

**Juvenile Case Decided by the
North Carolina Supreme Court**

March 12, 2010

Termination of Parental Rights

None of the opinions in juvenile cases filed by the court of appeals on March 16, 2010, were published opinions.

On March 12, 2010, the North Carolina Supreme Court affirmed per curiam two decisions of the court of appeals that were summarized earlier:

Termination of parental rights: sufficiency of evidence

In re S.C.H., ___ N.C. ___, ___ S.E.2d ___ (3/12/10), affirming per curiam ___ N.C. App. ___, 682 S.E.2d 469 (9/15/09) (affirming termination of parental rights on ground of willfully leaving the child in foster care, etc., and rejecting arguments that trial court erred in failing to consider respondents' cognitive limitations in regard to the "willfulness" prong of the ground and in failing to make specific findings about the parent-child bond at the disposition stage).
<http://www.aoc.state.nc.us/www/public/coa/opinions/2009/pdf/090363-1.pdf> (9/15/09).
<http://www.aoc.state.nc.us/www/public/sc/opinions/2010/pdf/433A09-1.pdf> (3/12/10).

Evidence of "substantiation" by DSS in criminal case

State v. Giddens, ___ N.C. ___, ___ S.E.2d ___ (3/12/10), affirming per curiam ___ N.C. App. ___, 681 S.E.2d 504 (8/18/09) (holding that allowing social worker to testify in criminal case that the defendant "was substantiated as the perpetrator" in relation to sexual offenses against two children constituted plain error).
<http://www.aoc.state.nc.us/www/public/coa/opinions/2009/pdf/081385-1.pdf> (8/18/09).
<http://www.aoc.state.nc.us/www/public/sc/opinions/2010/pdf/363A09-1.pdf> (3/12/10).

The courts' opinions can be accessed from <http://www.aoc.state.nc.us/www/public/html/opinions.htm>.

Earlier case summaries can be found at http://www.sog.unc.edu/programs/dss/case_summaries.html.



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