cover Sheet

CASE NUMBER SV- 2 _____

ASSIGNED TO HON. _____

<p>INITIATING AGENCY'S NAME and ADDRESS</p> <p>Name: Address: City/State/Zip: Telephone:</p>	<p>MINOR'S NAME</p> <p>Name: Address: City/State/Zip: Social Security Number: DOB:</p>
<p>PETITIONER'S NAME and ADDRESS</p> <p>Name: Address: City/State/Zip: Telephone:</p>	<p>PETITIONER'S ATTORNEY'S NAME and ADDRESS</p> <p>Name: State Bar #: Address: City/State/Zip: Telephone:</p>

NATURE OF ACTION

Place an "X" next to the one which describe the nature of the case.

SEVERANCE

_____ SV1

Names of Additional Minors

Soc. Sec. #

Birth Dates of Additional Minors

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

To the best of my knowledge, all information is true and correct

Attorney / ProPer Signature

NOTICE

Effective September 8, 1992 and pursuant to Pinal County Superior Court Administrative Order No. 92-15, the Superior Court requires that a "Cover Sheet", which categorizes the cause of action, accompany any new action filed with the Superior Court in Pinal County. For this purpose, this form has been developed. The cover sheet will result in increased accuracy of court records and statistics, and in reduced processing time for new case filings.

Forms will be made available at the Clerk of the Superior Court's Filing Counter.

PLEASE DO NOT INCLUDE THIS FORM WITH CASES WHICH HAVE ALREADY BEEN FILED. This form can only be processed **at the time of filing** New Complaints and Petitions.

Thank you for assisting us with our efforts to improve service. Rev 05-08-02

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

IN THE MATTER OF THE SEVERANCE OF:

CASE NUMBER: SV 2

**NOTICE OF PETITION TO TERMINATE
PARENTAL RIGHTS (Pursuant To A.R.S. §8-106)
AND NOTICE OF HEARING**

Minor Child / Children

HONORABLE: _____

NOTICE is given to _____ (absent parent(s))
residing at _____ that you have been
identified by _____, the Petitioner(s), or
 natural mother as a potential father of a child to be born or, born on _____,
in _____.

YOU ARE INFORMED OF THE FOLLOWING:

1. _____, the natural mother, plans to place the child for adoption.
2. Under sections 8-106 and 8-107, Arizona Revised Statutes, you have the right to consent or withhold consent to the adoption.
3. Your written consent to the adoption is irrevocable once you give it.
4. If you withhold consent to the adoption, you must initiate paternity proceedings under title 25, chapter 6, article 1, Arizona Revised Statutes, and serve the mother within thirty days after completion of service of this notice.
5. You have the obligation to proceed to judgment in the paternity action.
6. You have the right to seek legal decision-making.
7. If you are established as the child's father, you must begin to provide financial support for the child.
8. If you do not file a paternity action under title 25, chapter 6, article 1, Arizona Revised Statutes, and do not serve the mother within thirty days after completion of the service of this notice and pursue the action to judgment, you cannot bring or maintain any action to assert any interest in the child.
9. The Indian child welfare act may supersede the Arizona Revised Statutes regarding adoption and paternity.
10. You may wish to consult with an attorney to assist you in responding to this notice.

NOTICE OF HEARING

A petition to terminate the parent / child relationship between:

_____.

and _____.

Having been filed by _____, the
Petitioner herein states:

NOTICE IS HEREBY GIVEN that the Petition for Termination of Parent / Child Relationship is set for hearing on the _____ day of _____, _____ at _____ a.m. / p.m. in the Superior Court, Pinal County Courthouse, Florence, Arizona, and all persons interested in the matter are notified then and there to appear and show cause, if any they have, why said Order Terminating the Parent- Child Relationship should not be granted.

You have a right to appear as a party in this proceeding. The failure of a parent to appear at the initial hearing, the pretrial conference, the status conference or the termination adjudication hearing may result in an adjudication terminating the parent-child relationship of that parent.

DATED this _____ day of _____, _____

REBECCA PADILLA
Clerk of the Superior Court

By _____
(Deputy Clerk)

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

IN THE MATTER OF THE SEVERANCE OF:

CASE NUMBER: SV 2

**ORDER OF TERMINATION
OF PARENTAL RIGHTS**

Minor Child / Children

HONORABLE: _____

A Petition for Termination of the Parent / Child Relationship having been filed herein and the matter having been heard, this Court finds:

That the child / children is present in the State of Arizona and that this Court has jurisdiction;

That the Mother Father both parents _____,
has abandoned the child / children:

Child's Name: _____

Child's Name: _____

Child's Name: _____

Child's Name: _____

That the Mother Father both parents _____,
has made no effort to maintain a parental relationship with the child / children;

That the child / children has / have been left without any provisions for his support and without any communications from Mother Father both parents _____,
for a period of six months or longer, to-wit: _____.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the parent / child relationship of Mother Father both parents _____, and Child's Name _____, Child's Name _____, Child's Name _____ is terminated.

And that the parent / child relationship of _____, is not affected and guardianship and responsibility for the child's / children's support shall remain with _____.

OTHER ORDERS _____

DONE IN OPEN COURT this _____ day of _____ , _____

(JUDGE OF THE SUPERIOR COURT)