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[BRACKETED TERMS ARE INFORMATIONAL ONLY AND SHOULD BE DELETED]

NO.

IN THE INTEREST OF

A CHILD

'
'
'
'
'

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

_____ COUNTY, TEXAS

**ORIGINAL PETITION
TO TERMINATE PARENT-CHILD RELATIONSHIP**

1. Discovery Level

Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. Petitioner

This suit is brought by _____, Petitioner.

Petitioner is the [Grandmother] of the child the subject of this suit.

3. Jurisdiction

No court has continuing jurisdiction of this suit or of the child[ren] the subject of this suit.

OR

This Court has acquired and retains continuing, exclusive jurisdiction of this suit and of the child[ren] the subject of this suit as a result of prior proceedings.

4. Interstate Placement Information

A verified allegation or statement complying with section 162.002 of the Texas Family Code is attached to this petition and incorporated for all purposes.

5. Child

The following child is the subject of this suit:

Name:

Sex:

Birth date:

Place of Birth: [for citation by publication]

6. Persons Entitled to Citation

(a) The mother of the child the subject of this suit is _____, who is _____ years of age and resides at _____.

No service is necessary at this time.[If Waiver of Service is expected]

(b) The child has no presumed father. An affidavit of status, executed by the mother, will be filed with the Court.

The man alleged in the affidavit of status to be the father is _____, who is approximately _____ years of age and resides at an unknown location.

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit.

7. Property

No property of consequence is owned or possessed by the child the subject of this suit.

8. Termination Sought - Mother

Termination of the parent-child relationship between _____ and the child the subject of this suit is in the best interest of the child, and such termination is requested.

As grounds for termination, Petitioner alleges that this parent has:

- (a) voluntarily left the child alone or in the possession of another not the parent and expressed an intent not to return;
- (b) failed to support the child in accordance with her ability during a period of one year ending within six months of the date of the filing of this petition;

- (c) executed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided for by chapter 161 of the Texas Family Code (this affidavit of relinquishment is attached to this petition);

9. Termination Sought - Alleged Father

The parent-child relationship between the child the subject of this suit and the alleged father does not exist in law or in fact. If any parent-child relationship does exist, has ever existed, or could ever exist between the alleged father and the child the subject of this suit, which is not admitted but is denied, it is in the best interest of the child that the relationship be terminated, and such termination is requested.

As grounds, Petitioner alleges that the alleged father has:

- (a) voluntarily left the child alone or in the possession of another not the parent and expressed an intent not to return; [OR voluntarily left the child alone or in the possession of another not the parent without expressing an intent to return, without providing for the adequate support of the child, and remained away for a period of at least three months;
- (b) failed to support the child in accordance with his ability during a period of one year ending within six months of the date of the filing of this petition;

10. Inheritance Rights

It is in the best interest of the child the subject of this suit that the Court terminate the right of the child to inherit from and through _____ and _____, and termination of that right is requested.

11. Managing Conservator

Appointment of _____, whose address is _____, as managing conservator is in the best interest of the child the subject of this suit.

12. Ad Litem

Petitioner requests the Court to appoint a guardian ad litem to represent the interests of the child the subject of this suit per Texas Family Code §107.021. Petitioner requests the Court appoint a guardian ad litem or attorney ad litem to represent the interests of any party entitled to the appointment of a guardian ad litem or an attorney ad litem.

13. Home Screening

Petitioner requests the Court waive the requirement of a preadoptive home screening in that the child has been in the care and custody of petitioner for a period of _____.

14. Parenting Plan

Petitioner anticipates Petitioner and Respondent will be unable to reach an agreement on a “Final Parenting Plan” within thirty days before the date of trial; therefore, Exhibit “___” entitled “Final Parenting Plan” is submitted herewith and incorporated by reference as if set forth verbatim at this point in the Petition in compliance with section 153.603 Texas Family Code.

15. Sealing of Records

Petitioner requests the Court to order the sealing of the file and the minutes of the Court.

16. Prayer

Petitioner prays that citation and notice issue as required by law. Petitioner prays that the Court enter its order in accordance with the allegations of this petition.

Petitioner prays for general relief.

_____(firm)_____

_____(address)_____

_____(address)_____

Telephone:

Telecopier:

By: _____

State Bar No. _____

Attorney for Petitioner

AFFIDAVIT CONCERNING INTERSTATE COMPACT

State of Texas	'
	'
County of _____	'

Affidavit Concerning Interstate Compact

[Name[s] of petitioner[s]] appeared in person before me today and stated under oath:

“[I am/we are] the Petitioner[s] and have personal knowledge of the following:

“This is a suit for adoption.

OR

“This is a suit for appointment of a nonparent managing conservator who will have the authority to consent to adoption.

“There has not been compliance with subchapter B of chapter 162 of the Texas Family Code, which deals with the interstate placement of children, because the child[ren] the subject of this suit [was/were] placed by a [parent/stepparent/grandparent/adult brother/adult sister/adult uncle/adult aunt/guardian] and [was/were] placed with a [parent/stepparent/grandparent/adult brother/adult sister/adult uncle/adult aunt/guardian].”

Affiant

Affiant

SIGNED under oath before me on _____.

Notary Public, State of Texas