

**PERMANENT LEGAL
GUARDIANSHIP ORDER**

JD-JM-201 Rev. 1-22
C.G.S. § 46b-129(j); P.A. 21-15

STATE OF CONNECTICUT
SUPERIOR COURT
JUVENILE MATTERS
www.jud.ct.gov



ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

Address of court		Docket number	
Name of petitioner	Name of child		Date of birth
Name of parent 2	Address of parent 2		
Name of parent 1	Address of parent 1		
Name of guardian (if applicable)	Address of guardian (if applicable)		

The court makes the following findings and enters the following orders at a session of the Superior Court in accordance with the statutes that apply to the case.

1. Adjudication

The court finds the child: ☐ Neglected ☐ Uncared for ☐ Abused **or**

☐ The court has found the child: ☐ Neglected ☐ Uncared for ☐ Abused on _____.

The court finds by clear and convincing evidence that the permanent legal guardianship or successor legal guardian is in the best interest of the child.

The court finds by clear and convincing evidence one of the following grounds:

- ☐ The ☐ parent 1 ☐ parent 2 of the child voluntarily consents to the establishment of the permanent legal guardianship **Or**
- ☐ A. The child has been abandoned by the ☐ parent 1 ☐ parent 2 in the sense that the parent(s) failed to maintain a reasonable degree of interest, concern, or responsibility as to the welfare of the child.
- ☐ B1. The child has been found in a prior proceeding to have been neglected, uncared for or abused AND the ☐ parent 1 ☐ parent 2 has/have failed to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable time, considering the age and needs of the child, he/she/they could assume a responsible position in the life of the child, or
- ☐ B2. The child is neglected, uncared for, or abused and has been in the custody of the Commissioner for at least 15 months and the parent has been provided specific steps to take to facilitate the return of the child or youth AND the ☐ parent 1 ☐ parent 2 has/have failed to achieve the degree of personal rehabilitation that would encourage the belief that within a reasonable time, considering the age and needs of the child, he/she/they could assume a responsible position in the life of the child.
- ☐ C. The child has been denied, by reason of an act or acts of commission or omission, including but not limited to, sexual molestation or exploitation, severe physical abuse or a pattern of abuse, by the ☐ parent 1 ☐ parent 2 the care, guidance or control necessary for his or her physical, educational, moral or emotional well being.
- ☐ D. There is no ongoing parent-child relationship with respect to the ☐ parent 1 ☐ parent 2 that ordinarily develops as a result of a parent having met on a day-to-day basis the physical, emotional, moral, and educational needs of the child and to allow further time for the establishment or re-establishment of the parent-child relationship would be detrimental to the best interests of the child.
- ☐ E. The ☐ parent 1 ☐ parent 2 of the child, who is under 7 years old and who is neglected, uncared for or abused has/have failed, is/are unable or is/are unwilling to achieve such degree of personal rehabilitation as would encourage the belief that within a reasonable period of time, considering the age and needs of the child, such parent(s) could assume a responsible position in the life of the child and such parent's/parents' parental rights of another child were previously terminated in accordance with a petition filed by the Commissioner of the Department of Children and Families.

- ☐ F. The ☐ parent 1 ☐ parent 2 has killed through deliberate, non-accidental act another child of the parent or has requested, commanded, importuned, attempted, conspired, or solicited such killing or has committed an assault, through deliberate non-accidental act that resulted in serious bodily injury of another child of the parent.
- ☐ G. The ☐ parent 1 ☐ parent 2 committed an act that constitutes sexual assault as described in Sections 53a-70, 53a-70a, 53a-70c, 53a-71, 53a-72a, 53a-72b, or 53a-73a of the Connecticut General Statutes, or compelling a spouse or cohabitor to engage in sexual intercourse by the use of force or by the threat of the use of force as described in Section 53a-70b, if such act resulted in the conception of the child or youth.

And

- ☐ Adoption of the child is not possible or appropriate;
- ☐ If the child is at least 12 years old, such child consents to the proposed permanent legal guardianship, or
- ☐ If the child is under 12 years old, the proposed permanent legal guardian is:
- ☐ a relative, or
 - ☐ a caregiver, or
 - ☐ already serving as the permanent legal guardian of at least one of the child's siblings, if any;
- ☐ The child has resided with the proposed permanent legal guardian for at least a year; and
- ☐ The proposed permanent legal guardian is: a suitable and worthy person, and committed to remaining the permanent legal guardian and assuming the right and responsibilities for the child until the child attains the age of majority.

2. Order

- ☐ The court orders that the permanent legal guardianship of the child is vested in:

Name	Relationship
Address	

Or

- ☐ The court grants the motion to reopen and modify and remove the permanent legal guardian and finds by a fair preponderance of the evidence that the permanent legal guardianship is no longer suitable and worthy.
- ☐ The court orders that the successor guardianship of the child is vested in:

Name	Relationship
Address	

Name of Judge	Signed (Judge)	Date of order	Date signed
---------------	----------------	---------------	-------------

The above is a true copy of the order and was mailed to the Commissioner of the Department of Children and Families and (if applicable) to the Probate Court at: _____.

Signed (Judge, Clerk)	At (Town)	On (Date)
-----------------------	-----------	-----------

What does a permanent guardianship order mean?

A permanent guardianship order means that the court has appointed a person to be the child's guardian until the child is 18 years old.

The guardian has:

- the obligation of care and control of the child;
- the authority to make major decisions about the child's education and welfare, including whether to consent to:
 - marriage,
 - enlistment in the armed forces, and
 - major medical, psychiatric or surgical treatment;
- the authority, if the child dies, to make decisions about the child's funeral arrangements and the child's body.

It does not mean that the parental rights of the child's parents have been terminated. A parent may not file a motion to terminate a permanent legal guardianship once it has been ordered by the court.