



HOUSE BILL 132: Juvenile Code Rev's/CIP Recommendations.

2021-2022 General Assembly

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| Committee: | Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate | Date: | June 22, 2021 |
| Introduced by: | Rep. Stevens | Prepared by: | *Jennifer H. Bedford |
| Analysis of: | Second Edition | | Staff Attorney |

OVERVIEW: House Bill 132 amends the abuse, neglect, and dependency statutes of Chapter 7B of the General Statutes as recommended by the Court Improvement Program.

BILL ANALYSIS:

Section 1 would define "relative."

Section 2 would amend G.S. 7B-302(a1) to allow an emancipated juvenile to review the Department of Social Services (DSS) record regarding allegations of abuse, neglect, or dependency of the emancipated juvenile.

Section 3 would require the DSS director to make reasonable efforts to place siblings in the same home or make reasonable efforts to provide ongoing interaction between siblings.

Section 4 would require the court to provide a copy of the petition and summons or notice to the appointed attorney.

Section 5 would require the court to order concurrent permanent plans after determining that reunification efforts are not required.

Section 6 would require the DSS director to make reasonable efforts to place siblings in the same home and to provide visitation and interaction unless it would be contrary to the safety or well-being of any of the siblings.

Section 7 would provide that individuals required to participate in substance abuse treatment are not in violation of the court order if they are in compliance with medication assisted treatment.

Section 8 would repeal G.S. 7B-905(b), which requires the court to schedule a review hearing within 90 days of the dispositional hearing if the juvenile is removed from the custody of a parent, guardian, custodian, or caretaker.

Section 9 would require notice to all parties if the court waives permanency planning hearings.

Section 10 would make conforming changes by removing any reference to the term "review hearing".

Jeffrey Hudson
Director



Legislative Analysis
Division
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Section 11 would allow the court eliminate reunification as a plan at any hearing if reunification efforts would be unsuccessful or inconsistent with the best interest of the juvenile at any hearing.

Section 12 would amend G.S. 7B-908 to clarify that the court must conduct a placement review no later than six months from the date of the termination hearing when both parents' parental rights have been terminated, and that an individual whose parental rights had been terminated or who had executed a relinquishment of parental rights that was irrevocable would not be a party to the placement review hearing. This section would also require the court to affirm DSS's proposed placement plan or order a different plan. The court would also be authorized to order concurrent permanent plans if in the best interests of the juvenile.

Section 13 would allow a young adult who entered into a voluntary placement agreement with the DSS director to terminate the agreement without returning to court. If DSS terminated the agreement, then DSS must file a motion to return to court for resolution.

Section 14 would require the court to provide information about how the juvenile can participate in the foster care 18-21 program at every permanency planning hearing after the juvenile's seventeenth birthday.

Section 15 would create a new provision in G.S. 7B-912 to require the court to include the following information in every report after the juvenile's seventeenth birthday:

- DSS's efforts to identify and secure placement options for when the juvenile turns 18
- Adults who can serve as resources for the juvenile when the juvenile turns 18
- Contact information of the person responsible for overseeing voluntary foster care placements with young adults in the county department of social services with custody or placement responsibility of the juvenile and in the county department of social services where the juvenile plans to reside at the age of 18 years.
- Whether the juvenile has contact information for any family members after the juvenile turns 17
- Whether DSS has provided the juvenile with help securing Medicaid and health services the juvenile will be eligible for once turning 18
- Whether DSS has provided the juvenile with information about job or educational plans for when the juvenile turns 18

Section 16 would amend G.S. 7B-1000 to remove the court's authority to vacate a dispositional order and provide additional requirements for modification hearings including appointing a GAL and attorney advocate for the juvenile, appointing provisional counsel for the parents, and providing notice of the hearing.

Section 17 would require that the clerk provide a copy of the summons and petition to the attorney if provisional counsel was appointed for a parent.

Section 18 would amend G.S. 7B-2901(b) to allow a juvenile's GAL or juvenile who has reached the age of 18 or is emancipated to access and receive records kept by DSS regarding that juvenile.

Section 19 would repeal the Adoption of the Interstate Compact on the Placement of Children.

EFFECTIVE DATE: This act becomes effective October 1, 2021.

***Hillary Woodard, Staff Attorney, contributed substantially to this summary.**