

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF KERN**

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Manager of Family Court Services  
Mediation & Investigation



**Family Court Services**  
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## **Requirements for the Petition to Terminate Parental Rights**

***(PAGES 1 & 2 TO BE GIVEN TO CITEE IN COURT)***

Termination of parental rights is a serious legal action, not to be undertaken lightly. Because of its seriousness, California Family Laws outline certain requirements and this court also requires certain actions to be taken by petitioners. This document outlines some of these requirements.

Please be aware that the judge at the time of the hearing may require other things of the petitioner or other steps to be taken before the court can decide on the case. For example, you may need to comply with the Indian Child Welfare Act if there is a possibility that the minor(s) has Native American Ancestry. The Superior Court of California, County of Kern wants to insure that all laws and procedures as required are met to insure that the court's decision in your case is not subject to appellate review or the possibility of it being overturned in such a review. For the purposes of this form, the parent(s) whose rights are subject to termination will be referred to as the citee.

### **Investigation**

The petitioner and the minor children involved in the petition shall meet with an investigator from the Family Court Services' staff to answer questions related to the circumstances of the petition to terminate your parental rights. All petitions must be investigated, and a report filed with the court pursuant to Family Law Code 7851 before the entirety of the case will be heard.

Whenever possible, the other parent(s) will need to be questioned. The petitioner will need to provide FCS with information so that we can inform the parent whose rights are subject to be terminated of the need to speak with the investigator or contact them directly. It is the responsibility of the petitioner to search for the other parent using internet searches, social media, relatives, public records, telephone directories and other means to locate the other party.

### **Service of Petition to Citee(s)**

A hearing cannot take place until the other parent(s), in this case you, is served with the petition and informed of the court date. Service may be completed by publication in a local periodical if the court grants permission to do so.

### **Appointment of Counsel**

When the citee, or parent whose parental rights are subject to be terminated, appears in court to contest the petition and is unable to afford an attorney, the court appoints an attorney for the parent. The court will also consider whether to appoint minor's counsel to represent the minor(s). The cost of minor's counsel is paid by the county. Once you meet with your attorney, you will schedule an appointment with the assigned investigator in the case.

### **Informing Minors**

Family Code 7851 requires that the report include the following:

- (1) A statement that the person making the report explained to the child the nature of the proceeding to end parental custody and control
- (2) A statement of the child's feelings and thoughts concerning the pending proceeding.
- (3) A statement of the child's attitude towards the child's parent or parents and particularly whether or not the child would prefer living with his or her parent or parents.
- (4) A statement that the child was informed of the child's right to attend the hearing on the petition and the child's feelings concerning attending the hearing.

It is therefore important that the children in the petition have an age and developmentally appropriate understanding of their parentage and the effects of ending the rights of their biological/legal parents. It is the responsibility of the petitioner to explain the purpose of the petition to the minors.

### **Fees for Investigation**

According to Family Law code 7851.5, "the petitioner shall be liable for all reasonable costs incurred in connection with the termination of parental rights, including, but not limited to, costs incurred for the investigation required by this article." The petitioner may be charged up to \$900.00 for the cost of the investigation.

Court employees are unable to provide you with specific legal advice.

### **Contact**

Please contact Family Court Services at (661) 610-6700 or visit us at 1215 Truxtun Ave., Room 301, Bakersfield, California 93301. You may also email the department at [FCS@kern.courts.ca.gov](mailto:FCS@kern.courts.ca.gov)

<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b></p> <p>STREET ADDRESS: 1215 Truxtun Ave., Room 301          MAILING ADDRESS: 1215 Truxtun Ave., Room 301          CITY AND ZIP CODE: Bakersfield, California 93301</p> <p>BRANCH NAME: Metropolitan Division</p>	
<p>PETITIONER:          CITEE:          OTHER PARENT/PARTY:</p>	<p>CASE NUMBER:</p>

**TERMINATION OF PARENTAL RIGHTS  
 FAMILY COURT SERVICES CITEE QUESTIONNAIRE**

Name \_\_\_\_\_ (List maiden or other names) \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_ Race \_\_\_\_\_

Home Telephone# \_\_\_\_\_ Cell Phone# \_\_\_\_\_ Email \_\_\_\_\_

Social Security# \_\_\_\_\_ Driver's License (State & #) \_\_\_\_\_

**ADDITIONAL INFORMATION:**

1) Do you object to your parental rights being terminated in this case?

Yes     No     I am unsure

2) Have you had a meeting with your attorney?

Yes     No     I don't know

3) Does the child have Native American ancestry on your side?

Yes     No     I am unsure

Explain:

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