

IN THE CIRCUIT COURT FOR [] COUNTY, MARYLAND
Sitting as a Juvenile Court

In the Matter of [] Department *
Of Social Services' Petition for Guardianship *
With the Right to Consent to Adoption or *
Long Term Care Short of Adoption *

Case Number(s):

*
*
*
*

TERMINATION OF PARENTAL RIGHTS HEARING ORDER

Having heard this matter on the issue of the [city/county] DSS petition for Guardianship and to terminate the rights of the parents in the above captioned matter and with the following persons present:

- | | | | |
|--------------------------|-------------------|--------------------------|-------------------------|
| <input type="checkbox"/> | Child _____ | <input type="checkbox"/> | Child's Attorney _____ |
| <input type="checkbox"/> | Case Worker _____ | <input type="checkbox"/> | DSS Attorney _____ |
| <input type="checkbox"/> | Mother _____ | <input type="checkbox"/> | Mother's Attorney _____ |
| <input type="checkbox"/> | Father _____ | <input type="checkbox"/> | Father's Attorney _____ |
| <input type="checkbox"/> | Guardian _____ | <input type="checkbox"/> | Custodian _____ |
| <input type="checkbox"/> | CASA _____ | <input type="checkbox"/> | Other _____ |

by the Court for [county], on this _____ day of _____ 200____, the Court finds:

That [Name of Mother] and [Name of Father] knowingly, willingly and voluntarily relinquish their respective natural parental rights and responsibilities to the above captioned Respondent(s) [or First or Full Name of Child]. The Court's efforts to ensure that the relinquishment was voluntary and informed are as follows: ; or

That pursuant to the Family Law Article of the Maryland Annotated Code § 5-323, the Court finds by clear and convincing evidence that **it is not in the best interest** of the Respondent(s) to terminate the natural parental rights of [mother's name] and [father's name].

These findings are based on the following reasons: ; or

That pursuant to §5-323 of the Family Law Article of the Maryland Annotated Code, the Court finds by clear and convincing evidence that **it is in the best interest** of the Respondent(s) to terminate the parental rights of [mother's name] and [father's name], and

That the child was found to be a Child in Need of Assistance on the _____ day of _____, 200____, in the Circuit Court of [County] [State].

That the Court gave primary consideration to the health and safety of the child.

After considering all of the factors enumerated under §5-323 (d) of the Family Law Article of Maryland Annotated Code, the Court finds by clear and convincing evidence

That services [were/were not] offered to the parent prior to placement of the child. These services included:

Social service agreements between the parents and the [city/county] DSS were fulfilled in the following manner:

That the mother [has /has not] been able to adjust her circumstances, condition or conduct to make it in the best interest of the child to return home.

That the mother [has/has not] maintained regular contact with her child since:

_____ That the mother [has/has not] maintained regular contact with:

- The local department since _____
- Her child's caregiver [name of caregiver] since _____ .

That the mother [has/has not] contributed to the care and maintenance of her child since : _____

That the father [has/has not] been able to adjust his circumstances, conduct, or conditions to make it in the best interest of the child to return home. ***

That the father [has / has not] maintained regular contact with his child since: _____

That the father [has / has not] maintained regular contact with:

- The local department since _____
- Her child's caregiver [name of caregiver] since _____ .

That the father [has / has not] contributed to the care and maintenance of his child since : _____ That the _____mother_____ father [has / does not have] a disability that renders the parent unable to care for the immediate and ongoing physical or psychological needs of the child for long periods of time.

That additional services [would / would not] likely bring about a lasting parental adjustment so that the child could return home within an ascertainable time because

That the _____mother _____ father_____ [has abused / has neglected the child, or a minor].

That on admission to a hospital for the child's delivery, the mother tested positive for a drug as evidenced by a positive toxicology test; or

That the child tested positive for a drug as evidenced by a positive toxicology test; AND

That the mother refused the level of drug treatment recommended by a qualified addiction specialist, by a physician or psychologist.

IN ADDITION IF APPLICABLE, it is further found:

- That the _____ mother _____ father subjected the child to chronic abuse, chronic and life threatening neglect, sexual abuse, or torture. [Must describe the torture, abuse, or neglect, including extent of injuries]; or
- That the _____ mother _____ father has been convicted of a crime of violence against _____ a minor offspring of the parent _____ the child _____ or another parent of the child _____ ; or
- That the _____ mother _____ father has been convicted of aiding or abetting, conspiring, or soliciting to commit a crime of violence ; or
- The _____ mother _____ father involuntarily lost parental rights to [name of sibling] who is the brother/sister of [the above-captioned child's name];

That because the _____ mother _____ father committed the above act, crime of violence, or involuntarily lost parental rights to [name of sibling], return of the child poses an unacceptable risk to the child's future safety; or

That although the _____ mother _____ father committed the above act, crime of violence, or involuntarily lost parental rights to [Name of sibling], return of the child does not pose an unacceptable risk to the child's future safety

It is further found,

- That the child's emotional ties with and feelings toward his/her mother are as follows:
- That the child's emotional ties with and feelings toward his/her father are as follows:
- That the child's emotional ties with and feelings toward his/her siblings are as follows:
- That the child's emotional ties with and feelings toward [names of others who may affect the child's best interests significantly] are as follows:
- That the child [has/has not] made a good adjustment to community, home, placement, and school.
- That the child's emotional response and feelings toward termination of parental rights are as follows:
- That the likely impact of termination of parental rights is

That the following efforts were made, following the placement of the child into foster care, to finalize the child's permanency plan: ; and

That the efforts made by the local department [were / were not] reasonable because

In light of the above-stated factual findings, on this _____ day of _____ 200____, it is therefore, ORDERED,

That the [County] Department of Social Services' Petition for Guardianship with the Right to Consent to Adoption or Long Term Care Short of Adoption [is / is not] granted.

IF PETITION IS GRANTED

That DSS is granted guardianship of the Respondent for [appropriate placement/ placement with relatives/other]; and it is further ORDERED,

That DSS/DHMH provide or make referrals for the following services:

- | | | | |
|--------------------------|---------------------------|--------------------------|----------------------------|
| <input type="checkbox"/> | educational/academic | <input type="checkbox"/> | vocational assessment |
| <input type="checkbox"/> | individual counseling | <input type="checkbox"/> | substance abuse evaluation |
| <input type="checkbox"/> | substance abuse treatment | <input type="checkbox"/> | psychological evaluation |
| <input type="checkbox"/> | psychiatric evaluation | <input type="checkbox"/> | medical evaluation |
| <input type="checkbox"/> | Other | | |

That _____ continues to be/be awarded limited guardianship for the purpose of making routine medical, dental, educational, psychological and out of state travel decisions on behalf of the Respondent.

That the individual's CINA case is terminated.

IF PETITION IS NOT GRANTED

That the Respondent (s) [or First or Full Name of Child] [remains/is placed] in the custody of the [local agency/ parent / relative / other] pending further disposition before this Court on the above-captioned matter;

That [Executive Director] of the [county][DSS/local agency] be awarded limited guardianship for the purpose of routine medical, dental, educational, psychological decision making on behalf of the respondent, and out of state travel purposes;

That the Respondent(s) [or First or Full Name of Child] permanency plan is:

- Return to the parent(s) [only if petition is not granted]
- Placement with a relative for
 - Adoption
 - Guardianship
- Adoption by a nonrelative
- Guardianship by a nonrelative
- Another Planned Permanent Living Arrangement because the following compelling reasons exist making return home, adoption or guardianship not in the respondent(s)'s best interests:

with implementation to be achieved by: _____ .

That visitation between the Respondent (s) [or First or Full Name of Child] and _____ is to be

- liberal and unsupervised; or
- supervised as arranged by the [local agency or its designee] with a minimum of _____; or
- until, _____; or
- as arranged between the parties; incorporating but not merging the visitation agreement dated _____;

That there be no contact between Respondent(s) [or First or Full Name of Child] and _____;

That the [local DSS/DHMH/other agency] submit bi-annual written progress reports to the Court and all parties no later than [specify first date] and [specify second date];

That a _____ Guardianship Reviewor _____ CINA Review Hearing be scheduled on the _____ day of _____ 200____, at _____ a.m./p.m before the Court

ALL PARTIES LISTED ABOVE AS PRESENT RECEIVED NOTICE OF THE FINDINGS ON THE RECORD AND UPON COMPLETION A COPY OF THIS ORDER WAS

- HANDED TO THEM
- SENT BY FIRST CLASS MAIL.

A COPY OF THIS ORDER WILL BE MAILED TO THOSE PARTIES NOT PRESENT. SERVICE IS TO BE BY:

- First class mail
- Sheriff's Service on _____
- Certified Mail, Return Receipt Requested on _____
- Appropriate means when an address is supplied to the Court
- Further notice has been waived

JUDGE

Date