171

**IN THE DISTRICT COURT OF** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, KANSAS**

**IN THE INTEREST OF:**

**Name** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case No.** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Year of Birth** **\_\_\_\_\_\_\_\_\_\_\_\_ A minor child**

**NOTICE OF PERMANENCY HEARING**

Pursuant to K.S.A. 38-2265

 On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_ ☐ a.m. ☐ p.m. a permanency hearing will be conducted by Judge \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The child, parents, any other person having legal custody of the above named child, the parties, interested parties, the child’s foster parent(s) or permanent custodian, preadoptive parents for the child, or the closest relative of each of the child’s parents whose address is known if no grandparent is living or if no living grandparent’s address is known, the person having custody of the child, and any person having close emotional ties with the child who has so requested and is deemed by the Court to be essential to the deliberations may appear and will be given an opportunity to be heard. Opportunity to be heard shall be at a time and in a manner determined by the Court and does not confer an entitlement to appear in person. Individuals receiving this notice shall not be made a party or interested party solely on the basis of this notice.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Clerk/Judge of the District Court

REPORT OF SERVICE

 I certify that on this date, \_\_\_/\_\_\_/\_\_\_, I mailed by first class mail, a true and correct copy of the above and foregoing Notice of Hearing, to the following persons:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Clerk of the District Court

Authority

K.S.A. 38-2265.

Notes on Use

 Notice of the permanency hearing shall be given to the parties and interested parties. If the child is 14 years of age or older, the child must be given notice of the time and place of the permanency hearing and request the child’s participation in the hearing by attendance or by report to the court. K.S.A. 38-2265(a)(2). (Use Form 171.1 to provide notice to the child.)

 Notice and an opportunity to be heard shall also be given to the foster parents, permanent custodian, preadoptive parents, or the closest relative of the child’s parent if a grandparent is not living or the address is not known, the person having custody of the child, and any person having close emotional ties with the child and whom the court deems essential to the deliberation. K.S.A. 38-2265(b). The opportunity to be heard shall be at a time and manner determined by the court, and does not confer an entitlement to appear in person.

 Notice shall be given not less than 10 business days before the hearing. First class mail notice is permitted. This statute requires no additional notice to any person who received notice of the hearing pursuant to K.S.A. 38-2239.