

Fiscal Estimate Narratives

DHFS 6/19/01

LRB Number	01-2098/2	Introduction Number	SB-161	Estimate Type	Original
Subject					
Termination of parental rights procedures					

Assumptions Used in Arriving at Fiscal Estimate

This bill permits the juvenile court, in a contested termination of parental rights (TPR) proceeding, to grant summary judgment, find the parent unfit, and proceed to a dispositional hearing without a fact-finding hearing or a jury trial so long as it finds that: (1) there is no genuine issue of material fact as to the grounds for TPR; and (2) the party moving for the summary judgment is entitled to judgment as a matter of law.

In addition, this bill prohibits the juvenile court from granting a TPR based on an order placing a child outside the home or denying parental visitation if the order does not provide adequate notice. The bill specifies, however, that this prohibition does not preclude the juvenile court from granting a TPR based on any previous or subsequent order with respect to the same child that does provide adequate notice.

This bill would have no fiscal impact on the Department or local government health and social service agencies.

Long-Range Fiscal Implications