

(1) THIS SECTION APPLIES ONLY TO INDEPENDENT ADOPTIONS IN WHICH A NATURAL PARENT WITHHOLDS CONSENT.

(2) THIS SECTION DOES NOT PERMIT A LICENSED OR APPROVED FOSTER PARENT TO PETITION A COURT FOR ADOPTION OF A CHILD WHO WAS PLACED WITH THE FOSTER PARENT BY A CHILD PLACEMENT AGENCY UNLESS THE CHILD PLACEMENT AGENCY CONSENTS.

(B) IN GENERAL.

WITHOUT THE CONSENT OF THE CHILD'S NATURAL PARENT, A COURT MAY GRANT A DECREE OF ADOPTION TO A STEPPARENT, RELATIVE, OR OTHER INDIVIDUAL WHO HAS EXERCISED PHYSICAL CARE, CUSTODY, OR CONTROL OF A CHILD FOR AT LEAST 1 YEAR, IF BY CLEAR AND CONVINCING EVIDENCE THE COURT FINDS THAT:

(1) IT IS IN THE BEST INTEREST OF THE CHILD TO TERMINATE THE NATURAL PARENT'S RIGHTS AS TO THE CHILD;

(2) THE CHILD HAS BEEN OUT OF THE CUSTODY OF THE NATURAL PARENT FOR AT LEAST 3 YEARS;

(3) THE CHILD HAS DEVELOPED SIGNIFICANT FEELINGS TOWARD AND EMOTIONAL TIES WITH THE PETITIONER; AND

(4) THE NATURAL PARENT:

(I) HAS NOT MAINTAINED MEANINGFUL CONTACT WITH THE CHILD DURING THE TIME THE PETITIONER HAS HAD CUSTODY DESPITE THE OPPORTUNITY TO DO SO;

(II) HAS REPEATEDLY FAILED TO CONTRIBUTE TO THE PHYSICAL CARE AND SUPPORT OF THE CHILD ALTHOUGH FINANCIALLY ABLE TO DO SO; OR

(III) HAS BEEN CONVICTED OF CHILD ABUSE OF THE CHILD.

(C) CONSIDERATIONS.

IN DETERMINING WHETHER IT IS IN THE BEST INTEREST OF THE CHILD TO TERMINATE A NATURAL PARENT'S RIGHTS AS TO THE CHILD UNDER THIS SECTION, THE COURT SHALL REQUEST:

(1) AN INVESTIGATION BY AN APPROPRIATE AGENCY; AND

(2) A REPORT OF THE INVESTIGATION THAT INCLUDES SUMMARIES OF:

(I) THE CHILD'S FEELINGS TOWARD AND EMOTIONAL TIES WITH THE CHILD'S NATURAL PARENTS, THE CHILD'S SIBLINGS, THE PETITIONER, AND ANY OTHER INDIVIDUAL WHO MAY SIGNIFICANTLY AFFECT THE CHILD'S BEST INTEREST;