



HOUSE BILL 132: Juvenile Code Revisions and Court Improvement Program Recommendations.

2021-2022 General Assembly

Committee:		Date:	February 28, 2022
Introduced by:		Prepared by:	Jennifer H. Bedford
Analysis of:	S.L. 2021-100		Staff Attorney

OVERVIEW: *S.L. 2021-100 amends the abuse, neglect, and dependency statutes of Chapter 7B of the General Statutes as recommended by the Court Improvement Program.*

This act became effective October 1, 2021.

BILL ANALYSIS:

This act does all of the following:

- Defines "relative."
- Amends 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.
- Requires the DSS director to make reasonable efforts to place siblings in the same home or make reasonable efforts to provide ongoing interaction between siblings.
- Requires the court to provide a copy of the petition and summons or notice to the appointed attorney.
- Requires the court to order concurrent permanent plans after determining that reunification efforts are not required.
- Requires 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.
- Provides 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.
- Repeals G.S. 7B-905(b), which required 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.
- Requires notice to all parties if the court waives permanency planning hearings.
- Makes conforming changes by removing any reference to the term "review hearing".
- Allows 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.
- Amends 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 also requires the court to affirm DSS's proposed placement plan or

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order a different plan. The court is also authorized to order concurrent permanent plans if in the best interests of the juvenile.

- Allows 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.
- Requires 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.
- Amends G.S. 7B-1000 to remove the court's authority to modify 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.
- Requires that the clerk provide a copy of the summons and petition to the attorney if provisional counsel was appointed for a parent.
- Amends 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.
- Repeals the Adoption of the Interstate Compact on the Placement of Children.

This act also creates 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.
- 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.

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

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