

In the Interest of:

PARENT'S AFFIDAVIT FOR VOLUNTARY  
CONSENT TO TERMINATION OF  
PARENTAL RIGHTS

Name

Date of Birth

A Child Under the Age of 18 Years.

Case No. \_\_\_\_\_ -TP- \_\_\_\_\_

I, \_\_\_\_\_, am the:

Mother of the above-named child.

Alleged Father

Presumptive/Marital Father

Adjudicated Father

1. I am \_\_\_\_\_ years old. I was born on \_\_\_\_\_.

I completed the \_\_\_\_\_ grade in school.

2. My current address is: \_\_\_\_\_.

City of \_\_\_\_\_, State of \_\_\_\_\_.

3. Choose **one** of the following by marking the correct box:

I can read and write the English language.

I cannot read and/or write the English language. This document was read to me by \_\_\_\_\_ who resides at \_\_\_\_\_ and filled in the answers as I gave them.

4. Regarding marital status:

I  am  am not currently married.

I  have  have not been married. If so, to whom, when and where:

I  have  have not been divorced.

5. Regarding mental illness:

I  have  have never been treated for a mental illness.

I  have  have not been committed to a mental institution as mentally ill or incompetent.

I  have  have never been treated by a psychiatrist.

I  do  do not take medication for a mental illness.

6. Choose **one** of the following by marking the appropriate box, and fill in any necessary information:

I am not presently taking any medication or using any drugs.

I am presently taking the following medication/drugs: \_\_\_\_\_  
which will affect my ability to function in a normal capacity in the following way(s): \_\_\_\_\_

7. I  have  have not taken any medications or drugs within the last 24 hours. If you have, state which medication/drug and when: \_\_\_\_\_

8. I  have  have not consumed any alcoholic beverages within the last 24 hours. If you have, state when and how many: \_\_\_\_\_

9. Regarding the Uniform Child Custody Jurisdiction Act:

- a. I  have  have not participated as a party, a witness, or in any other capacity in any other litigation concerning the custody of this child (other than the CHIPS proceedings). That litigation was (explain):
- b. There  are  are not other custody proceedings concerning this child pending in a court of this or any other state. If there are, what type of proceeding and where (include: city, county and state):
- c. There  are  are not persons *not already a party to this proceeding* who have physical custody of the child, or who claim to have legal custody, physical placement, or visitation rights with respect to this child. If there are, the persons are (include name, address and phone number):

10. Regarding the Indian Child Welfare Act:

- a. I  am  am not a member of a Native American tribe. If I am, the name of the tribe is:
- b. I  am  am not eligible for membership in a Native American tribe. If I am, the name of the tribe is:
- c. I  have  do not have relatives who are either members of, or eligible for membership in, a Native American tribe. If I do, the name of the tribe is:
- d. My child  is  is not a member of a Native American tribe. If my child is, the name of the tribe is:
- e. My child  is  is not eligible for membership in a Native American tribe. If my child is, the name of the tribe is:

**QUESTIONS 11 THROUGH 16 ARE FOR THE MOTHER ONLY:**

11. I gave birth to the above-named child on \_\_\_\_\_.

12. The above-named child  was  was not born after a full-term pregnancy. If not, please explain:

13. The above-named child's birth weight was: \_\_\_\_ pounds, \_\_\_\_ ounces.

14. I believe the father of the above-named child is: \_\_\_\_\_

15. The person(s) named in #14 above can be located at: \_\_\_\_\_

16. There  has  has not been an adjudication of paternity (a court order naming the legal father of the above-named child).

**THE REMAINING QUESTIONS ARE FOR BOTH PARENTS:**

17. I  do  do not understand why I am in court. That reason is:

18. I  do  do not understand what termination of parental rights means. It means that:

19. Regarding an attorney:

a. I  do  do not understand that I have the right to be represented by an attorney for these proceedings.

b. I  do  do not understand that, if I cannot afford an attorney, the court will appoint an attorney to represent me in these proceedings.

c. I  do  do not understand that, by voluntarily terminating my parental rights to the above-named child, I have the right to have or consult with an attorney.

d. I  do  do not wish to hire an attorney.

20. Regarding substitution of Judge:

a. I  do  do not understand that I have the right to request a substitution of judge.

b. I  do  do not wish to substitute judges.

21. Regarding rights I would have if I were opposed to the termination of my parental rights:

a. I  do  do not understand that, by voluntarily terminating my parental rights to the above-named child, I am giving up the right to a jury trial as to whether grounds existed to involuntarily terminate my parental rights.

b. I  do  do not understand that, by voluntarily terminating my parental rights to the above-named child, I am giving up the right to cross-examine, or ask questions of, the petitioner's witnesses.

- c. I  do  do not understand that, by voluntarily terminating my parental rights to the above-named child, I am giving up the right to call witnesses and make them come to court and testify for me.
- d. I  do  do not understand that, by voluntarily terminating my parental rights to the above-named child, I am giving up the right to demand that the State of Wisconsin (or other petitioner) prove that grounds exist to involuntarily terminate my parental rights by clear, satisfactory and convincing evidence which would mandate a finding of parental unfitness.
- e. I  do  do not understand that if grounds and parental unfitness were established in an involuntary termination of parental rights case, I am giving up the right to fight against termination of my parental rights at a dispositional hearing at which a court would determine if it was or was not in my child's best interest to terminate.
- f. I  am  am not aware of these rights that I am waiving, or giving up, and still wish to voluntarily terminate my parental rights to the above named child.
22. If the termination of my parental rights to the above-named child is granted:
- a. I  do  do not understand that I will no longer have the right to custody of the child.
- b. I  do  do not understand that I will no longer have guardianship powers.
- c. I  do  do not understand that it will end all relationship between my child and myself.
- d. I  do  do not understand that I will no longer have any rights of visitation with the above-named child.
- e. I  do  do not understand that I will have no say in how the above-named child is raised.
- f. I  do  do not understand that I will no longer have the right to any information concerning the whereabouts, activities, health or well-being of the above-named child.
- g. I  do  do not understand that I will not be able to make decisions regarding the child's life, such as religious, educational and health decisions.
- h. I  do  do not understand that I will no longer be financially responsible for the above-named child.
- i. I  do  do not understand that the above named child will not inherit from me, nor will I inherit from the child.
- j. I  do  do not understand that my relatives will have no right to contact or visit the child, and that the adoptive parents can say no to any such request.
- k. I  do  do not understand that a promise, if any, by the prospective adoptive parent(s) that I (or my relatives) will be allowed some contact or communication with or about my child after adoption is not legally enforceable.
23. My reasons for wanting to voluntarily terminate my parental rights to the above-named child are as follows:

24. I  do  do not understand that my decision to terminate my parental rights is irrevocable (I may not change my mind later).
25. I  do  do not understand that if the above-named child's current placement does not work out, the State of Wisconsin can select another adoptive home for the child without consulting me.
26. Regarding appeal:
- I  do  do not understand that, if the termination of my parental rights to the above-named child is granted, there is a 30 day period within which I may appeal the decision of the court.
  - I  do  do not understand that this does not mean that I have 30 days to think about my decision and change my mind.
  - I  do  do not understand that an appeal must be based on a legal error or new evidence.
  - I  do  do not understand that, while the appeal process exists, it would be very difficult to overturn the decision of the court.
27. Regarding the decision making process:
- I  have  have not discussed my decision to voluntarily consent to the termination of my parental rights to the above-named child with anyone.
  - I  have  have not discussed this decision with a counselor.
  - I  do  do not wish to discuss this decision with a counselor.
  - Threats  have  have not been made which have affected my decision to voluntarily terminate my parental rights to the above-named child.
  - Someone has  No one has attempted to coerce me and affect my decision to voluntarily terminate my parental rights to the above-named child.
  - Someone has  No one has promised me anything/something to me that has affected my decision to voluntarily terminate my parental rights to the above-named child.
  - I  have  do not have any questions regarding this case.
  - I feel that I  have  do not have everything I need to make this decision.
  - My decision  is  is not being made freely, knowingly and voluntarily.
  - I  do  do not feel that I need more time to make this decision.
28. I  am  am not asking the court to terminate my parental rights to the above-named child.
29. I  am  am not asking the court to transfer custody and guardianship of the above-named child to the State of Wisconsin, or another agency licensed and approved under the Wisconsin Statutes, for the purposes of adoption.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Parent

\_\_\_\_\_  
Name Printed

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

\_\_\_\_\_(parent's name), being first duly sworn, states that he/she is the affiant named above, that he/she has read the foregoing affidavit, disclaimer and consent, and knows the contents thereof, and that the information provided is true and of his/her own knowledge.

\_\_\_\_\_  
Signature of Parent

\_\_\_\_\_  
Name Printed

Subscribed and Sworn to Before Me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_.  
My commission: \_\_\_\_\_.