

Terminating parental rights argumentative essay

[Law](#), [Criminal Justice](#)



1. 0 Introduction

Terminating parental rights is a legal action undertaken to end any rights a parent has to their child. This legally ceases any relationships and concerns the parent has in their child. On getting a termination of parental rights, parents become as good as strangers to the child. They can neither concern themselves with the ethics of this child, nor make any provisions in terms of child support. Such a parent can have no input in any of the necessities of the child throughout their lifetime. They don't even have the right to contact their child. To some parents it can be very painful. In some cases only the rights of a single parent are terminated if there is sufficient ground. Either way, terminating the child's rights is normally a last resort. Many states are reluctant in terminating a parent's rights since it is considered to devastate the child's growth except in serious life-threatening cases as the court find necessary.

Terminating of a parent's rights can either be voluntary or involuntary. Voluntary termination involves relenting of the rights of parenthood after mutual consent between both parents. In most cases this is done in case of need for adoption. In adoption, the natural parent is required to legally end their parental rights. The court thereby releases a termination of parent's rights to the bio-parents and the new parents adopting the child, becomes a permanent parent to that child and gain full right and responsibilities over the child. The second kind of termination of a parent's rights is the involuntary termination. This mostly happens without mutual agreement. This can occur under various grounds, for instance abandonment. In terminating the parent's rights, the best interests of the child are the prime

consideration especially in this case .

2. 0 Grounds for Termination of Parents' Rights

The termination of parent's rights can occur under various circumstances. These vary according to the type of termination. In voluntary termination, the most-likely reason is adoption. Termination of the parents' rights for reasons other than this is normally difficult. This is because in such circumstances the state may need to support the child, while the parent may be in a proficient position of doing this. The state may only consider this when it desires to get a child out of a disparaging background which may be unfavorable to them. It's also discouraged because it is considered to make the child feel rejected and lose self-worth. The court must practice acute consideration on the child's wellbeing. If the child is better-off away from their original homes, the court will release orders to terminate the parents' rights, but if the child would be affected in any way the order will be withheld. .

In involuntary termination however, causes of termination are different. These include abandonment. In this case there must be proof to the abandonment. This includes when a parent has refused to meet his responsibilities to a child. In such a case, the other parent or any adult in custody of the child can file a case against this parent. There also exist some agencies which are supervised by the public welfare which can file cases. Cases filed by an agency, for instance, those fighting for children's rights are easily considered compared to ones filed by a parent against another. Even when defects of the parent are clear most courts are simply disinclined to dismiss a parent off his responsibilities to cater for the growth of their child.

By law, petitions for termination can also be made by the child's relative . Another ground for involuntarily terminating parental rights is abuse to the child by a parent or cases of incompetent parents. Abuse can be in many forms. For instances, some fathers have been reported to sexually threaten their children and even raping them. There are also cases of parents who have divorced their spouses and started stalking their children in attempts to convince them to leave the parent they live with and be with them. These instances are said to be disturbing to the child's psychology. The parent in such circumstances can be considered unfit, hence a call for an involuntary termination of parenting rights. Any attempts to endanger a child are legal grounds for termination of parental right.

A parent can also have his or her rights terminated in cases involving crimes. This may be in instances that the parent has been convicted of delinquent activities. This does not only involve wrongs committed to the general public; cases of sexual assaults to the child are also considered as criminal offences. This can lead to jailing of the particular parents as well as terminating his rights towards the child. In many cases, terminating of the parents' right involves the male parents. A father's rights are terminated when he neglects or abuses the child or whenever he chooses not to see or offer parental support to his children .

Terminating of the parent's right is sometimes devastating. Termination of rights means that the parent cannot attempt to make any contact with their child. Relatives of the person whose rights have been cut-off cannot contact the child either. For a parent whose rights have been terminated, rights on other children are vulnerable and would have a high probability of

termination too. In cases of adoption, some courts also don't relieve the parent of support obligations, unless the adoptive parents agree to that. Children too get affected since they have a right to a permanent home, but terminating the parent's rights takes this away. It also means that the child cannot inherit from this parent though, in some states, like the North Carolina, the rights of inheritance are only terminated after adoption.

3. 0 The Procedure of Terminating Parents' Rights

First, the person petitioning for termination of the parent's rights has to prove that there is ground this since most courts discourage it unless it's the only option. These grounds also have to be in alignment with the law of the state. Next is a careful consideration by the court of the interest of the child. They determine how their ruling will impact the child. They do this by considering the age of the child, the likelihood of adoption, the attachment to its parent, the possible benefits to the child, if the child is receptive to the proposed adoptive parents, and any other applicable concern. In some cases requesting the parent to voluntarily renounce their rights to the child can work out better than the involuntary termination.

Next step is filing a file in the court in cases when the parent refuses to give up the rights voluntarily. You are offered a form in which you write down the details of the termination. You then request a trial in court. The court prioritizes on cases whereby an adoptive family is ready to take in the child unless the child's life is in any other danger even if the child is not getting adopted. If the court rules in favour of a termination to the parent's right, an order will be released right-away. This however, may take time until the court finds enough evidence.

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