



### Basics of ermination of enghts Facts and grounds must be alleged in the original petition, a supplemental petition, or a motion. Neb. Rev. Stat. § 43-291 "An order terminating the parent-juvenile relationship shall divest the parent and juvenile of all legal rights, privileges, duties, and obligations with respect to each other.\* Neb. Rev. Stat. § 43-293 Proceedings must have due process safeguards. In re Interest of Brook P. et al., 10 Neb. App. 577, 634 N.W.2d 290 (2001) Must prove grounds + best interests of the child. 290 (2001.) After a termination of all parental rights proceeding under Neb. Rev. Stat. § 43-292, and where a child is a ward of the Department, no other consents are required before the adoption. Neb. Rev. Stat. § 43-293 Grounds Termination of -aghts Neb. Rev. Stat. § 43-292 "(1) The parents have abandoned the juvenile for six months or more immediately prior to the filing of the petition; immediately prior to the filing of the petition; (2) The parents have substantially and continuously or repeatedly neglected and refused to give the juvenile or a sibling of the juvenile necessary parental care and protection; (3) The parents being financially able, have willfully neglected to provide the juvenile with the necessary subsistence, education, or other care necessary for his or her health, morals, or welfare or have neglected to pay for such subsistence, education, or other care when legicl auctody of the juvenile is lodged with others and such payment is ordered by the court; Grounds Termination of -aghts (4) The parents are unfit by reason of debauchery, habitual use of intoxicating liquor or narcotic drugs, or repeated lewd and lascivious behavior, which conduct is found by the court to be seriously detrimental to the health, morals, or well-being of the juvenile; or wein-being or tre juverne, (5) The parents are unable to discharge parental responsibilities because of mental illness or mental deficiency and there are reasonable grounds to believe that such condition will continue for a prolonged indeterminate period; believe that such condition will continue for a prologed indeterminate period (8) Following a determination that the juvenile is one as described in subdivision (3)(a) of section 43-247, reasonable efforts to preserve and reunify the family if required under section 43-283 of under the direction of the court, have failed to correct the conditions leading to the determination;

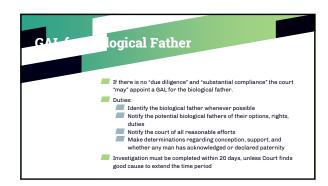
(7) The juvenile has been in an out-of-home placement for fifteen or more months of the most recent twenty-two months;

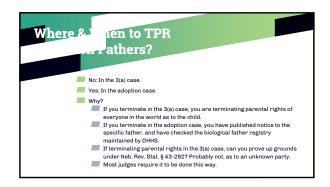
# (8) The parent has inflicted upon the juvenile, by other than accidental means, serious bodily injury; (9) The parent of the juvenile has subjected the juvenile or another minor child to aggravated circumstances, including, but not limited to, abandonment, torture, chronic abuse, or sexual abuse; (10) The parent has (a) committed murder of another child of the parent, (b) aided or abetted, attempted, conspired, or solicited to commit murder, or aided or abetted voluntary manalaughter of the juvenile or another child of the parent, or aided or abetted voluntary manalaughter of the juvenile or another child of the parent, or (a) committed a felony assault that resulted in serious bodily injury to the juvenile or another minor child of the parent or (a) (11) one parent has been convicted of felony sexual assault of the other parent under section 28-319.01 or 28-320.01 or a comparable crime in another state.

Best Inter	sts of the Minor
	Must be a primary consideration.  Applied by the courts on a case by case basis
	Focuses on the future well-being of the child
_	Reunification is presumed to be in child's best interests, must prove parent is unfit. In re Angelica L., 277 Neb. 984, 767 N.W.2d 74 (2009)
	Considerations:    Has parent made continued improvement?   Has a beneficial relationship been established between the parent and child?   Children should not languish in foster care   Siblings

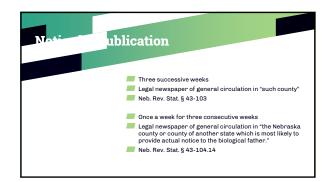
But What Do you Do When the Biological Father is Unknown??











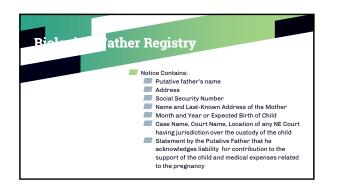


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# DHIFS Forms Available at: http://dhhs.ne.gov/chil dren\_family\_services/ Pages/adoption\_biofat her.aspx Indicate of Objection to Adoption submitted to Objection to Adoption to Adoption submitted to Objection to Adoption to Adoption to Adoption to Adoption to Adoption submitted to Objection to Adoption to Adoption

### DITHS Forms Available at: http://dhhs.ne.gov/chil dren\_family\_services/ Pages/adoption\_biofat her.aspx



## Specific time limits for putative father filing under Neb. Rev. Stat. § 43-104.02 If putative father has filed, DHHS sends a copy to the mother and to any courts identified. Neb. Rev. Stat. § 43-104.03 If putative father has filed, DHHS sends a copy to the mother and to any courts identified. Neb. Rev. Stat. § 43-104.03 If putative father has not filed, the mother (or her attorney) requests, and DHHS supplies, a certificate that no such notice has been filed with the biological father registry. Neb. Rev. Stat. § 43-104.04

