

# The Vermont Statutes Online

## Title 33 : Human Services

### Chapter 051 : General Provisions

#### § 5114. Best interests of the child

(a) At the time of a permanency review under section 5321 of this title, a modification hearing under section 5113 of this title, or at any time a petition or request to terminate all residual parental rights of a parent as to adoption is filed by the Commissioner or the attorney for the child, without limitation the Court shall consider the best interests of the child in accordance with the following:

(1) the interaction and interrelationship of the child with his or her parents, siblings, foster parents, if any, and any other person who may significantly affect the child's best interests;

(2) the child's adjustment to his or her home, school, and community;

(3) the likelihood that the parent will be able to resume or assume parental duties within a reasonable period of time;

(4) whether the parent has played and continues to play a constructive role, including personal contact and demonstrated emotional support and affection, in the child's welfare.

(b) Except in cases where a petition or request to terminate all residual parental rights of a parent without limitation as to adoption is filed by the Commissioner or the attorney for the child, the Court shall also consider whether the parent is capable of playing a constructive role, including demonstrating emotional support and affection, in the child's welfare. (Added 2007, No. 185 (Adj. Sess.), § 1, eff. Jan. 1, 2009.)