

RCW 26.33.110 Petition for termination—Time and place of hearing—Notice of hearing and petition—Contents. (1) The court shall set a time and place for a hearing on the petition for termination of the parent-child relationship, which shall not be held sooner than forty-eight hours after the child's birth. However, if the child is an Indian child, the hearing shall not be held sooner than ten days after the child's birth and the time of the hearing shall be extended up to twenty additional days from the date of the scheduled hearing upon the motion of the parent, Indian custodian, or the child's tribe.

(2) Notice of the hearing shall be served on the petitioner, the nonconsenting parent or alleged genetic parent, the legal guardian of a party, and the guardian ad litem of a party, in the manner prescribed by RCW 26.33.310. If the child is an Indian child, notice of the hearing shall also be served on the child's tribe in the manner prescribed by 25 U.S.C. Sec. 1912(a).

(3) Except as otherwise provided in this section, the notice of the petition shall:

(a) State the date and place of birth. If the petition is filed prior to birth, the notice shall state the approximate date and location of conception of the child and the expected date of birth, and shall identify the mother;

(b) Inform the nonconsenting parent or alleged genetic parent that: (i) He or she has a right to be represented by counsel and that counsel will be appointed for an indigent person who requests counsel; and (ii) failure to respond to the termination action within twenty days of service if served within the state or thirty days if served outside of this state, will result in the termination of his or her parent-child relationship with respect to the child;

(c) Inform an alleged genetic parent that failure to file a claim of parentage under chapter 26.26A or 26.26B RCW or to respond to the petition, within twenty days of the date of service of the petition is grounds to terminate his or her parent-child relationship with respect to the child;

(d) Inform an alleged genetic parent of an Indian child that if he or she acknowledges parentage of the child or if his or her parentage of the child is established prior to the termination of the parent-child relationship, that his or her parental rights may not be terminated unless he or she: (i) Gives valid consent to termination, or (ii) his or her parent-child relationship is terminated involuntarily pursuant to chapter 26.33 or 13.34 RCW. [2019 c 46 s 5035; 1995 c 270 s 5; 1987 c 170 s 5; 1985 c 421 s 4; 1984 c 155 s 11.]

Finding—1995 c 270: See note following RCW 74.13A.040.

Severability—1987 c 170: See note following RCW 13.04.030.