

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING HEARING TO TERMINATE PARENTAL RIGHTS ORDER _____ OF _____	CASE NO. PETITION NO. JUDGE
--	--	--

Court address

Court telephone no.

In the matter of _____
First and last name(s), alias(es)

1. Date of hearing: _____ Judge/Referee: _____
2. Removal date: _____ (Specify for each child if different.)
3. An adjudication was held and the child(ren) was/were found to come within the jurisdiction of the court.
4. A petition to terminate parental rights has been filed and notice of hearing on the petition was given as required by law.
5. Specific findings of fact and law regarding this proceeding have been made on the record or by separate written opinion of the court.

THE COURT FINDS:

6. a. Reasonable efforts were made to preserve and unify the family to make it possible for the child(ren) to safely return to the child(ren)'s home. Those efforts were unsuccessful.
 - b. Reasonable efforts were not made to preserve and unify the family because it was previously determined in a prior court order to be detrimental to the child(ren)'s health and safety.
 - c. Reasonable efforts were not required to preserve and reunify the family as determined in a prior court order.
(*This requires a permanency planning hearing within 28 days.)
7. There is clear and convincing evidence that a statutory basis exists for terminating the parental rights of _____, parent(s) of the child(ren).
Name(s) of parent(s)
8. The child(ren) is/are Indian as defined in MCR 3.002(12).
- a. Active efforts have not been made.
 - b. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved unsuccessful and **there is** evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).
 - c. Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved successful and **there is not** evidence beyond a reasonable doubt, including qualified expert witness testimony, that continued custody of the child(ren) by the parent(s) or Indian custodian will likely result in serious emotional or physical damage to the child(ren).
9. Termination of parental rights is is not in the best interests of the child(ren).

***NOTE:** If proper notice has already been given, the permanency planning hearing can be conducted immediately following the termination hearing. This is especially useful in obtaining a uniform date for future permanency planning hearings when parental rights have been terminated to more than one child and the removal dates of the children are different. Use form JC 76.

USE NOTE: Do not use this form when terminating parental rights after release under the adoption code. Use forms PCA 318 and PCA 322. If one parent has signed a release under the adoption code, do not include his or her name in the order.

IT IS ORDERED:

10. The parental rights of _____
Name(s) of parent(s)
are terminated, and additional efforts for reunification of the child(ren) with the parent(s) shall not be made.
11. a. The child(ren) is/are continued in the temporary custody of this court and remain in placement with the department for care and supervision.
- b. The child(ren) is/are committed to the department for permanency planning, supervision, care, and placement under MCL 400.203.
12. While the child(ren) is/are placed out of the home, the friend of the court must take the necessary steps to appropriately assign or redirect child support pursuant to law.
13. The Director of the department is appointed special guardian to receive any benefits now due or to become due the child(ren) from the government of the United States.
14. Other: (Include reimbursement provisions as required by MCL 712A.18[2]. Attach separate sheet.)
15. The court reserves the right to enforce payments of reimbursement that have accrued up to and including the date of this order.
16. The supplemental petition to terminate the parental rights of _____ is denied.
Name(s) of parent(s)
17. A review hearing permanency planning hearing will be held _____ .
Date

Recommended by:

┌

Referee signature and date

┌

Judge signature and date