

**CASE PROCESSING STANDARDS ANALYSIS
JUVENILE - TERMINATION OF PARENTAL RIGHTS**

National Center for State Courts Model Time Standards:

90% within 120 days after filing petition

98% within 180 days after filing petition

Measurement: Filing of motion/petition through termination of parental rights.

Arizona Juvenile – Termination of Parental Rights

The following standard has been adopted for Termination of Parental Rights cases:

90% within 120 days

98% within 180 days

✓ Adoption cases are excluded.

Measurement: Filing of Motion/Petition for Termination of Parental Rights through entry of dismissal or order of termination.

Excluded time: No excluded time.

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Motion/Petition Filed: Rule 64(A), ARJP¹ ARS² § 8-862(D)(1)</p> <p>Rule 64(B), ARJP</p>	<p style="text-align: center;">(Measurement Starts Here)</p> <p><u>Motion for Termination of Parental Rights:</u> If the court determines that the termination of parental rights is clearly in the best interests of the child, the court shall order the department or the child's attorney or guardian ad litem to file within 10 days after the permanency hearing a motion alleging one or more of the grounds prescribed in section 8-533 for termination of parental rights.</p> <p><u>Petition for Termination of Parental Rights:</u> If the child at issue is not a dependent child or is a dependent child who was the subject of a dependency petition filed prior to July 1, 1998, the petitioner shall file a petition for termination of parental rights, pursuant to ARS 8-534 and shall state whether the child is an Indian child as defined by the Indian Child Welfare Act. Nothing in this rule shall preclude the filing of a petition in those cases where the child was the subject of a dependency petition filed after July 1, 1998.</p>
<p>Adjudication: Rule 65(B), ARJP ARS § 8-862(D)(2)</p>	<p><u>Initial Termination Hearing:</u> If a <u>motion</u> for termination of parental rights is filed, the initial hearing shall be held within 30 days of the permanency hearing. If a <u>petition</u> for termination is filed, the hearing shall be held no sooner than 10 days from service.</p>

¹ Arizona Rules of Procedure for the Juvenile Court

² Arizona Revised Statutes

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Rule 65(C)(6)(b), ARJP ARS § 8-862(D)(2)</p> <p>Rule 66(B), ARJP</p>	<p>If the termination is contested at the initial hearing, the court shall set a date for the trial on termination of parental rights within 90 days after the permanency hearing.</p> <p>Denial of allegations: If a <u>motion</u> for termination of parental rights was filed and the parent, guardian or Indian custodian denies the allegations, the court shall set the matter for trial within 90 days of the permanency hearing. The court may schedule a settlement conference, a pretrial conference or mediation, if appropriate. If a <u>petition</u> for termination was filed, the court may schedule mediation and shall set a pretrial conference or status conference.</p> <p>Termination Adjudication Hearing: If a <u>motion</u> for termination of parental rights was filed, the termination adjudication hearing shall be held no later than 90 days after the permanency hearing. The court may continue the hearing beyond the 90 day time limit for a period of 30 days if it finds that the continuance is necessary for the full, fair and proper presentation of evidence, and the best interests of the child would not be adversely affected. Any continuance beyond 30 days shall only be granted upon a finding of extraordinary circumstances.</p> <p style="text-align: center;">(Measurement Stops Here)</p>