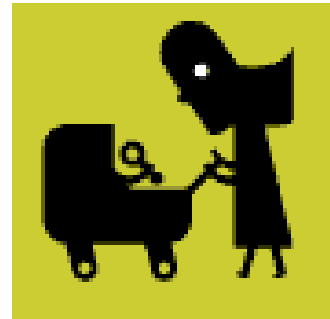


STANDING

Who can initiate

A person with standing to file an original SAPCR has standing to file termination

Section 102.003



102.003(a)(1) – parent

102.003(a)(9) – actual care, control,
and possession of the child 6
months

102.003(a)(10) – designated as the
managing conservator in an affidavit
of relinquishment/consent to adopt

Additional Standing

- 102.005 – When filed with Adoption
 - Stepparent
 - Actual possession and control 2 out 3 months b/4 suit
 - Adult who has adopted a sibling of child
 - Adult with substantial past contact

Jurisdiction

The petition should plead enough facts to affirmatively demonstrate that the trial court has jurisdiction to hear the termination suit.

Continuing, Exclusive Jurisdiction

- 155.001 – a court acquires continuing, exclusive jurisdiction on rendition of a final order
- Practice Tips
 - County Website
 - Case Screening
 - Talking to your clients

Prior Attorney General Case

- 102.009(a)(11) – Notice of termination suit
- Practice Tip
 - Include OAG numbers in petition

UCCJEA

- 152.001 et. seq.
 - Texas court has jurisdiction over an original suit if Texas is the child's home state.
 - Lived in Texas with parent more than 6 months
- Prior order in another state
 - Find out where all the parties reside
 - And for how long
 - UCCJEA affidavit

Jurisdiction to Modify Determination

Initial Determination – Home State etc.

AND

Other state court decides ok

- A parent still lives there

OR

Texas decides its ok

- No one lives in that state

EX.

Foreign Decree Registration

- 159.609
 - Letter requesting registration
 - Two copies (one certified) of foreign decree
 - Sworn statement of arrears
 - Notice letter