

**625.041 Party to action -- Guardian ad litem to be appointed.**

- (1) The parties to an action for voluntary termination of parental rights shall be the parent seeking termination, whose presence is not required if represented by counsel for the parent when an appearance-waiver and consent-to-adopt form is filed with the court, but the court shall appoint a guardian ad litem to represent the best interest of the child.
- (2) The guardian ad litem shall be paid a fee to be fixed by the court, not to exceed five hundred dollars (\$500), to be paid by the petitioner, except if the Cabinet for Health and Family Services receives custody of the child, the guardian ad litem shall be paid by the Finance and Administration Cabinet.
- (3) The parent may sign an appearance-waiver and consent-to-adopt form when the parent chooses not to attend a voluntary termination of parental rights proceedings. This form, prescribed by the Administrative Office of the Courts, shall:
  - (a) Contain a statement of acknowledgment and agreement, regarding the appearance at the proceeding, signed by the parent, counsel for the parent, and the cabinet. If the parent is a minor, the form shall also be signed by the guardian of the minor parent;
  - (b) Contain the parent's notarized signature;
  - (c) Contain any address to which the parent requests the final judgment be served.
- (4) If a joint petition is filed, counsel shall be designated as attorney for both parties.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 99, sec. 669, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 57, sec. 12, effective March 17, 1998; and ch. 426, sec. 620, effective July 15, 1998. -- Created 1988 Ky. Acts ch. 350, sec. 64, effective April 10, 1988.