

April 10, 2003

H 1048. REVISE TO JUVENILE CODE/GUARDIANS AD LITEM. TO MAKE REVISIONS UNDER THE JUVENILE CODE REGARDING GUARDIANS AD LITEM. Repeals GS 7B-304, regarding dep't of social services director's report to the court in abuse and neglect cases, and reenacts its provisions in GS 7B-808(a). Provides that in cases where no report is available and the court makes a written finding that it is not needed, the court may proceed with the dispositional hearing without the report. Deletes provisions of GS 7B-808 that required court to permit the guardian ad litem or juvenile to inspect any report to be considered by the court in making the disposition and afforded the guardian ad litem or the juvenile (or parent, guardian, or custodian) the opportunity to offer evidence in rebuttal to the report, and replaces them with a provision authorizing chief district court judges to adopt local rules or issue administrative orders addressing the sharing of the reports among parties. Amends GS 7B-1111(a)(6), regarding termination of parental rights when the parent is incapable of providing for the proper care and supervision of the child, to clarify that the catchall provision of that statute is a condition that renders the parent unable or unavailable to parent the child and that the parent has no appropriate alternative child care arrangement. Adds to GS 7B-100, which sets forth the purposes and policies to be served by interpretation of the juvenile code, the purpose of providing standards consistent with the federal Adoption and Safe Families Act of 1997 regarding permanent placement of juveniles. Amends GS 7B-406(a) to require the clerk of district court to provide a copy of a petition alleging abuse or neglect and a notice of hearing to the local guardian ad litem office. Provides that when final orders in juvenile cases or termination of parental rights cases are appealed by respondent parents, the notice of appeal must be signed by the parent and the parent's attorney. Amends GS 7B-1108 to provide that in no event shall a guardian ad litem who is trained and supervised by the guardian ad litem program be appointed in any juvenile case unless the child is or has been the subject of a petition for abuse, neglect, or dependency. Amends GS 7B-907 to provide that, if the court determines that the child shall be placed in the custody of an individual other than the parents or appoints an individual guardian for the child, the court must verify that the person receiving custody or appointed guardian understands the legal significance of the placement or appointment and will have adequate resources to care for the child. Adds to the definition of "court officer" in GS 14-16.10(1) any attorney or other individual acting on behalf of the dep't of social services in abuse, neglect or dependency proceedings; any attorney or other individual appointed as a guardian ad litem in abuse, neglect, or dependency proceedings or termination of parental rights proceedings; and any attorney or other individual employed by the Administrative Office of the Courts, Guardian ad Litem Services Division.

Intro. by Ross.

Ref. to Judiciary I	GS 7B, 14
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April 28, 2003

H 1048. JUVENILE CODE REVISIONS/CT. IMPROVEMENT PROJ. (NEW). Intro. 4/10/03. House committee substitute adopted 4/24/03 makes the following changes to 1st edition. Reorganizes GS 7B-808 and adds new GS 7B-808(c)(1) and (2) providing that local rules or administrative orders concerning disclosure of predisposition reports shall not prohibit disclosure if otherwise required by law or allow disclosure of any confidential source protected by statute. Deletes requirement in GS 7B-1001 and -1113 that notice of appeal contain signature of both parents and their attorney. Adds new subsections to GS 7B-600, -903, and -906, incorporating GS 7B-907(f) requirement that court verify that individual appointed as a guardian understands the legal significance of position and has adequate resources to care for juvenile. Provides that amendment to GS 14-16.10(1) is effective Dec. 1, 2003. Makes technical changes.

June 9, 2003

SL 2003-140 (H 1048). JUVENILE CODE REVISIONS/COURT IMPROVEMENT PROJECT. AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE AS RECOMMENDED BY THE NORTH CAROLINA JUVENILE COURT IMPROVEMENT PROJECT. Summarized in *Daily Bulletin* 4/10/03. Enacted June 4, 2003. Section 10 is effective December 1, 2003. The remainder of this act is effective June 4, 2003.

