

1 H.7

2 Introduced by Representative LaLonde of South Burlington

3 Referred to Committee on

4 Date:

5 Subject: Adoption; termination of parental rights

6 Statement of purpose of bill as introduced: This bill proposes to reinstate the
7 ability of a court in an adoption proceeding to consider whether a person
8 asserting parental rights has made reasonable and consistent payments to
9 support the minor child when determining whether termination of parental
10 rights is in the best interests of the child.

11 An act relating to termination of parental rights in an adoption proceeding

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 15A V.S.A. § 3-504 is amended to read:

14 § 3-504. GROUNDS FOR TERMINATING RELATIONSHIP OF PARENT
15 AND CHILD

16 (a) If a respondent answers or appears at the hearing and asserts parental
17 rights, the court shall proceed with the hearing expeditiously. If the court
18 finds, upon clear and convincing evidence, that any one of the following
19 grounds exists and that termination is in the best interests of the minor, the

1 court shall order the termination of any parental relationship of the respondent
2 to the minor:

3 * * *

4 (2) In the case of a minor over six months of age at the time the petition
5 is filed, the respondent did not exercise parental responsibility for a period of
6 at least six months immediately preceding the filing of the petition. In making
7 a determination under this subdivision, the court shall consider all relevant
8 factors, which may include the respondent's failure to:

9 (A) make reasonable and consistent payments, in accordance with the
10 respondent's financial means, for the support of the minor, although legally
11 obligated to do so;

12 (B) regularly communicate or visit with the minor; or

13 (C) during any time the minor was not in the physical custody of the
14 other parent, manifest an ability and willingness to assume legal and physical
15 custody of the minor.

16 * * *

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on passage.