

Requirements for Termination of Parental Rights by Default

Default of Unknown Father (when no Father is named on the Birth Certificate) with:

- A. Child's Birth Certificate
 - B. Certification of Putative Father Registry Search Results
 - C. Affidavit for Publication
 - D. Certificate of Publication
 - File motion entitled, "*Motion for Default*" and attach the above documents labeled as Exhibits A through D; and
 - File separate Order entitled, "*Order for Default and Termination of Parental Rights of Unknown*" (to be signed by Judge).
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Default of Biological or Legal Father (person named on Birth Certificate; or Voluntary Acknowledgment of Paternity; or Court Ordered Adjudication or Court Accepted DNA Test; or legally presumptive father) with:

- A. Child's Birth Certificate
- B. Proof of Sheriff's Service of Summons issued and SERVED to Father at last known address; and/or
- C. Proof of Clerk's or US Post Office's certified mailing and SIGNED RECEIPT to the last known address
- D. Military Affidavit
- File motion entitled, "*Motion for Default*" and attach the above documents labeled as Exhibits A through D; and
- File separate Order entitled, "*Order for Default and Termination of Parental Rights of Father*" (to be signed by Judge).

If Sheriff is UNABLE to serve Bio/Legal Father; and if Bio/Legal Father DID NOT RECEIVE Clerk's certified mailing, then you must default Bio/Legal Father with ALL OF THE FOLLOWING DOCUMENTS:

- A. Child's Birth Certificate
- B. Proof of ATTEMPTED Sheriff's Service of Summons issued to last known address
- C. Proof of Clerk's or US Post Office's ATTEMPTED certified mailing to the last known address
- D. Military Affidavit
- E. Affidavit for Publication
- F. Certificate of Publication
- G. Applicable Prisons and Departments of Corrections Search (You must print-out the actual search page results and attach to motion)
- H. Internet & Social Media Search (e.g. Email, Google Search, WhitePages.com, Facebook, Twitter, My Space, LinkedIn, etc. You must print-out the actual search page results and attach to motion)
- I. Defense Manpower Data Center Internet Search (Print-out the actual search page results to attach to motion)
- J. Calls and text messages to last known phone numbers
- K. Notarized Affidavit of Due Diligence-Numbered 1 through 5 (this document explains to the court WHAT you did to find Bio/ Legal Father and WHY you were not successful. See requirements directly below.)

Five Requirements of the Notarized Affidavit of Due Diligence-Numbered 1 through 5:

- Number 1: In detail you must list clearly all of the ways you attempted to locate Legal Father.
- Number 2: In detail you must explain clearly why you failed to locate Father after all inquiries to Father's: parents; siblings; friends; employers; other relatives and associates.
- Number 3: In detail you must explain clearly why you failed to locate Father after calling and texting his last known phone numbers.
- Number 4: In detail you must explain clearly why you failed to locate Father after searching all social media sites.
- Number 5: In detail you must explain clearly why you failed to locate Father after searching all applicable prisons, departments of corrections and Defense Manpower Data Base.

- File motion entitled, “*Affidavit of Due Diligence and Motion for Default*” and attach ALL of the above-listed documents labeled as Exhibits A through K; but attach the NOTARIZED Affidavit of Due Diligence as first the page of the exhibits; and
- File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

Default of Putative Father (person[s] NOT named on Birth Certificate but is believed to be the father) with:

- A. Child’s Birth Certificate
- B. Certification of Putative Father Registry Search Results
- C. Proof of Sheriff’s Service of Summons issued and SERVED to Father at last known address; and/or
- D. Proof of Clerk’s or US Post Office’s certified mailing and SIGNED RECEIPT to the last known address
- E. Military Affidavit
- File motion entitled, “*Motion for Default*” and attach the above documents labeled as Exhibits A through E; and
- File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

If Sheriff is UNABLE to serve Putative Father; and if Putative Father DID NOT RECEIVE Clerk’s certified mailing, then you must default Putative Father with ALL OF THE FOLLOWING:

- A. Child’s Birth Certificate
- B. Certification of Putative Father Registry Search Results
- C. Proof of ATTEMPTED Sheriff’s Service of Summons issued to last known address
- D. Proof of Clerk’s or US Post Office’s ATTEMPTED certified mailing to the last known address
- E. Military Affidavit
- F. Affidavit for Publication
- G. Certificate of Publication
- H. Applicable Prisons and Departments of Corrections Search (Must print-out the actual search page results and attach to motion)
- I. Internet & Social Media Search (e.g. Email, Google Search, WhitePages.com, Facebook, Twitter, My Space, LinkedIn, etc. You must print-out the actual search page results and attach to motion)
- J. Defense Manpower Data Center Internet Search (Print-out the actual search pages and to attach to motion)
- K. Calls and text messages to last known phone numbers
- L. Notarized Affidavit of Due Diligence-Numbered 1 through 5 (this document explains to the court WHAT you did to find Bio/ Legal Father and WHY you were not successful. See requirements directly below.)

Five Requirements of the Notarized Affidavit of Due Diligence-Numbered 1 through 5:

- Number 1: In detail you must list clearly all of the ways you attempted to locate Legal Father.
- Number 2: In detail you must explain clearly why you failed to locate Father after all inquiries to Father’s: parents; siblings; friends; employers; other relatives and associates.
- Number 3: In detail you must explain clearly why you failed to locate Father after calling and texting his last known phone numbers.
- Number 4: In detail you must explain clearly why you failed to locate Father after searching all social media sites.
- Number 5: In detail you must explain clearly why you failed to locate Father after searching all applicable prisons, departments of corrections and Defense Manpower Data Base.
 - File motion entitled, “*Affidavit of Due Diligence and Motion for Default*” and attach the above documents labeled as Exhibits A through L; but attach the NOTARIZED Affidavit of Due Diligence as first the page of the exhibits; and
 - File separate Order entitled, “*Order for Default and Termination of Parental Rights of Father*” (to be signed by Judge).

Default of Mother

Same requirements as “Default of Biological or Legal Father”