

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name &amp; Address</i> ):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR ( <i>Name</i> ): _____ BAR NO.: _____	FOR COURT USE ONLY			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b>				
IN THE MATTER OF THE PETITION OF:  TO DECLARE:  A MINOR(S) FOR FREEDOM FROM THE PARENTAL CUSTODY AND CONTROL OF:				
<b>PETITION FOR FREEDOM FROM PARENTAL CUSTODY AND CONTROL</b>	CASE NUMBER: _____  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 2px;">HEARING DATE:</td> <td style="width: 33%; padding: 2px;">TIME:</td> <td style="width: 33%; padding: 2px;">DIVISION:</td> </tr> </table>	HEARING DATE:	TIME:	DIVISION:
HEARING DATE:	TIME:	DIVISION:		

1. Petitioner Name(s):

a.

b.

Street Address:

City:

State:

Zip Code:

Telephone Number:

Email Address:

2. Relationship to Child(ren) Named Below:

3. The petitioner(s) respectfully represent(s) and allege(s) that the child(ren) listed below is/are a person(s) under the age of 18 and that said person(s) is/are within the County of Kern:

Name	Date of Birth	City/State of Birth

Matter of:	Case No.
------------	----------

4. Petitioner(s) request(s) an order declaring the child free from the custody and control of:  
 (Names and addresses of child's birth parent(s)):

a. Parent: Address:

b. Parent: Address:

Complete Attachment 1 and include information about child(ren)'s current guardian and address

5. I filed this request in this county because *(Check all that apply)*:

the child resides here.  
 an Adoption Request has been filed here

6. I request the order for the following reason(s): (check all that apply):

a. Family Code section 7822 – Abandonment (check at least one box below)

The child has been left without provision for the child's identification by the child's parent(s).

The child has been left by the parent(s) named above in the care and custody of a non-parent for a period of six months:

without any provision for the child's support, or  
 without communication from the parent(s), with the intent on the part of the parent(s) to abandon the child.

The parent named above has left the child in the care and custody of the other parent for a period of one year:

without any provision for the child's support, or  
 without communication from the parent, with the intent on the part of the parent to abandon the child.

–and –

Abandonment commenced (date)  
 and continued through (date).

(Use Attachment 2 to tell the court about the nature of the communication between the child and abandoning parent and whether any child support has been paid.)

b. Family Code section 7823/7824 - The child has been a dependent of the juvenile court, AND

Case Name:	Case No.
------------	----------

the parent(s) have been deprived of the child's custody for one year before the filing of this petition AND

(Check at least one):

The child has been neglected or cruelly treated by the parent(s) named above.  
The parent(s) named above suffer a disability because of the habitual use of alcohol or drugs.

Juvenile Court Case Number:

- c. Family Code section 7825 - The parent(s) named above are convicted of a felony, the facts of which are of such a nature so as to prove the unfitness of the parent(s) to have the future custody and control of the child.

(Use Attachment 3 to specify the felony and facts connecting the felony to parental unfitness.)

- d. Family Code section 7826 - The parent(s) named above have been declared by a court of competent jurisdiction to be developmentally disabled or mentally ill and have been certified to be incapable of supporting or controlling the child in a proper manner.

A copy of the court order is attached as Attachment 4 (required).

- e. Family Code section 7827 – The parent(s) named above is/are mentally disabled and is/are likely to remain so in the foreseeable future.

The evidence of two qualified experts (as defined by Fam. Code, § 7827, subd. (c)) is attached at Attachment 5 (required).

- f. Probate Code section 1516.5. – A guardian has been appointed for the child(ren), and one or both parents do not have legal custody of the child(ren); the child(ren) has/have been in the physical custody of the guardian for a period of not less than two years; and the child(ren) would benefit from being adopted by their guardian.

County in which the guardian was appointed:

Case Number of guardianship proceeding:

(Attach the Letters of Guardianship as Attachment 6.)

- g. Additional facts in support of allegations (give additional facts in detail, added pages may be used for this purpose):

Case Name:	Case No.
------------	----------

7. Child may have Indian ancestry:                      Yes                      No

a. Whether you answered "Yes" or "No," you must fill out and attach as Attachment 7 Indian Child Inquiry Attachment (Judicial Council Form ICWA-010(A)) and Parental Notification of Indian Status (Judicial Council form ICWA-020) or other proof that ICWA inquiry has been completed in accordance with California Rules of Court, rule 5.481(a).

b. If you answered "Yes," you must also fill out and attach as Attachment 8 Adoption of Indian Child (Judicial Council form ADOPT-220) if, after notice, it is determined that ICWA does apply to the child.

8. It is in the best interests that the child be declared free from the custody and control of the parent(s) named in paragraph 4.

9. Wherefore, petitioner(s) request(s) that this court inquire into such matter, and that said child(ren) be declared free from the custody and control of the parent(s) named in section 2 above as provided in Family Code sections 7800 et seq, and for such other and further relief as the court may deem proper.

10. If a lawyer is representing you in this case, he or she must sign here:

(TYPE OR PRINT NAME OF ATTORNEY)

(SIGNATURE OF ATTORNEY)

Date:

12. I declare under penalty of perjury under the laws of the State of California that the information on this form and all the attachments is true and correct to my knowledge. That means that if I lie on this form, I am guilty of a crime.

Signature of Petitioner:

Date:

Signature of Petitioner:

Date:

Case Name:	Case No.
------------	----------

**Attachment 1**

Tell the court about the nature and extent of the relationship between (1) the child and the birth parent; (2) the child and the guardian, including family members of the guardian; (3) the child and any siblings or half-siblings; and address and current living arrangements.

Case Name:	Case No.
------------	----------

**Attachment 2**

Tell the court about the nature of the communication between the child(ren) and abandoning parent and whether the abandoning parent has paid any child support. (Do not attach this sheet if you did not check the corresponding box on the petition.)

Case Name:	Case No.
------------	----------

**Attachment 3**

Tell the court about the felony and facts connecting the felony to parental unfitness. (Do not attach this sheet if you did not check the corresponding box on the petition.)

Case Name:	Case No.
------------	----------

**Attachment 4**

Place a copy of the court order behind this sheet. (Do not attach this sheet if you did not check the corresponding box on the petition.)



Case Name:	Case No.
------------	----------

**Attachment 5**

Place a copy of the qualified expert declarations behind this sheet. (Do not attach this sheet if you did not check the corresponding box on the petition.)

Case Name:	Case No.
------------	----------

**Attachment 6**

Place a copy of the court order behind this sheet. (Do not attach this sheet if you did not check the corresponding box on the petition.)

Case Name:	Case No.
------------	----------

**Attachment 7**

Place a copy of the Indian Child Inquiry Attachment (ICWA – 010(A)) behind this sheet. (This is required. You must inquire of both the maternal side of the family and the paternal side of the family. You may use a copy of the form you attached to your Adoption Request, if any.)

Case Name:	Case No.
------------	----------

**Attachment 8**

Place a copy of the Adoption of Indian Child (Judicial Council form ADOPT-220) behind this sheet if, after notice, it is determined that ICWA does apply to the child.