

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE INTEREST OF:

Name _____ Case No. _____

Year of Birth _____ A male female

NOTICE OF POST-TERMINATION PERMANENCY HEARING

Pursuant to K.S.A. 38-2265

On _____, _____, at _____ a.m. p.m. a permanency hearing will be conducted. The child, person having legal custody of the above named child, the parties, interested parties, the child’s foster parent(s) or permanent custodian, preadoptive or adoptive parents for the child, and any person having close emotional ties with the child who has so requested and is deemed by the Court to be essential to the deliberations may appear and will be given an opportunity to be heard. Opportunity to be heard shall be at a time and in a manner determined by the Court and does not confer an entitlement to appear in person. Individuals receiving this notice shall not be made a party or interested party solely on the basis of this notice.

Date

Clerk/Judge of the District Court

REPORT OF SERVICE

I certify that on this date, ___/___/___, I mailed by first class mail, a true and correct copy of the above and foregoing Notice of Hearing, to the following persons:

Clerk of the District Court

Authority

K.S.A. 38-2265.

Notes on Use

Notice of the permanency hearing shall be given to the parties and interested parties. If the child is 14 years of age or older, the child must be given notice of the time and place of the permanency hearing and request the child's participation in the hearing by attendance or by report to the court. K.S.A. 38-2265(a)(2). (Use Form 189.1 to provide notice to the child.) The parents and grandparents are no longer parties and interested parties. However, if a parent was deceased and did not have parental rights terminated, the grandparent may still have rights. See K.S.A. 38-129 and *Troxel v. Granville*, 530 U.S. 57, 120 S.Ct. 2054 (2000). Interested parties so designated based on a family relationship may no longer qualify for that designation. Notice and an opportunity to be heard shall also be given to the foster parents, permanent custodian, preadoptive parents, the person having custody of the child, and any person having close emotional ties with the child whom the court deems essential to the deliberation. K.S.A. 38-2265(b). The opportunity to be heard shall be at a time and manner determined by the court, and does not confer an entitlement to appear in person.

Notice shall be given not less than 10 business days before the hearing. First class mail notice is permitted.