

## FORM SUMMARY

---

**Name of Form:** **Order Concerning Termination of Parental Rights (Voluntary)  
Indian Child Welfare Act**

**Form Number:** **IW-1638**

---

**Statutory Reference:** §§48.426, 48.427 and 48.43, Wisconsin Statutes; 25 U.S.C. §1913

**Benchbook Reference:**

**Purpose of Form:** Order formally indicating the court's decision on a petition to voluntarily terminate the parental rights of a parent.

**Who Completes It:** The court, attorney, corporation counsel, or district attorney.

**Who Signs It:** **BY THE COURT:** Circuit Court Judge. **THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.**

**Distribution of Form:** Court; copies to be served on party whose rights are being terminated and the tribe.

**Accompanying Forms:** IW-1637, Consent to Termination of Parental Rights (Judicial) – Indian Child Welfare Act.

**New Form/Modification:** Modified; last update 02/16.

**Modifications:** Added ICWA regulations inquiry regarding adoptive parent of the child has voluntarily consented to the termination of parental rights to the child.

**Comments:** RMC recommends that the court not rely upon attachments alone as the basis for its findings. Where attachments are used, specific reference to the document title, page and paragraph should be made.

**About this Form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**