IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF <Enter County>

Date:
Judicial Officer:
Deputy Clerk:

In the matter of: No.

TERMINATION HEARING - COURT

Parties Present:
<Enter party>
<Enter party>

This is the time set for the **TERMINATION HEARING** on a <motion / petition> for termination of parental rights filed <Date of motion / petition filing>.

Open Proceedings:

☐ The Court determines that the proceeding is to remain open to the public and admonishes attendees that they shall not disclose identifying information about the child, siblings, parents, guardians or caregivers, or other persons identified in the proceeding. The Court explains contempt of court to all attendees and possible consequences of violating a court order.

☐ The Court orders that the proceeding be closed based on the following: <Enter reason(s) that proceeding should be closed>.

Documents Reviewed: The Court has received and reviewed the following documents: <Names of specific documents>. The Court determines that the investigation and report ordered by the Court <has / has not> been completed and provided to all parties.

ICWA: The Court finds that, based upon the assertions of the parties, the Indian Child Welfare Act, 25 U.S.C. §1901 et seq. <does / does not> apply.

Service and Jurisdiction:
The Court determines that service of the motion <Enter whether service complete> as to <Applicable parent/guardian>, <Enter applicable parent> of <Applicable child(ren)>.

☐ The Court orders the petitioner to complete service and continues the hearing to <Enter date, time and location of continued ITE. May

also want to include the continued hearing information under "Future Hearings" section of this minute entry.>

☐ The Court finds that <Enter applicable parent> had notice of the hearing and that the notice advised of their rights and the consequences of not appearing at this hearing.

☐ The Court finds that <Enter applicable parent> <has / have> failed to appear without good cause.

☐ The parent, Indian custodian and the tribe have <Enter whether notice proper or waived>.

☐ The State of Arizona, by and through the Arizona Department of Economic Security, is authorized to initiate this dependency proceeding pursuant to A.R.S. §8-201 et seq. A.R.S. §8-501 et seq. and A.R.S. §8-802 et seq.

☐ The Court has exclusive original jurisdiction over the subject matter pursuant to A.R.S. §8-802, and venue is appropriate in <Enter county> County pursuant to A.R.S. §8-206.

Counsel: Appointment of counsel is made/affirmed at this time for the following:
<Applicable counsel>, <Enter counsel type>;
<Applicable counsel>, <Enter counsel type>;
<Applicable counsel>, <Enter counsel type>.

The <Enter applicable parent> is to pay <Amount assessed per month> per month for the cost of counsel.
The <Enter applicable parent> is to pay <Amount assessed per month> per month for the cost of counsel.

Plea: The <Enter applicable parent> enters a plea of <Enter applicable plea> to the allegations contained in the <motion / petition>.

☐ The Court advises <Enter applicable parent> of their rights to: counsel; cross examine witnesses; trial by the Court on the motion / petition; use the process of the Court and to compel witness attendance.

☐ The Court determines that the <Enter applicable parent> understands their rights.

☐ The Court advises the <Enter applicable parent> of the consequences of their plea of <Enter applicable plea>.

☐ The Court determines that the plea of the <Enter applicable parent> <was / was not> made knowingly, intelligently and voluntarily.

Testimony:

The Court hears preliminary motions made.

The court determined that AZ. R. EV. 615 <has / has not> been invoked.

Counsel identified all witnesses and these witnesses were sworn and admonished regarding conduct in accord with AZ. R. EV. 615.

Opening statements are heard.

The petitioner's case is heard.

The Court takes ICWA testimony pursuant to AZ.R.Juv.Ct. 66(C).

The respondent's case is heard.

Evidence is presented on behalf of the child(ren).

Rebuttal testimony is heard.

Closing arguments are heard.

Findings and Orders:

☐ The Court, having considered the <motion / petition> dated <Date filed>, the testimony presented, the social study filed pursuant to A.R.S. §8-536, and the <Enter applicable plea> of the <Enter applicable parent>, as well as the best interests of <Applicable child(ren)>, finds that the moving party/petitioner has not met the required burden of proof.
The Court, therefore, denies the <motion / petition> for Termination of the Parental Rights at this time. **The Court orders** ADES to submit a revised case plan prior to the next Review Hearing.

☐ The Court, having considered the <motion / petition> dated <Date filed>, the testimony presented, including any substantiated finding of abuse or neglect from another state, the social study filed pursuant to A.R.S. §8-536, the <Enter applicable plea> of the <Enter applicable parent>, as well as the best interests of <Applicable child(ren)>, finds by <Enter burden of proof> that:

<Applicable child(ren)> <was a resident / were residents> of the State of Arizona at the time that the <motion / petition> was filed and, therefore, The Court has jurisdiction.

The <Enter applicable parent> <was / were> properly served with notice of these proceedings and <has / have> <Enter failed to appear or admit / no contest>.

The following grounds for Termination of Parental Rights have been proven: <Enter specific grounds in support of termination>.

Termination of the Parental Rights would be in the best interests of <Applicable child(ren)>.

ICWA: Pursuant to ICWA standards, The Court determines that:

☐ Notice to the tribe has been given;

☐ A qualified expert has testified in support of termination;

☐ Active efforts have been made to prevent the breakup of the Indian family but these efforts were unsuccessful;

☐ Continued custody by the parent would likely result in serious emotional or physical damage to the child(ren);

☐ The placement is in accord with the placement preferences set forth in 25 U.S.C. §21-1915 or there is good cause to deviate from these preferences.

The Court, therefore, orders terminating the parental rights of <Name of applicable parent> as to <his / her> child(ren) <Applicable child(ren)>.

The Court, therefore, orders terminating the parental rights of <Name of applicable parent> as to <his / her> child(ren) <Applicable child(ren)>.

The Court, therefore, orders terminating the parental rights of <Name of applicable parent> as to <his / her> child(ren) <Applicable child(ren)>.

The Court appoints <Name of applicable guardian> as guardian for <Applicable child(ren)>.

☐ The Court appoints <Name of applicable guardian> as guardian for <Applicable child(ren)> and vests legal custody of <Applicable child(ren)> in <Applicable person or authorized agency>.

☐ The court orders that <Applicable person or authorized agency> shall be responsible for the financial support of <Applicable child(ren)>.

Future Hearings: The Court sets/affirms the following hearings:

☐ <Enter hearing type> as to <Enter applicable parent> is set for <Date, time and location of this hearing>.

☐ **The Court vacates** the <Enter hearing type> set for <Enter date, time and location of this hearing>.

Dated: _____
<Judge / Commissioner / Hearing Officer> of the Superior Court