

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

IN THE INTEREST OF

JUVENILE DIVISION  
CASE NO:

**DOB:**

MINOR CHILD(REN)

\_\_\_\_\_ /

**FINAL JUDGMENT FOR TERMINATION OF  
PARENTAL RIGHTS AND PERMANENT COMMITMENT AND DISPOSITION**

(As to \_\_\_\_\_)

THIS CAUSE came on to be heard on \_\_\_\_\_, upon the sworn Petition for Termination of Parental Rights (the "Petition") filed on \_\_\_\_\_ by the Florida Department of Children and Families (the "Department"), or the Department's contracted community based care provider pursuant to section 409.1671, Florida Statutes. The Mother and Father's adjudicatory and dispositional hearings were held on \_\_\_\_\_. The Court, having heard the testimony of each witness; having observed and carefully weighed the credibility and demeanor of the witnesses, received and reviewed all exhibits and otherwise being fully advised in the premises, finds by clear and convincing evidence (If ICWA case, then beyond a reasonable doubt) as follows:

1. **Persons Present:** The following persons were present:

- Attorney for the Department: \_\_\_\_\_
- Child Welfare Case Manager: \_\_\_\_\_
- Mother: \_\_\_\_\_
- Attorney for Mother: \_\_\_\_\_
- Father: \_\_\_\_\_
- Attorney for Father: \_\_\_\_\_
- Attorney for Guardian ad Litem: \_\_\_\_\_
- Guardian ad Litem: \_\_\_\_\_

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

- Attorney ad Litem: \_\_\_\_\_
- Legal Custodian: \_\_\_\_\_

Other: \_\_\_\_\_

2. **Jurisdiction:** The Court has jurisdiction of the subject matter and the parties. All of the parties entitled to notice have been notified as required by law. The child(ren) have been adjudicated as dependent children. Jurisdiction has been retained continuously since the adjudication and has not been relinquished for any reason.

3. **Witnesses:** The Court heard testimony from

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

4. **Child(ren):** The child(ren) subject to the Petition are as follows:

The minor child, \_\_\_\_\_ (name), a male/female child, was born on \_\_\_\_\_, in \_\_\_\_\_. (repeat for each child)

5. **Jurisdiction:** The child(ren) is/are within the jurisdiction of this Court, the Child having been found living or domiciled in \_\_\_\_\_, County, at the time the acts or omissions for the Dependency occurred.

6. **Shelter:** The Department took the child(ren) into custody on \_\_\_\_\_ (date), as confirmed by proper order of this Court dated \_\_\_\_\_ (date) and placed the child in shelter care. The Child is currently residing in \_\_\_\_\_ (custodian), under the supervision of the Department in \_\_\_\_\_ County, Florida.

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

7. **Adjudication/Disposition:** The child was adjudicated to be a dependent child on \_\_\_\_\_ (date) in \_\_\_\_\_ County, Florida, Case Number\_\_\_\_\_. The Court entered a disposition order on \_\_\_\_\_ (date).

8. **Mother:** \_\_\_\_\_,(name) is the mother of the above named minor child. At all times during this proceeding she was represented by counsel.

9. **Father:** \_\_\_\_\_, is the legal father of the above named child. At all times during this proceeding he was represented by counsel.

10. **Guardian Ad Litem:** A guardian Ad Litem has been appointed by this court to represent the child's best interest.

11. **Right to Counsel:** At all material times, the parents were advised of their respective rights to counsel in the dependency and termination of parental rights proceedings and their respective rights to court-appointed counsel, if found indigent. The parents were, in fact, represented by counsel in the dependency and termination of parental rights proceedings.

12. **Notice:** The parents were properly notified by personal or constructive service of process of the advisory hearing and notified of the adjudicatory hearing on the termination of parental rights.

13. **Consent by Non-Appearance:** (if applicable)  
\_\_\_\_\_ Failure to Appear at Advisory Hearing: \_\_\_\_\_ [name(s) of parent(s)] was/were served with a summons and a copy of the Petition for Termination of

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

Parental Rights (or was/were served by publication) and has/have failed to personally

appear at the advisory hearing on \_\_\_\_\_ (date). Pursuant to Fla.

Stat. Sec. 39.801(3)(d) such failure to personally appear at the advisory hearing shall

constitute consent for termination of parental rights of \_\_\_\_\_

[name(s) of parent(s)].

\_\_\_\_\_ Failure to Appear at Adjudicatory Hearing: \_\_\_\_\_

[name(s) of parent(s)] appeared at the advisory hearing and the Court ordered that

parent(s) to personally appear at the adjudicatory hearing for the petition for termination

of parental rights, stating the date, time, and location of the hearing. The parent(s) failed

to appear at the adjudicatory hearing on \_\_\_\_\_ (date). Pursuant to

Fla. Stat. Sec. 39.801(3)(d), such failure to personally appear at the adjudicatory hearing

shall constitute consent for termination of parental rights of

\_\_\_\_\_ [name(s) of parent(s)].

**14. Grounds for Termination of Parental Rights:**

Mother: The Department has proven the following grounds for termination of parental rights as to the mother (insert grounds and specific findings):

Father: The Department has proven the following grounds for termination of parental rights as to the father (insert grounds and specific findings):

**15. Manifest Best Interest:**

After consideration of all relevant factors, including, but not limited to those listed in Florida Statutes §39.810(1)-(11), the Court finds it is now in the manifest best interest of the Child(ren) that this Court terminate the parental rights of the parents to the child(ren) and permanently commit the child(ren) to the custody of the Department for

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

subsequent adoption and, pursuant to Sections 39.806 and 39.810, Fla. Stat. (2006), permanently deprive the parents of any right that they may have to the child(ren)

because:

a. Any suitable permanent custody arrangement with a relative of the child(ren): (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. A suitable permanent custody arrangement with a relative of the child is/is not available and the Court finds that termination of parental rights as to the Mother and Father is the least restrictive alternative.)

b. The ability and disposition of the parent or parents to provide the child(ren) with food, clothing, medical care or other remedial care recognized and permitted under state law instead of medical care, and other material needs of the child(ren): (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Mother does not have the ability nor disposition to provide the child with food, clothing, medical care or other remedial care recognized and permitted under state law instead of medical care and other material needs of the child.)

c. The capacity of the parent or parents to care for the child(ren) to the extent that the child(ren)'s safety, well-being, and physical, mental, and emotional health will not be endangered upon the child(ren)'s return home: (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Mother and Father(s) lack the capacity to care for the Child to the extent that the Child(ren)'s safety, well-being, and physical, mental, emotional health will not be endangered upon the Child return.)

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

d. The present mental and physical health needs of the child(ren) and such future needs of the child(ren) to the extent that such future needs can be ascertained based on the present condition of the child(ren). (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Child's present mental and physical needs are being met by

\_\_\_\_\_.

e. The love, affection, and other emotional ties existing between the child(ren) and the child(ren)'s parent or parents, siblings, and other relatives, and the degree of harm to the child(ren) that would arise from the termination of parental rights and duties: (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Court finds that there is (or is no) significant love, affection and emotional ties between the Mother and the Child. The Court finds that there is (or is no) love, affection and emotional ties between the Father and the Child and finds that the Child will not be harmed by the termination of the Father's parental rights.

f. The likelihood of an older child remaining in foster care upon termination of parental rights, due to emotional or behavioral problems or any special needs of the child(ren): (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. There is no likelihood that the Child will remain in long term foster care because \_\_\_\_\_.)

g. The child's ability to form a significant relationship with a parental substitute and the likelihood that the child will enter into a more stable and permanent family relationship as a result of permanent termination of parental rights and duties: (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Child has the ability to form, and has formed, a significant relationship with a parental substitute, and it is more likely that the Child will enter into a more stable and permanent family relationship as a result of permanent termination of the Mother and Father's parental rights and duties.)

h. The length of time that the child(ren) has/have lived in a stable, satisfactory environment and the desirability of maintaining continuity. (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Child has a stable, satisfactory placement and it is most desirable to continue the placement

i. The depth of the relationship existing between the child(ren) and the present custodian. (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The depth of the relationship between the Child(ren) and the custodian is growing.)

j. The reasonable preferences and wishes of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference. (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Child is too young to express a preference. )

k. The recommendations for the child provided by the child's Guardian Ad Litem or legal representative: (ADD SPECIFIC FACTS FOR EACH CHILD)

(Ex. The Guardian ad litem recommends termination of the Mother and Father's parental rights. )

16. The Court further finds that the Florida Department of Children and Families is authorized under the laws of the State of Florida to accept the Child for the

purpose of subsequent adoption, to place the Child in an adoptive home or homes, and to consent to the adoption of the Child and the Department is willing to receive the Child.

17. **Least Restrictive Means:** The Court finds that termination of parental rights is the least restrictive means to protect the child(ren) and serves the overriding principle that it is the ultimate welfare and best interest of the child(ren) which must prevail because: (insert reasons)

**IT IS HEREBY ORDERED AND ADJUDGED,**

1. The Petition for Termination of Parental Rights, as to the children, \_\_\_\_\_ is GRANTED.

2. The child(ren) is/are hereby adjudicated to be dependent as to the mother, \_\_\_\_\_ and the mather \_\_\_\_\_.

3. The minor child(ren) is/are permanently committed and placed in the custody of the Department of Children and Families for the purpose of adoption.

4. The mother, \_\_\_\_\_, is permanently deprived of any rights that she may have to the Child; and the Child is permanently committed to the custody of the Florida Department of Children and Families for subsequent adoption. She shall no longer be entitled to receive notice of any future hearings, including adoption proceedings.

5. The Father, \_\_\_\_\_, is permanently deprived of any rights that he may have to the Child; and the Child is permanently committed to the custody of the Florida Department of Children and Families for subsequent adoption. He shall no longer be entitled to receive notice of any future hearings, including adoption proceedings. (REPEAT FOR EACH FATHER AS NECESSARY)

6. Pursuant to Florida Statute §39.811(9) and Florida Statute §39.812(4) this Court shall retain jurisdiction of the child(ren) until the child(ren) are adopted. This Court shall retain exclusive jurisdiction, pursuant to Florida Statute 39.813, in all matters pertaining to the child's adoption.

7. A hearing shall be scheduled no later than 30 days after the date of disposition, in which the Department shall provide to the Court an amended case plan that identifies the permanency goal for the child.

8. So long as the parents are unavailable, an authorized agent of the Department of Children and Family Services/(CBC Name), including an adult relative or non-relative caregiver if the child(ren) is/are placed with such relative or non-relative caregiver, may consent to the ordinary and necessary medical and dental examinations and treatment, including Early Periodic Screening, Diagnosis and Treatment (EPSDT) blood testing and other blood testing deemed diagnostically necessary by documented history or symptomatology; preventive care including ordinary immunizations, tuberculin testing, well-child care, but not including surgery, general anesthesia, HIV, and controlled substance blood testing, or other extraordinary procedures for which separate Court order or informed consent as provided by law shall be required.

9. The parents, legal custodians, legal guardians, or other caregivers, as applicable, shall provide the Department with all known information on the medical care and history of the child that is currently in their possession, including the names of all current and former medical providers of the child, within 24 hours of this order, and shall execute appropriate authorizations to release the child's medical information and records. Upon presentation of a copy of this order, a legal custodian appointed in these

proceedings, or in the absence of such a legal custodian, the Department, its community based care contracted providers, including shelter/foster parents, or the person primarily responsible for the case management of the child, is hereby authorized to obtain copies of the child's medical records from any entity, including but not limited to, public and private health care providers and facilities, and may execute appropriate authorizations to release the child's medical information and records. Providers and facilities may require identification and a signature to ensure compliance with state and federal medical records laws.

**10. The custodian of any child subject to the jurisdiction of this court are hereby directed to notify local law enforcement and the Department of Children and Family Services immediately at any time that the child is determined to be missing or that the child's whereabouts are unknown. The child shall not be released to any person without verification of the individual's authority to take custody of the child**

DONE AND ORDERED at \_\_\_\_\_ County, Florida, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

**NOTICE**

**PURSUANT TO FLORIDA STATUTE §39.815(1) "ANY CHILD, ANY PARENT OR GUARDIAN AD LITEM OF ANY CHILD, ANY OTHER PARTY TO THE PROCEEDING WHO IS AFFECTED BY AN ORDER OF THE COURT, OR THE DEPARTMENT OF CHILDREN AND FAMILIES MAY APPEAL TO THE APPROPRIATE DISTRICT COURT OF APPEAL WITHIN THE TIME AND IN THE MANNER PRESCRIBED BY THE FLORIDA RULES OF APPELLATE PROCEDURE WHICH IS 30 DAYS FROM THE DATE THIS ORDER IS RENDERED (FILED). THE DISTRICT COURT OF APPEAL SHALL**

Final Judgment for Termination of Parental Rights

Case Name:

Case No.:

**GIVE AN APPEAL FROM AN ORDER TERMINATING PARENTAL RIGHTS  
PRIORITY IN DOCKETING AND SHALL RENDER A DECISION ON THE  
APPEAL AS EXPEDITIOUSLY AS POSSIBLE. APPOINTED COUNSEL SHALL  
BE COMPENSATED AS PROVIDED IN FLORIDA STATUTE §39.0134.**

Copies furnished to: