



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: JUD DPA/SE 10-0-0-0

HB 2578: technical correction; children
Now: parental rights; termination; court action
Sponsor: Representative Griffin, LD 14
Caucus & COW

Summary of the Strike Everything Amendment to HB 2578

Overview

Permits the court to allow a parent to withdraw an admission or plea of no contest in any action leading to the termination of parental rights if the withdrawal is necessary to correct a manifest injustice.

History

The Juvenile Court has exclusive original jurisdiction over petitions to terminate the parent-child relationship ([A.R.S. § 8-532](#)). The court may terminate the parental rights if the court finds by clear and convincing evidence sufficient grounds to justify the action ([A.R.S. §§ 8-863, 8-533](#)).

If a parent does not appear at the hearing, and the court finds proper notice was given, the court may find that the parent has waived the parent's legal rights and is deemed to have admitted the petition's allegations by failure to appear. The court may then terminate the parent-child relationship based on the record and evidence provided ([A.R.S. § 8-863](#)).

Provisions

1. States the court may allow a parent to withdraw an admission or plea of no contest in any action leading to the termination of parental rights if the withdrawal is necessary to correct a manifest injustice. (Sec. 1)
2. States upon withdrawal of the admission or plea, the parent regains the right to a trial, and any findings based on the admission or plea are negated. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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