



Termination of Parental Rights Part II

A Panel Discussion

Hon. Penny Moylan, Grant Brazill, Morgan Hall, Christopher Halbert,
Heather Alwin, and Vivien Olsen



The Trial on Termination of Parental Rights

- Timeframe: must be held within 90 days of filing the motion
- Burden of Proof
- Judicial Findings
 - Reasonable efforts
 - Finding of unfitness
 - Best interest of the child
 - Default judgements



Judicial Findings

- Reasonable efforts
- Finding of unfitness
- Best interest of the child
- Default judgements



ICWA Considerations at TPR



After TPR

- Disposition hearing within 30 days
- Permanency hearings at least every 12 months
- Increasing likelihood of timely permanency
 - Reasonable efforts
 - Exploring options for permanency prior to TPR
 - Adoption Tracking Tool



Appeals

- Time to file appeal
- Reasons to appeal, or not to appeal
- Parents' rights during appeals process
- Timeline for appeal process
- Hearings after appeals
- ICWA appeals



Post-Termination

- Should the GAL advocate for continued visits after successful TPR?
- Should the child continue visitation and contact with other family members?
- Sibling visits and sibling splits
- Timely permanency – Adoption, custodianship, SOUL Family, APPLA