

APPENDIX C Jury Charge E.B.

Actual question in *Texas Department of Human Services v. E.B.*, 802 S.W. 2d 647 (Tex. 1990)

Ground D and E and best interests submitted together in the ultimate termination question.

For the parent-child relationship in this case to be terminated, it must be proven by clear and convincing evidence that at least one of the following events has occurred:

- (1) the parent has knowingly placed or knowingly allowed the child to remain in conditions or surroundings which endanger the physical or emotional well-being of the child; or
- (2) the parent has engaged in conduct or knowingly placed the child with persons who engaged in conduct which endangers the physical or emotional well-being of the child.

In addition, it must also be proven by clear and convincing evidence that termination of the parent-child relationship would be in the best interest of the child.

Should the parent-child relationship between [appellant] and the child E.B. be terminated?

ANSWER: "YES" OR "NO"