

## Termination of Parent-Child Relationship

Youth need to be able to count on their parents to care for them and keep them safe. When youth are CHINS and have lived away from their parents for a long period of time because their parents can't provide a safe home, the D.C.S. will try to find another way to provide a permanent, safe home for the youth. In order for the new home to be permanent, sometimes the legal relationship between the youth and their birth parents must end.

### 1. What is "termination of parental rights"?

Parents cannot give up their parental rights by themselves. An adoption agency or the D.C.S. must agree that it is in your best interests to terminate your parents' legal rights to have custody and to take care of you. If you are a CHINS, there are some cases when it is in your best interest for your parent or parents to give up their parental rights, such as when your parents are unwilling to get help or change their abusive or neglectful behavior. The D.C.S. attorney or your CASA or GAL may ask the court to terminate the parent-child relationship so that another person, such as another family member or a foster parent, can adopt you and give you a permanent, safe home.

If your parents do not want to give up their parental rights, then the judge must hold a hearing to decide if terminating your parents' rights is allowed under

the law and is best for you. At that hearing, the D.C.S. attorney must give the judge clear and convincing evidence:

- That you have been removed from your home for six months under a dispositional decree or that you have been removed from your home because your parent has been convicted of a very serious crime such as murder of a child or been removed from your parent and have been under the supervision of DCS or probation for at least 15 out of the last 22 months;
- There is a reasonable probability that the conditions leading to your removal are not likely to get better or that the parent-child relationship poses a threat to your well-being; or that you have been found to be a CHINS on two separate occasions;
- That termination is in your best interest; and
- That there is a satisfactory plan for your care and treatment.

The judge will hold a final hearing to determine whether the D.C.S. proves by clear and convincing evidence that your parents' right to raise you, have custody of you, and take care of you should be legally ended or terminated. If the D.C.S. shows the judge enough evidence, your parents' parental rights are terminated. This means that your parent is no longer able to have you live with him or her or to make any decisions about you.

### 2. Does the parent in a termination of parental rights case get to have an