

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: _____

Case Number: _____

IN THE MATTER OF: _____ DOB: _____

**THE EFFECT OF A CONSENT ORDER
ON YOUR CONSTITUTIONALLY AND STATUTORILY PROTECTED RIGHTS,
INCLUDING YOUR PARENTAL RIGHTS**

The court's approval of a consent order in the matter alleging that your child(ren) have been abused and/or neglected affects your constitutionally protected rights, including your parental rights. The rights of all parents, whether named or unnamed in the petition, are affected as follows:

1. You acknowledge and understand that you give up your right to have an adjudicatory hearing, or trial, held by a judge. At such a hearing, the judge would determine, by a preponderance of the evidence, whether or not your child(ren) have been abused and/or neglected. The standard "preponderance of the evidence" means more probable than not. Since the adjudicatory hearing will not be held, there will not be an opportunity to present evidence and there will not be an opportunity to respond to the allegations in the petition. Further, the judge will not dismiss the petition;
2. You acknowledge and understand that the judge will enter a finding of "True" as to the allegations of abuse and/or neglect of your child(ren) and that this finding of "True" has the same force and effect as a finding by a judge after a trial;
3. You acknowledge and understand that you give up your right to appeal this finding of "True", whether by *de novo* appeal to the superior court or an appeal to the supreme court;
4. You acknowledge and understand that the finding of "TRUE" that the judge will enter that your child(ren) have been abused and/or neglected may be the basis for a later petition against you to terminate your parental rights;
5. You acknowledge and understand that the court will, with a dispositional order, approve a case plan that will outline a corrective action plan. If you are required to take a corrective action, you further acknowledge that you understand that you will be given twelve (12) months from the judge's approval of the consent order to comply with the case plan and to correct the conditions that led to the judge's finding of "TRUE" as to the allegations that your child(ren) have been abused and/or neglected. If you do not correct these conditions, you acknowledge and understand that your failure to correct may be the basis for a later petition against you to terminate your parental rights. If your parental rights are terminated, you will no longer have any legal rights, privileges, duties, or obligations regarding the child(ren);

Case Number: _____

Effect Of Consent Order On Your Constitutionally & Statutorily Protected Rights, Including Your Parental Rights

6. You acknowledge and understand that if legal supervision is awarded to the Division for Children, Youth and Families (DCYF), either as part of the consent order or at a future time, your child(ren) will be permitted to remain in his/her home under the supervision of DCYF subject to further court order; and
7. You acknowledge and understand that if legal custody is awarded to the Division for Children, Youth and Families (DCYF), either as part of the consent order or at a future time, DCYF will have the right to temporarily remove your child(ren) from parental care and custody and determine where and with whom your child will live, including but not limited to placing your child(ren) in a foster home(s).

By signing below, you acknowledge that you are informed of the consequences of the consent order and its effect on your constitutionally and statutorily protected rights, including your parental rights. You further represent by signing below that you voluntarily and intelligently consent to the terms and conditions of the consent order dated _____, which is hereby incorporated.

Date

Signature of Parent

Printed Name of Parent

Signature of Parent's Attorney (if applicable)

Printed Name of Parent's Attorney (if applicable)

I have reviewed the content of this form and the consent order dated _____ with the above-named and have informed her/him of the consequences of the consent order and its effect on her/his constitutionally and statutorily protected rights, including her/his parental rights. I have also determined that the above-named has voluntarily and intelligently consented to the terms and conditions of the consent order dated _____, which is hereby incorporated.

Recommended:

Date

Signature of Marital Master

Printed Name of Marital Master

So Ordered:

Date

Signature of Judge

Printed Name of Judge