

CERTIFICATE OF MAILING AND/OR DELIVERY

The undersigned certifies that on January ____, 2001, she caused the attached Motion to be delivered to the following persons in the form and manner indicated:

NAME AND ADDRESS OF RECIPIENT(S):

MANNER OF DELIVERY:

_____ One true copy by facsimile transmission to each recipient

 X Two true copies by first class mail, postage prepaid to each recipient

_____ Two true copies by Federal Express

MARY CATHERINE LANDIS
Deputy Child Advocate
Office of the Child Advocate
913 Market Street, Suite 900
Wilmington, DE 19801
(302)577-6830

4. Upon information and belief, DFS does/does not intend to change the current goal of CURRENT GOAL to RECOMMENDED GOAL.

5. Give specifics of case as to why facts support permanency hearing and/or

6. Grounds for termination of FATHER parental rights exist presently as enumerated in 13 Del. C. §1103(a)(2) in that he has abandoned the children in at least 6 of the preceding 12 months by failing to (1) communicate or attempt to establish regular visitation with the children and 2) manifest an ability and willingness to assume legal and physical custody of the children. Grounds also exist under 13 Del. C. §1103(a)(5) in that he failed to plan adequately for his children's needs or mental and emotional health and development, and; (1)there is a history of neglect, abuse or lack of care of child by FATHER; (2) he is incapable of discharging parental responsibilities due to extended or repeated incarceration; and (3) failure to terminate the relationship of parent and child will result in continued emotional instability or physical risk to child.
(ADD WHATEVER GROUNDS ARE APPLICABLE)

7. Grounds for termination of MOTHER parental rights exist presently as enumerated in 13 Del. C. § 1103(a)(2) in that she abandoned her children by failing to (1) communicate or visit regularly with her children in spite of the fact that they had been returned to Delaware by MOTHER and (2) manifest an ability or willingness to assume legal and physical custody of the child. Both aspects occurred over time which well exceeds the statutory mandate of 6 consecutive months out of past year. Furthermore, ample grounds exist under 13 Del. C. §1103(a)(5) in that MOTHER has failed to plan adequately for the child's physical needs or mental and emotional health and development and (1) there is a history of neglect, abuse or lack of care of all three children by MOTHER; (2) MOTHER is incapable of assuming promptly legal and physical custody of the child and to pay for the child's support and (3) failure to

terminate the relationship of parent and child will result in continued emotional instability or physical risk to child.

8. Summarize facts and grounds and why reunification efforts are not appropriate (if applicable).

9. OCA also requests that the Court approve a goal change to termination of parental rights by conducting a brief Permanency Hearing on the matter.

WHEREFORE, OCA prays that the Motion for a Permanency Hearing be granted and that a hearing be set to determine that reasonable efforts need no longer be made, and to approve a goal change so that a termination of parental rights petition can be promptly filed.

MARY CATHERINE LANDIS
DEPUTY CHILD ADVOCATE
913 Market Street, Suite 900
Wilmington, DE 19801
(302) 577-6830

Dated:

