1. Name?

2. What is your age? Date of birth?

3. How far have you gone in school?

4. What is the last grade you completed?

 Are you a member of any American Tribe?

5. Have you undergone any psychiatric treatment? When was your last visit?

6. Are you presently under the influence of any drugs? Alcohol? Medications?

What do you take those medications for?

 Do you take those medications as prescribed?

 Do those medications hurt or help your ability to understand?

 Are these medications prescribed by a psychiatrist?

 Are you following their recommendations?

 Do you have any type of learning disability?

 Are you under treatment for that?

 And are you following the recommended treatment plan?

7. Can you read and write English?

8. Do you know why we are in court today? Why?

9. If you do not understand what is going on, you have the right to stop the court hearing. Do you understand that?

10. Do you understand that this court hearing is to accept your consent to the termination of your parental rights to three of your children?

11. Do you understand that if the court accepts your voluntary agreement to terminate your parental rights that this decision is final and you cannot just change your mind later?

 Do you understand that the only want to change that decision would be through an appeal?

 And that if you were to appeal, you would have to meet certain legal criteria to show that your plea made here today was not voluntarily, knowingly, and intelligently given?

And do you understand that any appeal would have to be filed within 30 days of the court’s final order in this case?

12. Do you understand that you have a right to have a trial on this petition?

 And that trial could be to a judge or a jury?

13. You’re giving up your right to a trial today?

15. Do you understand that I am your attorney in these termination cases? If you wanted, I would represent you in a trial on the issue of termination of your parental rights? Have you had enough time to discuss the with me? Did you understand everything that was said? Do you have any lingering questions you’d like to ask me before we proceed today?

16. If you decided NOT to voluntarily consent to the termination of your parental rights, Corp Counsel would have to prove the allegations in the petition by clear and convincing evidence? And that in the case of a jury trial that ten of twelve jurors would have to be convinced that grounds exist to terminate your rights before that could happen? Have you gone over that petition? [ask if understands each element]

17. Do you understand that at a trial you would have the right to call witnesses on your own behalf and to cross examine witnesses that others might call?

 And do you understand that your attorney could issue subpoenas to have witnesses compelled to come into court and testify on your behalf?

18. And understanding all of those rights, you are giving up your right to a trial?

19. Do you understand that if the court terminates your rights, you lose the following rights?

a. The right to have visitation with your child;

b. The right to know any information about your child, including where the child is going to school and information about the child’s health;

c. The right to make any decision for your child;

d. The child will not have the right to inherit from you;

e. The right to inherit from your child;

f. You have no further financial responsibility for the child;

g. The right to custody of the child, which is decision making with regard to the child

h. The right to visits or placement of the child

20. Do you understand that XXXXX is your children’s’ GAL or guardian ad litem? Do you understand that he makes recommendations based on what he believes is in your children’s best interest? Do you understand that your child’s guardian ad litem does not represent you? Did you have the opportunity to talk with or provide information to the GAL in this matter? Do you want more time to share information with or to talk with the GAL?

21. Have you talked with any social worker regarding this termination? How often? Did you understand everything that was said? Do you want more time to talk with her/him?

22. Is there anyone else you’d like to consult or talk with regarding this decision? Any family members or friends?

23. Is there any other information you would like before you make this decision?

24. You understand that the plan is for the current foster parents to adopt your children, right?

25. Do you also understand that plan is not a guarantee? For example, if something unpredictable where to happen to the foster parents, that could prevent them from adopting your children? This probably won’t happen, but it could – do you understand that wouldn’t be a reason for you to change your mind after today?

26. You are familiar with the foster parents, correct? And it is your understanding that they intend to include you in your children’s lives in the future, even after a TPR and adoption?

27. Do you also understand that you do not have a RIGHT to contact with your children after the TPR – the adoptive parents could change their mind, and you couldn’t come back to court and force them to allow you contact with your children or information about your children? Do you have any questions about that?

28. Have any promises been made to you to influence your decision to terminate your rights? Have any threats been made to you to push you to voluntarily give up your parental rights? Have you received any gifts, money or valuables to influence your decision today?

29. Have you felt pressured by anyone to terminate your rights?

30. Do you understand that you can still change your mind right now?

31. Do you wish any more time to talk with anyone about this decision?

32. Can you explain in your own words why you have decided to proceed this way today?

33. Do you have any questions about what rights you are giving up? About your right to a trial? About your options?

34. Is there anything we haven’t talked about today that is affecting your ability to understand what is happening today or affecting your ability to make a good decision today?