

625.042 Conduct of hearings.

- (1) Within three (3) days after a petition for the voluntary termination of parental rights is filed, the Circuit Court shall set a date for a hearing which shall not be more than thirty (30) calendar days after the petition is filed. In any case in which the child's permanent custody is proposed to be transferred to an individual not excepted by KRS 199.470(4), a final order of termination shall be entered only if the proposed custodian has received the written approval of the secretary or the secretary's designee for the child's placement as required by KRS 199.473. The secretary or the secretary's designee shall provide written approval or disapproval, if required by this subsection, within thirty (30) days after the request is made.
- (2) The Circuit Court shall require notice to be served upon the local representative of the cabinet in any case in which a statement from the cabinet of willingness to accept custody of the child has not been filed with the petition, or custody of the child is to be placed with an individual unless the placement has been approved by the cabinet. It shall not be necessary to serve notice upon the cabinet if custody of the child is to be placed with the cabinet or with a child-placing agency.
- (3) Proceedings under this chapter shall be completed as soon as practicable but shall not exceed six (6) months. All hearings shall be held before the Circuit Court privately for the purpose of determining the facts.
- (4) An official stenographic or mechanical record shall be made of the proceedings and retained for a period of five (5) years.
- (5) The best interests of the child shall be considered paramount, including but not limited to matters relating to child support.
- (6) At the time of the hearing, the Circuit Court, after full and complete inquiry, shall determine whether each petitioner is fully aware of the purpose of the proceedings and the consequences of the provisions of this chapter.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 159, sec. 39, effective July 14, 2018. -- Amended 1998 Ky. Acts ch. 57, sec. 10, effective March 17, 1998. -- Amended 1994 Ky. Acts ch. 242, sec. 15, effective July 15, 1994. -- Created 1988 Ky. Acts ch. 350, sec. 65, effective April 10, 1988.