

121 juvenile court; or

122 (iii) has been appointed a guardian by a court;

123 (b) the noncitizen child has suffered from abuse, neglect, abandonment, or similar
124 circumstances;

125 (c) the noncitizen child may not be viably reunified with one or both of the noncitizen
126 child's parents due to abuse, neglect, abandonment, or similar circumstances; and

127 (d) the noncitizen child may not be returned to the noncitizen child's, or the noncitizen
128 child's parent's, country of origin or country of last habitual residence because it is not in the
129 best interest of the child.

130 (4) In determining the best interest of the noncitizen child under Subsection (3)(d), the
131 court shall consider:

132 (a) the health, safety, and welfare of the child to be the paramount concern for the
133 noncitizen child; and

134 (b) whether the present and past living conditions will adversely affect the noncitizen
135 child's physical, mental, or emotional health.

136 (5) If the identity or location of the noncitizen child's parents is unknown or if the
137 noncitizen child's parents reside outside the United States, the juvenile court may serve notice
138 using any alternative method of service the court determines is appropriate or waive service.

139 (6) The juvenile court shall hear, adjudicate, and issue findings of fact on any petition
140 for special findings under this section as soon as it is administratively feasible and before the
141 noncitizen child is 21 years old.

142 (7) (a) The juvenile court may refer a noncitizen child who is the subject of a petition
143 for special findings under this section for psychiatric, psychological, educational, occupational,
144 medical, dental, or social services or for protection against human trafficking or domestic
145 violence.

146 (b) A noncitizen child's participation in a referred service under Subsection (7)(a) is
147 voluntary.

148 (8) §→ [(a)] ←§ This section does not §→ :

148a (a) ←§ limit a noncitizen child from petitioning for special
149 findings §→ [for a petition] ←§ under any other provision of law or from any other rights and
149a remedies

150 available to the child under any other provision of law §→ [:] ; ←§

151 §→ [(b) This section does not] (b) ←§ limit the juvenile court from issuing similar findings
151a of fact

- 152 for a noncitizen child in any other proceeding concerning the noncitizen child §→[.] ; or
- 152a (c) constitute an adjudication for abuse, neglect, or dependency under this chapter. ←§