

HB 1491 -- TERMINATION OF PARENTAL RIGHTS

SPONSOR: Kelley (127)

This bill requires a court, in certain juvenile court cases, to consider and enter findings of fact and conclusions of law on whether a child is an abandoned infant or whether the child's parent harmed the child or another child as specified in the bill. These findings must be admitted into evidence for a petition for termination of parental rights or a petition for adoption. The juvenile office or Children's Division within the Department of Social Services may file a petition to terminate parental rights if the court finds that the child's parent harmed the child or another child in ways specified in the bill.

The bill clarifies that a juvenile officer or the division can file a petition to terminate parental rights only when the child is in the custody of or under supervision of the division.

If an adoptive resource has not been identified for a child, this fact shall not be a relevant consideration for determining whether grounds exist for the termination of parental rights in specified cases. However, the division must make efforts to place a child whose parents have had their parental rights terminated with an adoptive family or guardianship. The division must file a report with the court every six months showing their efforts to place a child with an adoptive family or guardianship.

The division, juvenile officer, parent, and guardian ad litem shall each have the right to request a change of judge in specified petitions for termination of parental rights.