

FORM SUMMARY

Name of Form: **Petition for Termination of Parental Rights
Indian Child Welfare Act**

Form Number: **IW-1630**

Statutory Reference: §§48.41, 48.415, and 48.42, Wisconsin Statutes

Benchbook Reference: JV 13

Purpose of Form: To initiate a proceeding to terminate the parental rights of a parent.

Who Completes It: Party who is seeking termination.

Distribution of Form: SUMMONS & PETITION – Court, Child - if 12 years old or older, Child's Guardian ad Litem/Adversary Counsel, Parents, Non-adjudicated father who filed a declaration of paternal interest, Alleged father(s), Person who has lived in a familial relationship with the child and may be the father, Guardian/Legal Custodian, Any other person to whom notice is required to be given by Wis. Stats. Ch. 822 (UCCJEA) - excluding foster parents, Tribe and Indian Custodian.
NOTICE & PETITION - Parents' Attorneys, Relative Caregiver/Foster Parent, Caseworker, District Attorney/Corporation Counsel and U.S. Secretary of Interior – if identity or location of the Indian child's parent, Indian Custodian, or tribe cannot be determined.

U.S. Secretary of Interior address:
Midwest Regional Director
Bureau of Indian Affairs
5600 American Blvd. W Ste. 500
Bloomington, MN 55437

Accompanying Forms: If the space provided for reciting the facts and circumstances supporting the termination is insufficient, additional materials may be attached.

New Form/Modification: Modified; last update 11/23.

Modifications: Updated #8 – changed “Affidavit” to “Declaration” pursuant to 2023 WI Act 245 – Unsworn Declaration.
Added like-kin caregiver to distribution list pursuant to 2023 WI Act 119.

Comments: The legal status categories are defined as follows:

Adoptive – Parent who adopted the child by court order.

Adjudicated - Parent based on a court order establishing paternity or parentage or who is the administratively adjudicated parent due to the filing of a paternity acknowledgement form with the Office of Vital

Records.

Marital – Parent who is presumed to be the biological parent because the child was conceived or born during marriage, or is presumed to be the biological parent because the marriage occurred after the child's birth but the parties had a relationship at the time of conception.

NOTE: The marital presumption does not apply if a court has found another person to be the parent instead of this parent. It also doesn't apply if the marriage followed the birth but the child was conceived or born during a marriage to another.

About this Form:

This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.