

**Rule XXX-718. Petition for Freedom from Parental Custody and Control**

All Family Law adoption cases, in which a request is made to declare a child free from parental custody and control of either or both parents for the purpose of adoption, will be governed by sections A through D of this rule and subject to the provisions set forth in all applicable statutes, the California Rules of Court, and [other](#) Local Rules.

- A. A request to declare a child free from parental custody and control must be made by submitting a completed *Petition for Declaring Child(ren) Free from Parental Custody and Control* (local mandatory form L-~~\*\*\*\*~~-[2702](#)).
- B. A citation providing notice to the ~~other~~ parent(s) to appear before the court to show cause why the child should not be declared free from ~~his or her~~their custody and control must be requested by submitting a completed *Citation -- Freedom from Parental Custody and Control* (local mandatory form L-~~\*\*\*\*~~-[2951](#)) to the clerk of the court. The clerk of the court will then complete the citation form by filling in a date for the hearing, the time for the hearing, and the place for the hearing. The clerk of the court will issue the citation.
- C. The completed petition and citation form must be submitted to the clerk of the court for simultaneous filing. These forms may be submitted electronically in accordance with Local Rule 700.7, by mail, or submitted at the Lamoreaux Justice Center, Family Law Division. Upon filing, the clerk of the court will provide a conformed copy of the petition and the completed ~~issued~~ citation to the filing party. The filing party is required to effectuate service of both documents on the ~~other~~ parent(s) in the manner prescribed in Family Code sections 7880 – 7883.
- D. An order and judgment declaring a child free from parental custody and control must be requested by submitting a completed *Order and Judgment Declaring Child(ren) Free from Parental Custody and Control* (local mandatory form L-~~\*\*\*\*~~-[2979](#)) to the clerk in the assigned courtroom. The proposed order may be submitted ahead of the hearing date, on the day of the hearing, or at a later date as directed by a judge or commissioner at the time of the hearing.

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(Adopted January 1, 2022)

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