# PETITION TO TERMINATE PARENTAL RIGHTS

# TPR-1

\*Note: A separate petition must be filed for each minor.

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731

www.washoecourts.com

# PETITION TO TERMINATE PARENTAL RIGHTS

# **PACKET TPR-1**

## Use this packet only if the following statements are true:

You wish to terminate a parent's parental rights.	
There are grounds to terminate the parent's rights.	
It is in the best interest of the child to terminate the parent's	
rights.	

# This packet contains the following forms:

- 1. EFile User Agreement (Standard)
- 2. Petition to Terminate Parental Rights
- 3. Notice of Hearing to Terminate Parental Rights
- 4. Declaration of Personal Service
- 5. Proof of Mailing

Carefully read all instructions.

Use black or blue ink only. Neatly print or type the information requested.

Do not use correction fluid or tape on the forms.

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#### TERMINATION OF PARENTAL RIGHTS

Judges do not terminate a parent's rights unless there is a very good reason. A person's rights as a parent are taken away and the person is not the child's legal parent anymore. This means:

- The parent has no right to visit or talk with the child.
- The parent-child relationship no longer exists.
- The parent no longer gets to raise the child.
- The parent no longer has to pay future child support.
- The parent is removed from the child's birth certificate.

#### **ATTENTION**

If there is a desired adoption and the parent who would no longer be the legal parent to the child agrees to the adoption, do not use these documents. Please contact the Law Library for more information on how to proceed.

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00. N.R.S. §199.145.

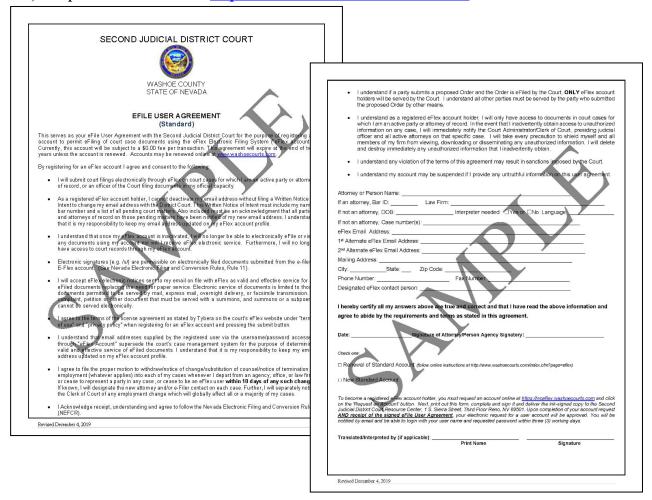
**INSTRUCTIONS: STEP 1** 

#### **EFlex Account and EFile User Agreement:**

To file your documents, you will need to sign up for an eFlex account and have a valid email address. There is no fee to sign up for a standard eFlex account. If you already have an eFlex account for a different case, you do not need to create another account and can skip this step.

#### To sign up:

- 1) Carefully read and complete the eFile User Agreement (Standard) by filling in as much information as possible, signing, and dating page two;
- 2) Return the eFile User Agreement (Standard) to the Second Judicial District Court, or email it to <a href="mailto:eflexsupport@washoecourts.us">eflexsupport@washoecourts.us</a>; and
- 3) Request an account at <a href="https://wceflex.washoecourts.com/">https://wceflex.washoecourts.com/</a>.

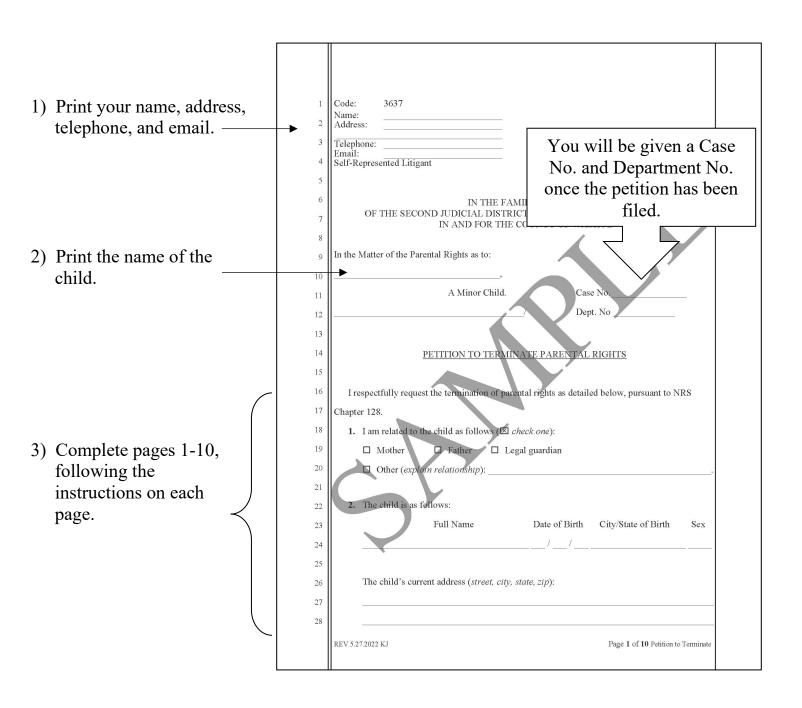


If you need further assistance signing up for an account, please call the Resource Center at 775-325-6731.

TPR-1 VISUAL INSTRUCTIONS

**INSTRUCTIONS: STEP 2** 

#### Complete the Petition to Terminate Parental Rights as Shown:



**INSTRUCTIONS: STEP 3** 

#### **Electronically Filing the Petition**

You will need to upload the original documents to eFlex. EFlex is available online at <a href="https://wceflex.washoecourts.com/">https://wceflex.washoecourts.com/</a>, and in the Law Library and the Resource Center.

If you have not done so, you will need to sign up for an eFlex account and turn in the EFile User Agreement (*see INSTRUCTIONS: STEP 1*), to the Resource Center located at 1 South Sierra Street, Third Floor or email the user agreement to eflexsupport@washoecourts.us.

Sign into your eFlex account using the username and password you created and create a new case selecting "Family-Related: Domestic Relations" and "Term of Parental Rights (TPR): Other TPR Petition (Private Request) - TV" follow the prompts to electronically file the:

• Petition to Terminate Parental Rights.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

There is no filing fee charged when these documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

INSTRUCTIONS: STEP 4

# Complete the Notice of Hearing to Terminate Parental Rights as Shown:

,	
1) Print your name, address, telephone, and email.	1 Code: 2550 Name: Address:  3 Telephone: Email: Self-Represented Litigant
2) Print the name of the child, Case No., and Department No. just as they appear on all other documents in this case.	IN THE FAMILY DIVISION OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE  In the Matter of the Parental Rights as to:  A Minor Child. Case No.  Dept. No.  NOTICE OF HEARING TO TERMINATE PARENTAL RIGHTS  TO (Parent(s)): ; and/or
3) See (INSTRUCTIONS: STEP 5), for directions on completing the Notice.	TO: All other persons claiming to be the parent(s) of the child, the legal custodian(s) of the child, the legal guardian(s) of the child, or relative(s) of the child.  You are hereby notified that there has been filed in the above-entitled court a petition praying for the termination of parental rights over the above-named minor person, and that the petition has been set for hearing before this court, at the courtroom thereof,  Department at 1 South Sierra Street, Third Floor, Reno, Nevada 89501, in the  County of Washoe, on the day of the month of of the year at o'clock   AM   PM, at which time and place you are required to be present if you desire to oppose the petition.  ALICIA L. LERUD CLERK OF THE COURT  Date: Deputy Clerk  REV 2.28.2022 KJ Page 1 of 1 Notice of TPR

**INSTRUCTIONS: STEP 5** 

#### Setting the Hearing and Getting the Notice Issued

After the Petition is filed, contact the Judicial Assistant in the department in which your case has been assigned. The Judicial Assistant will assist you with scheduling the hearing. For contact information for each department, visit <a href="https://www.washoecourts.com/judges">www.washoecourts.com/judges</a>.

Fill out the Notice of Hearing, including the date and time of the hearing as provided by the Judicial Assistant. Leave the date and signature line at the bottom of the Notice blank for the Deputy Clerk to complete. Follow the steps below to have the Notice issued by the Court.

- Log into your eFlex account: https://wceflex.washoecourts.com/.
- Click "Existing Cases."
- Locate the case you are filing into, click on the blue "eFile" link.
- To file the Notice, choose the Document Category and Document Type listed below. Click "Browse" to locate and upload the Notice and then click "Add." Follow the prompts to finish filing the Notice.
  - Document Category: ISSUANCE
  - Document Type: \*\*DOCUMENT ISSUED BY THE COURT

File stamped copies of the Notice and the Petition can be printed from your eFlex account.

Printed copies can be obtained at the Law Library, located on the first floor of the courthouse at 75 Court Street, or the Resource Center at 1 S. Sierra Street, Third Floor. There is a per page charge.

**INSTRUCTIONS: STEP 6** 

#### **Serving the Documents**

- **A.** The parent whose parental rights you wish to terminate **must be personally served** with a copy of the Notice and Petition for Termination of Parental Rights.
- **B.** If you do not know the address of the parent whose parental rights you wish to terminate, you will need to **personally serve** the nearest known relative <u>within the State of Nevada</u> with a copy of the Notice and Petition for Termination of Parental Rights **AND** publish a notice in the newspaper. An **Ex Parte Motion for Publication of Notice of Hearing to Terminate Parental Rights** is available at the Resource Center or Law Library.
- C. If the child has a legal guardian(s), you will need to **personally serve** the legal guardian(s) with a copy of the Notice and Petition for Termination of Parental Rights.
- **D.** If you or the child are receiving public assistance, you will need to **send by registered or certified mail return receipt** to the Chief of the Child Support Enforcement Program of the Division of Welfare and Supportive Services of the Department of Health and Human Service a copy of the Notice and Petition for Termination of Parental Rights **at least 45 days before the hearing**.

Personal service is completed by a person other than yourself by:

- handing a copy of the Notice of Hearing and Petition along with all other documents you have filed with the court to the other parent; or
- leaving a copy at the other parent's home with a person of suitable age and discretion who lives there; or
- delivering a copy to an agent authorized to receive service (such as an attorney).

# You cannot complete personal service. Service may be completed by:

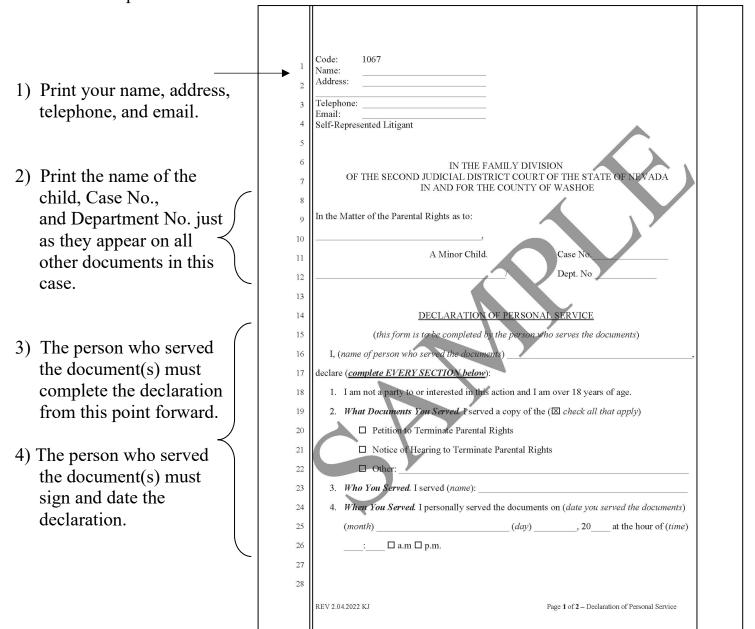
- the Civil Division of the Sheriff's Office in the County in which the other parent resides or works; or
- a responsible adult over the age of 18 years (such as a friend or relative who is not party to the case.); or
- a private process service.

**INSTRUCTIONS: STEP 7** 

# **Complete the Declaration of Personal Service as Shown:**

For each person you have personally served (*see* Instructions: Step 6), you will need to fill out a separate Declaration of Personal service. You cannot complete personal service of the documents.

The person who completes service must fill out the declaration and sign it. It is your responsibility to file the Declaration of Personal Service with the court after service is complete.



**INSTRUCTIONS: STEP 8** 

If you or the child are not receiving public assistance, skip this step.

# Complete the Proof of Mailing as Shown:

If you or the child are receiving public assistance, you will need to send a copy of the Notice and Petition for Termination of Parental Rights to the Division of Welfare and Supportive Services at least 45 days before the hearing (see Instructions: Step 6) and fill out this Proof of Mailing.

1) Print your name, address, telephone, and email.	1 Code: 3725 Name: Address: Telephone: Email: Self-Represented Litigant
2) Print the name of the child, Case No., and Department No. just as they appear on all other documents in this case.	IN THE FAMILY DIVISION OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEWADA IN AND FOR THE COUNTY OF WASHOE  In the Matter of the Parental Rights as to:  A Minor Child. Case No.  PROOF OF MAILING  PROOF OF MAILING
3) Print the date, check the document(s) served, and check how service was completed.	On (date) I served, as required by NRS 128.060(3), a true and correct copy of the (\( \subseteq \text{ check all that apply} \)  Petition to Terminate Parental Rights  Notice of Hearing to Terminate Parental Rights  Chief of the Child Support Enforcement Program,  Nevada State Division of Welfare and Supportive Services 1470 College Parkway, Carson City, NV 89706 -7924  by: Certified mail, return receipt attached
4) The person who served the document(s) must sign and date the document.	This document does not contain the personal information of any person as defined by  NRS 603A.040.  DATED this (day): day of (month), 20  Submitted By: (Your Signature)  (Print Your Name)  REV 2.04.2022 KJ Page 1 of 1 Proof of Mailing

**INSTRUCTIONS: STEP 9** 

#### **Electronically Filing the Documents**

Sign into your eFlex account using the username and password you created and electronically upload each of the following documents:

- Declaration of Personal Service (one for each person served); and
- Proof of Mailing (if required).

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

There is no filing fee charged when these documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

**INSTRUCTIONS: STEP 10** 

## **Attend Your Hearing**

Plan to attend the hearing and bring your witnesses. Make sure to arrive early to the courthouse so you have enough time to park, get through security, and get to the courtroom before your case is called. Make sure you have filed documents proving that all required parties have been served with all the paperwork.

If the parent the petition was filed against is there, the parent will be able to tell the judge whether they agree or disagree with the termination of their parental rights.

If the parent the petition was filed against is not there, the judge has to be sure that the parent was properly served with all the legal papers, including the Notice of Hearing. The judge may not go forward with the hearing if it looks like the other parent was not properly served. If service was done correctly, the judge can make a decision without the parent there.

After the judge has heard from everyone, the judge may decide immediately whether to terminate the parent's rights. If the judge needs to hear more before deciding on the termination, the judge may postpone trial and set a mediation and/or settlement conference.

#### **Legal Assistance Information**

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

#### LAWYER IN THE LIBRARY

Sign up on our website:

https://www.washoecourts.com/LawLibrary/LawyerInLibrary
For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

#### NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501
775-284-3491 – leave a message, if
necessary
https://nevadalegalservices.org

#### NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1<sup>st</sup> Floor Reno, NV 89501 775-321-2062 – leave a message, if necessary https://nnlegalaid.org