

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE INTEREST OF:

Name _____

Case No. _____

Year of Birth _____ A male female

ORDER TERMINATING JURISDICTION - CINC

Pursuant to K.S.A. 38-2203 or 38-2270(c)

On this date, _____, 20_____, the Court finds that jurisdiction over the child named above shall be terminated for the following reason:

- the child named above has attained the age of 21 years.
- the child named above has attained the age of 18 years, and a transition plan has been approved.
- the child named above has been adopted. The Court takes judicial notice of the decree, originating in case number _____ in the District Court of _____ County, Kansas.
- a permanent custodian has been appointed for the child named above.
- the child named above has returned home to the custody of a parent.
- the term of the informal supervision order filed herein has expired.
- the child named above has attained the age of 18 years, and, more than 30 days prior to this date, filed a request that the jurisdiction herein cease.
- the child in need of care petition filed herein has been dismissed.
- the Court finds it is no longer appropriate for the Court to exercise jurisdiction over the child named above because _____.

It is therefore ordered that the jurisdiction of this Court shall cease upon the filing of this order and the Secretary's custody of the child named above shall cease.

Authority

K.S.A 38-2203 and 38-2270(c).

Notes on Use

Proceedings concerning any child who may be a child in need of care shall be governed by the revised Kansas code for care of children, K.S.A. 38-2201 et seq., except in those instances when the Indian child welfare act of 1978 (25 U.S.C. §1901 et seq.) applies.

The statute provides the circumstances under which the jurisdiction of the court shall terminate. Jurisdiction over the child continues until the child attains the age of 18 years, or until June 1 of the school year during which the child becomes 18 years of age if the child is still attending high school, as long as a transition plan has been approved. In the event that a court approved transition plan is not in place when the child turns 18, jurisdiction may continue until a transition plan is approved by the court or until the child reaches the age of 21. The statute also provides that jurisdiction shall terminate “when it is no longer appropriate” to continue jurisdiction after motion/hearing or agreement of all parties or interested parties.

Unless the child, having attained the age of 18 years, requests in writing that jurisdiction cease, discharge shall not occur until June 1 of the school year when the child becomes 18 years of age, if the child is in an out-of-home placement, is still attending high school and has not completed the child's high school education. If the child does submit such a request, the statute provides that: “the court shall give notice of the request to all parties and interested parties and 30 days after receipt of the request, jurisdiction will cease”.

Upon adoption of the child, the court’s jurisdiction shall cease, and the court shall enter an order to that effect.

Upon appointment of a permanent custodian, the court may, but is not required to, terminate jurisdiction over the child. If an order terminating jurisdiction is not entered, the court may impose limitations or conditions upon the rights and responsibilities of the permanent custodian.