

The web page for the N.C. Appellate Courts has announced a new service providing individuals with an email notification when new opinions are filed by the Supreme Court or Court of Appeals. To sign up, visit this link: http://appellate.nccourts.org/notify_signup.php. This new service will not affect my case summaries, which will continue.

Juvenile Cases Decided by the North Carolina Supreme Court

December 20, 2010

Neglect; Termination of Parental Rights

Neglect adjudication

In re H.N.D., ___ N.C. ___, ___ S.E.2d ___ (2010),
<http://appellate.nccourts.org/opinions/?c=1&pdf=2010/359A10-1.pdf>,
reversing per curiam, ___ N.C. App. ___, 696 S.E.2d 783 (2010),
<http://appellate.nccourts.org/opinions/?c=2&pdf=2010/10-291-1.pdf>,
for reasons stated in the dissenting opinion.

The court of appeals had reversed an order adjudicating a child to be neglected, holding that unless evidence is “so substantial” that an explicit finding of harm or risk of harm to the child is not required, the trial court must make a finding that the child was harmed or at substantial risk of harm in order to adjudicate neglect. The court of appeals opinion, which the Supreme Court reversed, is summarized here:

http://www.sog.unc.edu/programs/dss/documents/2010-07-20_2010July20JuvenileCasesCOA.pdf

Termination of parental rights: guardian ad litem for respondent

In re A.R.D., ___ N.C. ___, ___ S.E.2d ___ (2010),
<http://appellate.nccourts.org/opinions/?c=1&pdf=2010/303A10-1.pdf>,
affirming per curiam, ___ N.C. App. ___, 694 S.E.2d 508 (2010),
<http://appellate.nccourts.org/opinions/?c=2&pdf=2010/10-153-1.pdf>.

The Supreme Court, *per curiam*, affirmed the decision of the court of appeals, which held that the trial court did not abuse its discretion when it did not conduct a hearing to determine whether a respondent parent in a termination of parental rights action needed a guardian ad litem. The court of appeals opinion, which the Supreme Court affirmed, is summarized here:

http://www.sog.unc.edu/programs/dss/documents/2010-06-15_2010June15JuvenileCase.pdf.

Appellate court opinions can be found at <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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