**Section 309.80 Termination of Parental Rights**

a) When one of the grounds for termination of parental rights appears to exist and return home as a permanency goal for the child is no longer appropriate, the Department shall conduct an internal legal screening.

b) The purpose of an internal legal screening is to determine:

1) whether there is sufficient evidence to support a finding that there are grounds for termination of parental rights;

2) whether it is in the best interests of the child to seek termination of parental rights and, if the child is age 14 or over, whether the child will consent to the adoption; and

3) identification of the steps which need to be completed to permit the filing of a petition to terminate parental rights in accordance with local court practices.

c) In addition, the internal legal screening shall include a review of all potential legal risks in order to advise the Department of the risks involved and the feasibility of the plan.

d) The following persons shall attend the legal screening:

1) the Department's regional legal counsel;

2) the child's worker;

3) a representative from the regional adoption unit; and

4) the worker's supervisor, whenever possible.

e) If a determination is made at legal screening that adoption is in the best interests of the child and there are sufficient legal grounds for termination, the following steps shall be taken:

1) Identification of all interested persons, including all putative fathers who need to be served by the State's Attorney for purpose of the Juvenile Court proceeding, who have not previously been served;

2) A petition or motion for appointment of guardian with powers to consent to adoption (termination of parental rights) shall be prepared in all counties in which the Department, rather than the local office of the State's Attorney, prepares the petition;

3) Petitions or motions shall be forwarded to the local office of the State's Attorney (outside of Cook County);

4) In Cook County, referral shall be made to the State's Attorney;

5) The child's worker shall complete all tasks assigned throughout the process;

6) The child's worker must list a child without an adoptive resource with the Adoption Listing Service of Illinois in accordance with Section 309.40(a); and

7) All necessary paperwork for termination of parental rights must be submitted to the State's Attorney within 30 days after the internal legal screening.

f) The actual filing and prosecution of a termination of parental rights case rests with the local State's Attorney.

g) If a request is made for an internal legal screening to determine whether a request shall be made for expedited termination of parental rights in accordance with Section 309.50(g), the internal legal screening must consist of consultation among at least the caseworker, caseworker's supervisor, regional adoption coordinator, and regional legal counsel. This consultation may take place by telephone.