

NOTICE/SUMMONS AND ORDER FOR HEARING - TERMINATION OF PARENTAL RIGHTS

JD-JM-40 Rev. 6-16
 C.G.S. § 45a-716;
 P.A. 16-70 § 1
 P.B. §§ 32a-1(g) 33a-2(b), (c), 33a-4, 33a-5

This form is available in other language(s).

STATE OF CONNECTICUT
SUPERIOR COURT
 JUVENILE MATTERS
 www.jud.ct.gov



Instructions to Clerk

1. Set matter down for hearing not more than 30 days after petition is filed, except not more than 20 days after a consent petition is filed.
2. Fill in name and telephone number of clerk in "Notice to Person(s)..."

Superior Court for juvenile matters at (Address of Court)

In the interest of (Name of child/youth)

Summons/Order For Hearing And Notice

The attached petition for termination of parental rights in the interest of the minor child or youth named above has been presented to the court. It is ordered:

1. that the following persons are summoned come to court at the above address on
2. that any proper officer make due and legal service of the order and summons and the foregoing petition at least ten (10) days before the above hearing date as follows:

A hearing on this matter is scheduled for:	
Date	Time (A.M./P.M.)

By personal service, having a true and attested copy of the petition and this order left with and in the hands of:

Name and Address

1. _____
2. _____

By abode service, leaving a true and attested copy of the petition and this order at the usual place of abode:

Name and Address

1. _____
2. _____

By certified mail, restricted delivery, return receipt requested, addressed to:

Name and Address

1. _____
2. _____

By Publication In (Name(s) and location(s) of newspaper(s))

To Give Notice To (Name and last known address)

1. _____
2. _____

Date at (Town)	On (Date)	By order of the court (Name of Judge)	Signed (Clerk)
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Notice To Person(s) Whose Parental Rights Are Sought To Be Terminated

- 1. Failure to appear:** If you do not come to court, the court may take action against you including entering orders affecting your parental rights.
- 2. Right to counsel:** You have a right to be represented by an attorney. If you want an attorney but cannot pay for one and if you give proof that you cannot pay, the court will make sure that the Chief Public Defender assigns an attorney to you. Your request for an attorney should be made immediately by filling out the JD-JM-114 Application for Appointment of Counsel/Waiver of Fees form. Submit the application form in person, by mail or fax at the court location where your hearing is going to be held.
- 3. Effects of a termination decree:** The termination decree will be the complete end of the legal relationship between the child or youth and the person(s) whose parental rights have been terminated so that the child or youth is free for adoption except it shall not affect the right of inheritance of the child or youth or the religious affiliation of the child or youth. The parent will have no legal right or responsibility to care for the child or youth or make any decisions on behalf of the child or youth, to obtain the child's or youth's birth certificate or any state or federal benefit. The parent will have no legal responsibility to support or to pay for the child's or youth's expenses after the effective date of termination.
 The child or youth will be legally free for adoption after the termination and the parent will have no right to notice of the adoption proceedings nor any right to participate in the proceedings.
- 4. Right to remain silent:** You have the right to refuse to make any statements; any statements you make may be introduced in evidence and used against you.

Name of Clerk	Telephone number	Fax number
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The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation under the ADA, contact the court clerk at the number listed above or an ADA contact person listed at www.jud.ct.gov/ADA.

Return of Service - To be completed by any proper officer

STATE OF CONNECTICUT

Docket number _____

County of <p style="text-align: center;">SS.</p>	Name of person(s) served	Date of service
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Then and there, I duly served the foregoing petition, order and summons on the above-named respondent(s), by either (*check one*):

- leaving with (*for in hand*); or
 leaving at the usual place of abode (*for abode*)
at _____

The within and foregoing is a true and attested copy of the original petition, order, and summons.

Attest (*Signature and title of proper officer*)

Fees
Copy
Endorsement
Service
Travel
Total

STATE OF CONNECTICUT

County of <p style="text-align: center;">SS.</p>	Name of person(s) served	Date of service
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Then and there, I duly served the foregoing petition, order and summons on the above-named respondent(s), by either (*check one*):

- leaving with (*for in hand*); or
 leaving at the usual place of abode (*for abode*)
at _____

The within and foregoing is a true and attested copy of the original petition, order, and summons.

Attest (*Signature and title of proper officer*)

Fees
Copy
Endorsement
Service
Travel
Total

STATE OF CONNECTICUT

County of <p style="text-align: center;">SS.</p>	Name of person(s) served	Date of service
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Then and there, I duly served the foregoing petition, order and summons on the above-named respondent(s), by either (*check one*):

- leaving with (*for in hand*); or
 leaving at the usual place of abode (*for abode*)
at _____

The within and foregoing is a true and attested copy of the original petition, order, and summons.

Attest (*Signature and title of proper officer*)

Fees
Copy
Endorsement
Service
Travel
Total

For Mail Service

STATE OF CONNECTICUT

County of <p style="text-align: center;">SS.</p>	United States Post Office at (<i>Town</i>)	Date of service
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Then and there, by virtue hereof, I made service of the within petition, order and summons by depositing a true and attested copy by United States Post mail, postage prepaid, addressed to _____, by (*check one*):

- restricted delivery, return receipt requested; or
 first class mail; or
 certified mail, return receipt requested.

The within and foregoing is the original petition, order and summons with my doings thereon endorsed.

Attest (*Signature and title of proper officer*)

Fees
Copy
Endorsement
Service
Travel
Total

**PETITION FOR TERMINATION
OF PARENTAL RIGHTS**

C.G.S. §§ 17a-111b, 17a-112, 45a-715, 45a-717;
P.A. 16-70 § 1; P.B. § 33a-1

STATE OF
CONNECTICUT
SUPERIOR COURT
JUVENILE MATTERS
www.jud.ct.gov



TO: The Superior Court For Juvenile Matters:

Address of court	Docket number
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Jurisdiction based on
 Child or youth in the custody of the Commissioner of the Department of Children and Families (DCF).
 Neglect/Uncaared-for/Abuse Petition (Coterminous Petitions).

In the Interest of: <i>(a person under the age of eighteen years)</i>	Name of minor child/youth	Place of birth	Date of birth
	Present address <i>(Tribe and reservation, if child is American Indian)</i>		
Petitioner	Name of petitioner		Address of petitioner
	Relationship To Child/Youth <i>(if any)</i> <input type="checkbox"/> Guardian <input type="checkbox"/> Other <i>(Specify)</i> _____		
Parents/ Respondents <i>(Include putative father, if applicable)</i>	(1) Name	Tribe and reservation if American Indian	Date of birth
	Address		
	(2) Name	Tribe and reservation if American Indian	Date of birth
	Address		
	(3) Name	Tribe and reservation if American Indian	Date of birth
	Address		
If parent(s) is/are minor(s), Give name(s) and address(es) of parent(s) or guardian(s) of the person of the minor parents			
Guardianship/ Custody	Name and Address of Current Guardian of the Person of the Child/Youth <input type="checkbox"/> Commissioner of DCF <input type="checkbox"/> Other <i>(Specify)</i> : _____		
	Name of persons or agencies which have agreed to accept custody or guardianship of child/youth upon disposition		
Court Appointed Guardian(s) Ad Litem	Name(s) and address(es) of guardian(s) ad litem appointed in prior proceedings		
Placement Agency	<input type="checkbox"/> Commissioner of DCF <input type="checkbox"/> Other <i>(Specify)</i> : _____		

The petitioner represents:

Parental rights of the parent named below should be terminated in the best interests of the child or youth, for the following reasons under Section 17a-112 of the Connecticut General Statutes:

1. The mother father of said child or youth voluntarily and knowingly consent(s) to the termination of any parental rights with respect to the child or youth;
(No further allegation against a consenting parent is required. Attach completed form JD-JM-60 for any consenting parent.) OR
2. DCF has made reasonable efforts to locate the mother father.
 DCF has made reasonable efforts to reunify the child or youth with the mother father, **OR**
 mother Father is/are unable or unwilling to benefit from reunification efforts.
 Reasonable efforts to reunify are not required for the mother father because the court determined at a hearing under Section 17a-111b of the Connecticut General Statutes that such efforts are not required.
 Reasonable efforts to reunify are not required for the mother father because the court has approved a permanency plan other than reunification in accordance with Section 17a-111b of the Connecticut General Statutes.

3. The petitioner alleges the following ground(s) for termination of parental rights:

- A. The child or youth has been abandoned by the mother father in the sense that the parent(s) failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the child or youth.
- B1. The child or youth has been found in a prior proceeding to have been neglected, abused or uncared for and the mother father has/have failed to achieve the degree of personal rehabilitation that would encourage the belief that within a reasonable time, considering the age and needs of the child or youth, he/she/they could assume a responsible position in the life of the child or youth, or
- B2. The child or youth is neglected, abused or uncared for and has been in the custody of the Commissioner for at least 15 (fifteen) months and the parent has been given specific steps to take to facilitate the return of the child or youth and the mother father has/have failed to achieve the degree of personal rehabilitation that would encourage the belief that within a reasonable time, considering the age and needs of the child or youth, he/she/they could assume a responsible position in the life of the child or youth.
- C. The child or youth has been denied, by reason of an act or acts by the mother father of commission or omission; including but not limited to, sexual molestation or exploitation, severe physical abuse or a pattern of abuse, the care, guidance or control necessary for his/her physical, educational, moral or emotional well being.
- D. There is no ongoing parent-child or youth relationship with the mother father that ordinarily develops as a result of a parent having met on a day-to-day basis the physical, emotional, moral, and educational needs of the child or youth and to allow further time for the establishment or reestablishment of the parent-child or youth relationship would be detrimental to the best interests of the child or youth.
- E. The mother father of the child, under the age of 7 (seven) years who is neglected, abused or uncared for, has/have failed, is/are unable or is/are unwilling to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable period of time, considering the age and needs of the child, such parent(s) could assume a responsible position in the life of the child and the parent's/parents' parental rights of another child were previously terminated pursuant to a petition filed by the Commissioner of the Department of Children and Families.
- F. The mother father has killed through a deliberate, non-accidental act another child or youth of the parent or has requested, commanded, importuned, attempted, conspired, or solicited such killing or has committed an assault, through a deliberate non-accidental act that resulted in serious bodily injury of another child or youth of the parent.
- G. The mother father committed an act that constitutes sexual assault as described in Sections 53a-70, 53a-70a, 53a-70c, 53a-71, 53a-72a, 53a-72b, or 53a-73a of the Connecticut General Statutes, or compelling a spouse or cohabitor to engage in sexual intercourse by the use of force or by the threat of the use of force as described in Section 53a-70b, if such act resulted in the conception of the child or youth.

4. The summary of facts, the particular facts upon which termination is sought, is attached hereto and made a part hereof.

For these reasons, the petitioner requests that the court terminate the parental rights of:

Name(s) of parent(s) whose rights are sought to be terminated

And appoint a: Statutory parent for said child/youth. Guardian of the person of said child/youth.

Signed by (Petitioner)	Subscribed and sworn to before me on:	Date	Signed (Judge, Notary, Commissioner of the Superior Court)
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