

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.nh.gov>

Court Name: _____

Case Number: _____

IN THE MATTER OF: _____ DOB: _____

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

FOR USE WHEN: Pursuant to RSA 169-C:17, at any time after the filing of a RSA 169-C petition and prior to adjudication, the court may approve a written agreement entered into among or between the parties. Before a consent is approved, the court must inform parents of the consequences of a consent order and determine the parents voluntarily and intelligently consent to the terms and conditions of the order. Each parent present at the adjudicatory hearing shall sign a statement to that effect.

The court's approval of a consent order in the above RSA 169-C matter alleging that your child(ren) has (have) been abused and/or neglected affects your constitutionally and statutorily protected rights, including your parental rights. The rights of all parents, whether a petitioned or non-petitioned parent in the RSA 169-C case, 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 Division for Children, Youth and Families (DCYF) must present evidence and prove, by a preponderance of the evidence, that the abuse and/or neglect occurred, as stated in the petition. 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 for you to present evidence and there will not be an opportunity for you 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 if the judge had entered a finding of "TRUE" and determined at an adjudicatory hearing that your child(ren) has (have) been abused and/or neglected;
3. You acknowledge and understand that you give up your right to appeal this finding of "True" to the New Hampshire Supreme Court;
4. You acknowledge and understand that the finding of "TRUE" that the judge will enter that your child(ren) has (have) been abused and/or neglected may be the basis for a later petition filed by DCYF against you to terminate your parental rights. You further acknowledge that you understand that there are several ways that a parent's rights can be terminated; one of them is a finding of "TRUE" of abuse and/or neglect and a parent's failure after twelve (12) months to correct the conditions that led to the finding, whether the petitioned or non-petitioned parent in the abuse and/or neglect case; another is a finding of "TRUE" of abuse or neglect and parents' failure, after at least six (6) months, to correct the conditions that led to the finding prior to an early permanency hearing held pursuant to RSA 169-C:24-b, II(b) at which the court changed the child's permanency plan due to a compelling reason such as parents making no effort or only negligible efforts to comply with dispositional orders;

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5. You acknowledge and understand that the court will order DCYF to submit to the court a social study consisting of, but not limited to, the home conditions, family background, financial assessment, school record, mental and physical and social history of your family. DCYF will also submit a case plan, which the court may adopt in whole, in part or not at all in making its orders. The court will, with the dispositional order, approve a case plan that will outline a corrective action plan;
6. You acknowledge and understand that if the court awards legal supervision, pursuant to RSA 169-C:3, XVIII, to DCYF, either as part of the consent order or at a future time, your child(ren) will be permitted to remain with you or with another parent under the supervision of DCYF subject to further court order; and
7. You acknowledge and understand that if the court awards legal custody, pursuant to RSA 169-C:3, XVII, to 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(ren) 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:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date

Signature of Judge

Printed Name of Judge