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CHILDHOOD & PARENTHOOD

CHECKLIST: GROUNDS FOR TERMINATING PARENTAL RIGHTS

The phrase “termination of parental rights” can be the most frightening words any parent can hear. On the other hand, this procedure is perhaps one of the strongest legal mechanisms available to protect children in need. In many instances, a termination proceeding is a necessary precursor to the adoption of the child. Although the exact grounds for termination vary from state to state, the following list summarizes the major grounds for terminating a parent’s rights to his or her child.

- √ Severe or chronic abuse or neglect of the child.
- √ Sexual abuse of the child.
- √ Abuse or neglect of other children in the household.
- √ Abandonment of the child or extreme parental disinterest.
- √ Long-term mental illness of the parent.
- √ Long-term alcohol- or drug-induced incapacity of the parent.
- √ Failure to support the child.
- √ Failure to maintain contact with the child.
- √ Failure to provide education.
- √ Felony conviction of the parent for a violent crime against the child or another family member.
- √ Felony conviction of the parent when the term of imprisonment is long enough to negatively impact the child and the only other source of care for the child is foster care.
- √ The child has been in foster care for fifteen of the most recent twenty-two months.
- √ Failure of reasonable efforts to rehabilitate the parent and reunite the family.
- √ Failure of the parent to comply with a court-ordered plan.
- √ The child would be at risk if returned to the home.
- √ Risk of substantial harm to the child.
- √ Inducing the child to commit a crime.
- √ Unreasonable withholding of consent by the noncustodial parent.
- √ Extreme emotional damage to the child inflicted by the parent.
- √ The child’s need for continuity and care.
- √ Parental identity or location is unknown.
- √ The child was conceived as a result of rape or incest.
- √ The putative or presumptive father is not the child’s biological father.
- √ A newborn child is drug- or alcohol-addicted.

- √ Giving birth to three or more drug-affected infants.
- √ Other “egregious conduct” or heinous or abhorrent behavior by the parent.
- √ The child has developed a strong and healthy relationship with his or her substitute family.
- √ The preference of the child.
- √ Voluntary relinquishment of rights by the parent.