



SENATE BILL 113: Modify Termination of Parental Rights Appeals.

2021-2022 General Assembly

Committee:		Date:	February 2, 2022
Introduced by:		Prepared by:	Robert Ryan
Analysis of:	S.L. 2021-18		Staff Attorney

OVERVIEW: *Session Law 2021-18 does the following:*

- *Changes the direct right of appeal from an order granting or denying a termination of parental rights, or an order eliminating reunification as a permanent plan, from the North Carolina Supreme Court to the Court of Appeals.*
- *Requires the Administrative Office of the Courts (AOC) to prepare an annual report about the amount of time it takes to resolve appeals related to an order granting or denying a termination of parental rights or an order eliminating reunification as a permanent plan.*

This act became effective July 1, 2021, and applies to appeals filed on or after that date.

CURRENT LAW AND BACKGROUND: S.L. 2017-7 and S.L. 2017-41 modified G.S. 7A-27 and G.S. 7B-1001 to change the right of direct appeal of an order that grants or denies a termination of parental rights, or an order eliminating reunification as a permanent plan, from the Court of Appeals to the Supreme Court.

BILL ANALYSIS:

Sections 1 and 2 of this act modify G.S. 7A-27 and G.S. 7B-1001 by removing a right of direct appeal from the Supreme Court and instead providing a direct right of appeal to the Court of Appeals for the following:

- An order that terminates parental rights or denies a petition or motion to terminate parental rights.
- An order eliminating reunification as a permanent plan.

These changes make the law the way it was prior to the changes enacted in 2017.

Section 4 of this act requires the AOC to submit an annual report about termination of parental rights appeals to the Chief Justice of the Supreme Court and the General Assembly. This report must include:

- The number of termination of parental rights cases appealed.
- The average time it takes the courts to resolve these appealed cases.

EFFECTIVE DATE: This act became effective July 1, 2021, and applies to appeals filed on or after that date.

**Kristen Harris, Staff Attorney, substantially contributed to this summary.*

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