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**HOUSE BILL NO. 765****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee for Courts of Justice  
on February 2, 2024)

(Patron Prior to Substitute—Delegate Delaney)

*A BILL to amend and reenact §§ 16.1-241 and 16.1-266 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-283.01, relating to termination of parental rights.***Be it enacted by the General Assembly of Virginia:****1. That §§ 16.1-241 and 16.1-266 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 16.1-283.01 as follows:****§ 16.1-241. Jurisdiction; consent for abortion.**

The judges of the juvenile and domestic relations district court elected or appointed under this law shall be conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county, over all cases, matters and proceedings involving:

A. The custody, visitation, support, control or disposition of a child:

1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or delinquent except where the jurisdiction of the juvenile court has been terminated or divested;

2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or mental incapacity of his parents is without parental care and guardianship;

2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as having abused or neglected another child in the care of the parent or custodian;

3. Whose custody, visitation or support is a subject of controversy or requires determination. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided in § 16.1-244;

4. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or whose parent or parents for good cause desire to be relieved of his care and custody;

5. Where the termination of residual parental rights and responsibilities is sought. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in § 16.1-244;

6. Who is charged with a traffic infraction as defined in § 46.2-100; ~~or~~

7. Who is alleged to have refused to take a blood test in violation of § 18.2-268.2; *or*

8. *Where the termination of parental rights is sought pursuant to § 16.1-283.01.*

In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection B of § 16.1-269.1, and for any charges ancillary thereto, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection C of § 16.1-269.1, and for all charges ancillary thereto, if the attorney for the Commonwealth has given notice as provided in subsection C of § 16.1-269.1, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. A determination by the juvenile court following a preliminary hearing pursuant to subsection B or C of § 16.1-269.1 to certify a charge to the grand jury shall divest the juvenile court of jurisdiction over the charge and any ancillary charge. In any case in which a transfer hearing is held pursuant to subsection A of § 16.1-269.1, if the juvenile court determines to transfer the case, jurisdiction of the juvenile court over the case shall be divested as provided in § 16.1-269.6.

In all other cases involving delinquent acts, and in cases in which an ancillary charge remains after a violent juvenile felony charge has been dismissed or a violent juvenile felony has been reduced to a lesser offense not constituting a violent juvenile felony, the jurisdiction of the juvenile court shall not be divested unless there is a transfer pursuant to subsection A of § 16.1-269.1.

The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control or disposition of a child shall not be limited to the consideration of petitions filed by a mother,

60 father or legal guardian but shall include petitions filed at any time by any party with a legitimate  
61 interest therein. A party with a legitimate interest shall be broadly construed and shall include, but not  
62 be limited to, grandparents, step-grandparents, stepparents, former stepparents, blood relatives and family  
63 members. A party with a legitimate interest shall not include any person (i) whose parental rights have  
64 been terminated by court order, either voluntarily or involuntarily, (ii) whose interest in the child derives  
65 from or through a person whose parental rights have been terminated by court order, either voluntarily  
66 or involuntarily, including, but not limited to, grandparents, stepparents, former stepparents, blood  
67 relatives and family members, if the child subsequently has been legally adopted, except where a final  
68 order of adoption is entered pursuant to § 63.2-1241, or (iii) who has been convicted of a violation of  
69 subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another  
70 state, the United States, or any foreign jurisdiction, when the child who is the subject of the petition was  
71 conceived as a result of such violation. The authority of the juvenile court to consider a petition  
72 involving the custody of a child shall not be proscribed or limited where the child has previously been  
73 awarded to the custody of a local board of social services.

74 A1. Making specific findings of fact required by state or federal law to enable a child to apply for or  
75 receive a state or federal benefit. For the purposes of this subsection only, when the court has obtained  
76 jurisdiction over the case of any child, the court may continue to exercise its jurisdiction until such  
77 person reaches 21 years of age, for the purpose of entering findings of fact or amending past orders, to  
78 include findings of fact necessary for the person to petition the federal government for status as a  
79 special immigrant juvenile, as defined by 8 U.S.C. § 1101(a)(27)(J).

80 B. The admission of minors for inpatient treatment in a mental health facility in accordance with the  
81 provisions of Article 16 (§ 16.1-335 et seq.) and the involuntary admission of a person with mental  
82 illness or judicial certification of eligibility for admission to a training center for persons with  
83 intellectual disability in accordance with the provisions of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2.  
84 Jurisdiction of the involuntary admission and certification of adults shall be concurrent with the general  
85 district court.

86 C. Except as provided in subsections D and H, judicial consent to such activities as may require  
87 parental consent may be given for a child who has been separated from his parents, guardian, legal  
88 custodian or other person standing in loco parentis and is in the custody of the court when such consent  
89 is required by law.

90 D. Judicial consent for emergency surgical or medical treatment for a child who is neither married  
91 nor has ever been married, when the consent of his parent, guardian, legal custodian or other person  
92 standing in loco parentis is unobtainable because such parent, guardian, legal custodian or other person  
93 standing in loco parentis (i) is not a resident of the Commonwealth, (ii) has his whereabouts unknown,  
94 (iii) cannot be consulted with promptness, reasonable under the circumstances, or (iv) fails to give such  
95 consent or provide such treatment when requested by the judge to do so.

96 E. Any person charged with deserting, abandoning or failing to provide support for any person in  
97 violation of law.

98 F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

99 1. Who has been abused or neglected;

100 2. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817  
101 or is otherwise before the court pursuant to subdivision A 4; or

102 3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court  
103 finds that such person has by overt act or omission induced, caused, encouraged or contributed to the  
104 conduct of the child complained of in the petition.

105 G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other  
106 person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services  
107 that are required by law to be provided for that child or such child's parent, guardian, legal custodian or  
108 other person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not  
109 exclusive of that of courts having equity jurisdiction as provided in § 16.1-244.

110 H. Judicial consent to apply for a work permit for a child when such child is separated from his  
111 parents, legal guardian or other person standing in loco parentis.

112 I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or  
113 neglect of children or with any violation of law that causes or tends to cause a child to come within the  
114 purview of this law, or with any other offense against the person of a child. In prosecution for felonies  
115 over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is  
116 probable cause.

117 J. All offenses in which one family or household member is charged with an offense in which  
118 another family or household member is the victim and all offenses under § 18.2-49.1.

119 In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to  
120 determining whether or not there is probable cause. Any objection based on jurisdiction under this  
121 subsection shall be made before a jury is impaneled and sworn in a jury trial or, in a nonjury trial,

before the earlier of when the court begins to hear or receive evidence or the first witness is sworn, or it shall be conclusively waived for all purposes. Any such objection shall not affect or be grounds for challenging directly or collaterally the jurisdiction of the court in which the case is tried.

K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such petition shall be accepted, however, after the child has been placed in the home of adoptive parents.

L. Any person who seeks spousal support after having separated from his spouse. A decision under this subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court. A circuit court shall have concurrent original jurisdiction in all causes of action under this subdivision.

M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4, or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

N. Any person who escapes or remains away without proper authority from a residential care facility in which he had been placed by the court or as a result of his commitment to the Virginia Department of Juvenile Justice.

O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.).

P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2, or by another state in the same manner as if the orders were entered by a juvenile and domestic relations district court upon the filing of a certified copy of such order in the juvenile and domestic relations district court.

Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20. A circuit court shall have concurrent original jurisdiction to the extent provided for in § 20-49.2.

R. [Repealed.]

S. Petitions filed by school boards against parents pursuant to §§ 16.1-241.2 and 22.1-279.3.

T. Petitions to enforce any request for information or subpoena that is not complied with or to review any refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to § 63.2-1526.

U. Petitions filed in connection with parental placement adoption consent hearings pursuant to § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

V. Petitions filed for the purpose of obtaining the court's assistance with the execution of consent to an adoption when the consent to an adoption is executed pursuant to the laws of another state and the laws of that state provide for the execution of consent to an adoption in the court of the Commonwealth.

W. Petitions filed by a juvenile seeking judicial authorization for a physician to perform an abortion if a minor elects not to seek consent of an authorized person.

After a hearing, a judge shall issue an order authorizing a physician to perform an abortion, without the consent of any authorized person, if he finds that (i) the minor is mature enough and well enough informed to make her abortion decision, in consultation with her physician, independent of the wishes of any authorized person, or (ii) the minor is not mature enough or well enough informed to make such decision, but the desired abortion would be in her best interest.

If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion; however, no such notice shall be required if the judge finds that such notice would not be in the best interest of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has refused to accept responsibility as parent, legal guardian, custodian or person standing in loco parentis.

The minor may participate in the court proceedings on her own behalf, and the court may appoint a guardian ad litem for the minor. The court shall advise the minor that she has a right to counsel and shall, upon her request, appoint counsel for her.

Notwithstanding any other provision of law, the provisions of this subsection shall govern proceedings relating to consent for a minor's abortion. Court proceedings under this subsection and records of such proceedings shall be confidential. Such proceedings shall be given precedence over other pending matters so that the court may reach a decision promptly and without delay in order to serve the best interests of the minor. Court proceedings under this subsection shall be heard and decided as soon

183 as practicable but in no event later than four days after the petition is filed.

184 An expedited confidential appeal to the circuit court shall be available to any minor for whom the  
185 court denies an order authorizing an abortion without consent or without notice. Any such appeal shall  
186 be heard and decided no later than five days after the appeal is filed. The time periods required by this  
187 subsection shall be subject to subsection B of § 1-210. An order authorizing an abortion without consent  
188 or without notice shall not be subject to appeal.

189 No filing fees shall be required of the minor at trial or upon appeal.

190 If either the original court or the circuit court fails to act within the time periods required by this  
191 subsection, the court before which the proceeding is pending shall immediately authorize a physician to  
192 perform the abortion without consent of or notice to an authorized person.

193 Nothing contained in this subsection shall be construed to authorize a physician to perform an  
194 abortion on a minor in circumstances or in a manner that would be unlawful if performed on an adult  
195 woman.

196 A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent  
197 has been obtained or the minor delivers to the physician a court order entered pursuant to this section  
198 and the physician or his agent provides such notice as such order may require. However, neither consent  
199 nor judicial authorization nor notice shall be required if the minor declares that she is abused or  
200 neglected and the attending physician has reason to suspect that the minor may be an abused or  
201 neglected child as defined in § 63.2-100 and reports the suspected abuse or neglect in accordance with  
202 § 63.2-1509; or if there is a medical emergency, in which case the attending physician shall certify the  
203 facts justifying the exception in the minor's medical record.

204 For purposes of this subsection:

205 "Authorization" means the minor has delivered to the physician a notarized, written statement signed  
206 by an authorized person that the authorized person knows of the minor's intent to have an abortion and  
207 consents to such abortion being performed on the minor.

208 "Authorized person" means (i) a parent or duly appointed legal guardian or custodian of the minor or  
209 (ii) a person standing in loco parentis, including, but not limited to, a grandparent or adult sibling with  
210 whom the minor regularly and customarily resides and who has care and control of the minor. Any  
211 person who knows he is not an authorized person and who knowingly and willfully signs an  
212 authorization statement consenting to an abortion for a minor is guilty of a Class 3 misdemeanor.

213 "Consent" means that (i) the physician has given notice of intent to perform the abortion and has  
214 received authorization from an authorized person, or (ii) at least one authorized person is present with  
215 the minor seeking the abortion and provides written authorization to the physician, which shall be  
216 witnessed by the physician or an agent thereof. In either case, the written authorization shall be  
217 incorporated into the minor's medical record and maintained as a part thereof.

218 "Medical emergency" means any condition which, on the basis of the physician's good faith clinical  
219 judgment, so complicates the medical condition of the pregnant minor as to necessitate the immediate  
220 abortion of her pregnancy to avert her death or for which a delay will create a serious risk of substantial  
221 and irreversible impairment of a major bodily function.

222 "Notice of intent to perform the abortion" means that (i) the physician or his agent has given actual  
223 notice of his intention to perform such abortion to an authorized person, either in person or by  
224 telephone, at least 24 hours previous to the performance of the abortion or (ii) the physician or his  
225 agent, after a reasonable effort to notify an authorized person, has mailed notice to an authorized person  
226 by certified mail, addressed to such person at his usual place of abode, with return receipt requested, at  
227 least 72 hours prior to the performance of the abortion.

228 "Perform an abortion" means to interrupt or terminate a pregnancy by any surgical or nonsurgical  
229 procedure or to induce a miscarriage as provided in § 18.2-72, 18.2-73, or 18.2-74.

230 "Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid  
231 marriage, even though the marriage may have been terminated by dissolution; (ii) active duty with any  
232 of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her  
233 parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an  
234 order of emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

235 X. Petitions filed pursuant to Article 17 (§ 16.1-349 et seq.) relating to standby guardians for minor  
236 children.

237 Y. Petitions involving minors filed pursuant to § 32.1-45.1 relating to obtaining a blood specimen or  
238 test results.

239 Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of  
240 services and support for persons who meet the eligibility criteria for the Fostering Futures program set  
241 forth in § 63.2-919.

242 The ages specified in this law refer to the age of the child at the time of the acts complained of in  
243 the petition.

244 Notwithstanding any other provision of law, no fees shall be charged by a sheriff for the service of

any process in a proceeding pursuant to subdivision A 3, except as provided in subdivision A 6 of § 17.1-272, or subsection B, D, M, or R.

Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of subsection W shall be guilty of a Class 3 misdemeanor.

Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.

**§ 16.1-266. Appointment of counsel and guardian ad litem.**

A. Prior to the hearing by the court of any case involving a child who is alleged to be abused or neglected or who is the subject of an entrustment agreement or a petition seeking termination of residual parental rights or *parental rights* or who is otherwise before the court pursuant to subdivision A 4 of § 16.1-241 or § 63.2-1230, the court shall appoint a discreet and competent attorney-at-law as guardian ad litem to represent the child pursuant to § 16.1-266.1.

B. Prior to the detention hearing held pursuant to § 16.1-250, the court shall appoint a qualified and competent attorney-at-law to represent the child unless an attorney has been retained and appears on behalf of the child. For the purposes of appointment of counsel for the detention hearing held pursuant to § 16.1-250 only, a child's indigence shall be presumed. Nothing in this subsection shall prohibit a judge from releasing a child from detention prior to appointment of counsel.

C. Subsequent to the detention hearing, if any, and prior to the adjudicatory or transfer hearing by the court of any case involving a child who is alleged to be in need of services, in need of supervision or delinquent, such child and his parent, guardian, legal custodian or other person standing in loco parentis shall be informed by a judge, clerk or probation officer of the child's right to counsel and of the liability of the parent, guardian, legal custodian or other person standing in loco parentis for the costs of such legal services pursuant to § 16.1-267 and be given an opportunity to:

1. Obtain and employ counsel of the child's own choice; or
2. Request that the court appoint counsel, provided that before counsel is appointed or the court continues any appointment previously made pursuant to subsection B, the court shall determine that the child is indigent within the contemplation of the law pursuant to guidelines set forth in § 19.2-159 by requiring the child's parent, guardian, legal custodian or other person standing in loco parentis to complete a statement of indigence substantially in the form provided by § 19.2-159 and a financial statement, and upon determination of indigence the court shall appoint an attorney from the list maintained by the Indigent Defense Commission pursuant to § 19.2-163.01 to represent the child; or

3. Waive the right to representation by an attorney, if the court finds the child and the parent, guardian, legal custodian or other person standing in loco parentis of the child consent, in writing, and such waiver is consistent with the interests of the child. Such written waiver shall be in accordance with law and shall be filed with the court records of the case. A child who is alleged to have committed an offense that would be a felony if committed by an adult, may waive such right only after he consults with an attorney and the court determines that his waiver is free and voluntary. The waiver shall be in writing, signed by both the child and the child's attorney and shall be filed with the court records of the case.

D. A judge, clerk or probation officer shall inform the parent or guardian of his right to counsel prior to the adjudicatory hearing of a petition in which a child is alleged to be abused or neglected or at risk of abuse or neglect as provided in subdivision A 2a of § 16.1-241 and prior to a hearing at which a parent could be subjected to the loss of residual parental rights *pursuant to § 16.1-283 or parental rights pursuant to § 16.1-283.01*. In addition, prior to the hearing by the court of any case involving any other adult charged with abuse or neglect of a child, this adult shall be informed of his right to counsel. This adult and the parent or guardian shall be given an opportunity to:

1. Obtain and employ counsel of the parent's, guardian's or other adult's own choice; or
2. If the court determines that the parent, guardian or other adult is indigent within the contemplation of the law pursuant to the guidelines set forth in § 19.2-159, a statement substantially in the form provided by § 19.2-159 and a financial statement shall be executed by such parent, guardian or other adult and the court shall appoint an attorney-at-law to represent him; or

3. Waive the right to representation by an attorney in accordance with the provisions of § 19.2-160.

If the identity or location of a parent or guardian is not reasonably ascertainable or a parent or guardian fails to appear, the court shall consider appointing an attorney-at-law to represent the interests of the absent parent or guardian, and the hearing may be held.

Prior to a hearing at which a child is the subject of an initial foster care plan filed pursuant to

§ 16.1-281, a foster care review hearing pursuant to § 16.1-282 and a permanency planning hearing pursuant to § 16.1-282.1, the court shall consider appointing counsel to represent the child's parent or guardian.

E. In those cases described in subsections A, B, C and D, which in the discretion of the court require counsel or a guardian ad litem to represent the child or children or the parent or guardian or other adult party in addition to the representation provided in those subsections, a discreet and competent attorney-at-law may be appointed by the court as counsel or a guardian ad litem.

F. In all other cases which in the discretion of the court require counsel or a guardian ad litem, or both, to represent the child or children or the parent or guardian, discreet and competent attorneys-at-law may be appointed by the court. However, in cases where the custody of a child or children is the subject of controversy or requires determination and each of the parents or other persons claiming a right to custody is represented by counsel, the court shall not appoint counsel or a guardian ad litem to represent the interests of the child or children unless the court finds, at any stage in the proceedings in a specific case, that the interests of the child or children are not otherwise adequately represented.

G. Any state or local agency, department, authority or institution and any school, hospital, physician or other health or mental health care provider shall permit a guardian ad litem or counsel for the child appointed pursuant to this section to inspect and copy, without the consent of the child or his parents, any records relating to the child whom the guardian or counsel represents upon presentation by him of a copy of the court order appointing him or a court order specifically allowing him such access. Upon request therefor by the guardian ad litem or counsel for the child made at least 72 hours in advance, a mental health care provider shall make himself available to conduct a review and interpretation of the child's treatment records which are specifically related to the investigation. Such a request may be made in lieu of or in addition to inspection and copying of the records.

**§ 16.1-283.01. Termination of parental rights; cause of action created.**

*A parent may file a petition to terminate the parental rights of the other parent if the circumstances giving rise to such a petition allege that such other parent engaged in the conduct prohibited by subsection A of § 18.2-61, subsection A of § 18.2-63, or subsection B of § 18.2-366, whether or not the parent has been charged with or convicted of the alleged violation, and the child was conceived of such conduct.*

*Any such order terminating the parental rights of a parent shall be entered upon a finding, based on clear and convincing evidence, that (i) such parent engaged in the conduct prohibited by subsection A of § 18.2-61, subsection A of § 18.2-63, or subsection B of § 18.2-366, whether or not the parent has been charged with or convicted of the alleged violation, and the child was conceived of such conduct and (ii) termination of the parental rights of such parent is in the best interests of the child. For the purposes of this section, if such parent is found by clear and convincing evidence to have engaged in the conduct prohibited by clause (i) resulting in the conception of such child, there shall be a rebuttable presumption that termination is in the best interests of the child. No presumption shall be made by the court that one parent alone is contrary to the best interests of the child.*

*Any statements made by the parent against whom such petition was filed in a hearing held pursuant to this section shall be inadmissible in a subsequent related criminal proceeding, except for purposes of impeachment.*

*After the filing of a petition pursuant to this section, a summons shall be served upon the parent against whom the petition is filed and any other party specified by § 16.1-263, and service shall be made pursuant to § 16.1-264.*

*Any provision regarding the appointment of counsel and a guardian ad litem applicable to petitions filed pursuant to § 16.1-283 shall apply mutatis mutandis to petitions filed pursuant to this section.*