

RIGHT TO RECEIVE NOTIFICATION, THE COURT SHALL HOLD A HEARING, AFTER NOTICE TO THE PARENT AT THE LAST KNOWN ADDRESS WHICH THE GUARDIAN HAS FOR THE PARENT. OTHERWISE, THE COURT MAY ON ITS OWN MOTION HOLD A HEARING.

(E) ON ITS REVIEW OF THE REPORT, OR AS THE RESULT OF A HEARING, THE COURT SHALL TAKE WHATEVER ACTION IT DEEMS APPROPRIATE IN THE CHILD'S BEST INTEREST.

76.

(A) A DECREE OF ADOPTION OR GUARDIANSHIP MAY BE GRANTED WITHOUT THE CONSENTS OF THE NATURAL PARENTS REQUIRED UNDER §§ 72 AND 73 OF THIS ARTICLE, IF THE COURT FINDS BY CLEAR AND CONVINCING EVIDENCE THAT TERMINATION OF THE NATURAL PARENTS' RIGHTS IS IN THE CHILD'S BEST INTEREST, AND THAT ONE OR MORE OF THE FOLLOWING CIRCUMSTANCES OR SETS OF CIRCUMSTANCES EXISTS:

(1) THE CHILD IS ALLEGED TO HAVE BEEN ABANDONED AND AFTER A THOROUGH INVESTIGATION BY THE CHILD PLACEMENT AGENCY, IT IS CONCLUDED THAT THE IDENTITY OF THE PARENTS IS UNKNOWN AND NO ONE HAS CLAIMED TO BE THE PARENT OF THE CHILD WITHIN 2 MONTHS OF THE ALLEGED ABANDONMENT.

(2) THE CHILD HAS BEEN ADJUDICATED A CHILD IN NEED OF ASSISTANCE, NEGLECTED, ABUSED, OR DEPENDENT IN A PRIOR JUVENILE PROCEEDING. IN DETERMINING WHETHER TERMINATION OF NATURAL PARENTS' RIGHTS IS IN THE CHILD'S BEST INTEREST IN THIS CASE, THE COURT SHALL CONSIDER THE FACTORS IN SUBSECTION (B) OF THIS SECTION, AND ONE OF THE FOLLOWING CONTINUING OR SERIOUS CONDITIONS OR ACTS OF THE PARENTS:

(I) A DISABILITY WHICH RENDERS THE PARENT CONSISTENTLY UNABLE TO CARE FOR THE IMMEDIATE AND ONGOING PHYSICAL OR PSYCHOLOGICAL NEEDS OF THE CHILD FOR EXTENDED PERIODS OF TIME;

(II) ACTS OF ABUSE OR NEGLECT TOWARD ANY CHILD IN THE FAMILY; OR

(III) REPEATED OR CONTINUOUS FAILURE BY THE PARENTS, ALTHOUGH PHYSICALLY AND FINANCIALLY ABLE, TO PROVIDE THE CHILD WITH ADEQUATE FOOD, CLOTHING, SHELTER, AND EDUCATION, OR OTHER CARE AND CONTROL NECESSARY FOR THE CHILD'S PHYSICAL, MENTAL, OR EMOTIONAL HEALTH AND DEVELOPMENT. HOWEVER, A PARENT LEGITIMATELY PRACTICING RELIGIOUS BELIEFS WHO DOES NOT PROVIDE SPECIFIED MEDICAL TREATMENT FOR A CHILD, IS NOT FOR THAT REASON ALONE A NEGLIGENT PARENT.

(3) (I) 1. THE CHILD HAS BEEN CONTINUOUSLY OUT OF THE CUSTODY OF THE PARENT AND IN THE CUSTODY OF A CHILD PLACEMENT AGENCY FOR AT LEAST 1 YEAR;