

Juvenile Law Update



Janet Mason
School of Government
UNC at Chapel Hill
July 20, 2012

Termination of Parental Rights N.C. Supreme Court

Waiver of Counsel

Accepting parent's waiver of right to counsel [P.D.R.]



Private TPR D.T.L.

1. Nonsupport: required court order or agreement
2. Abandonment = no parent-like conduct during 6-month period

Paternity
J.S.L.

- If paternity is “in issue” in a termination proceeding, the court must grant any motion for paternity testing.
- G.S. 8-50.1 applies in juvenile cases.

Amendment to Conform to Evidence
G.B.R.

1. Allowing amendment was not prejudicial
2. Insufficient evidence to support neglect ground

Neglect and Nonsupport Grounds
J.E.M.

1. Specificity of findings when no support was paid
2. Sufficiency of evidence of likelihood of repetition of neglect

Dissent: Adequacy of the hearing

2012 Legislation
Effective October 1, 2012

1. New ground for termination of parental rights
S.L. 2012-40 (H 235)
2. Adoption Law Changes
S.L. 2012-16 (H 637)
