

STATE OF NORTH CAROLINA

File No. _____

In The General Court Of Justice
District Court Division

_____ County

IN THE MATTER OF:

Name Of Juvenile _____

**ORDER ON NEED FOR
CONTINUED NONSECURE CUSTODY
(ABUSE/NEGLECT/DEPENDENCY)**

G.S. 7B-506

This matter is properly before the Court for a hearing, under G.S. 7B-506, to determine the need for the continued nonsecure custody of the juvenile named above. This Court has jurisdiction over the subject matter of this proceeding and of the person of the juvenile. A Petition was filed and an Order For Nonsecure Custody was entered, as the record shows. Present were:

NAME	RELATIONSHIP OR TITLE	NAME	RELATIONSHIP OR TITLE

FINDINGS

The Court makes the following findings of fact based on clear and convincing evidence: *(attach additional page(s) if necessary)*

- ☐ 1. One or both of the juvenile's parents are absent and have not been served. Related facts, including efforts undertaken to identify and/or locate and serve the missing parent(s), include: _____
- ☐ 2. A relative of the juvenile, _____ *(name of relative)*, is willing and able to provide proper care and supervision in a safe home, and placement of the juvenile with this relative ☐ would ☐ would not be in the juvenile's best interest for the following reasons: _____
- ☐ 3. The juvenile ☐ is ☐ is not a member of a State-recognized tribe. Nonrelative kin of the juvenile _____ *(name of nonrelative kin)*, is willing and able to provide proper care and supervision in a safe home, and placement of the juvenile with nonrelative kin ☐ would ☐ would not be in the juvenile's best interest for the following reasons: _____
- ☐ 4. There are _____ other juvenile(s) remaining in the home: *(give names and ages)* _____

Specific findings of the DSS investigation regarding the child(ren) and actions taken or services provided for the child(ren)'s protection include: _____

5. ☐ a. Efforts by DSS to prevent or eliminate the need for the juvenile's placement include: _____
- ☐ b. Efforts to prevent the need for the juvenile's placement were precluded by an immediate threat of harm to the juvenile, and placement of the juvenile in the absence of such efforts was reasonable.
6. There ☐ is ☐ is not a reasonable factual basis to believe that the matters alleged in the petition are true, and:
- ☐ a. the juvenile has been abandoned.
- ☐ b. the juvenile has suffered physical injury or sexual abuse.
- ☐ c. the juvenile is exposed to a substantial risk of physical injury or abuse because the parent, guardian, custodian, or caretaker has created conditions likely to cause injury or abuse or has failed to provide or is unable to provide adequate supervision or protection.
- ☐ d. the juvenile is in need of medical treatment to cure, alleviate or prevent suffering or serious physical harm which may result in death, disfigurement or substantial impairment of bodily functions, and the juvenile's parent, guardian, custodian, or caretaker is unwilling or unable to provide or consent to the treatment.
- ☐ e. the parent, guardian, custodian, or caretaker consents to a nonsecure custody order.
- ☐ f. the juvenile is a runaway and consents to nonsecure custody.

(Over)

7. There ☐ is ☐ is not a reasonable factual basis to believe that no reasonable means other than nonsecure custody are available to protect the juvenile.

8. Efforts undertaken to establish paternity, if at issue in this case, include:

9. Other Findings: _____

CONCLUSIONS OF LAW

Based on the above findings of fact, the Court concludes as a matter of law that:

1. Grounds for continued nonsecure custody under G.S. 7B-503 and G.S. 7B-506 ☐ do ☐ do not exist.

2. The Department of Social Services:

☐ a. has made reasonable efforts to prevent the need for the juvenile's placement.

☐ b. has made reasonable efforts to eliminate the need for the juvenile's placement.

☐ c. has not made reasonable efforts to prevent and/or eliminate the need for the juvenile's placement.

☐ d. was precluded, by an immediate threat of harm to the juvenile, from making efforts to prevent and/or eliminate the need for the juvenile's placement.

☐ 3. The best interests of the juvenile would be served by continuing the juvenile in the custody of DSS pending a further hearing.

4. Other: _____

ORDER

The Court orders that:

1. Pending further hearings, the juvenile:

☐ a. shall remain or be placed in the nonsecure custody of:

☐ the petitioner, ☐ Other (*name person*) _____

for the purposes stated herein, subject to the following conditions: _____

☐ b. shall be returned to the custody of (*name person*) _____

2. Pending further hearings, the petitioner shall:

☐ a. make the following efforts to identify and/or locate and serve the missing parent(s):

☐ b. provide or arrange for the following services aimed at eliminating the need for the juvenile's placement or at facilitating the juvenile's placement with a relative: _____

☐ c. notify the juvenile's State-recognized tribe of the need for nonsecure custody for the purpose of locating relatives or nonrelative kin for placement.

3. ☐ a. With the consent of all parties, further hearings to determine the need for continued nonsecure custody pending the hearing on the petition are waived.

☐ b. A further hearing to determine the need for continued nonsecure custody shall be held:

Date Of Hearing	Time Of Hearing	Place Of Hearing
	<input type="checkbox"/> AM <input type="checkbox"/> PM	

☐ c. The adjudication hearing on the petition filed in this case shall be held:

Date Of Hearing	Time Of Hearing	Place Of Hearing
	<input type="checkbox"/> AM <input type="checkbox"/> PM	

4. The Department Of Social Services is authorized to arrange and consent to:

☐ a. treatment the medical provider recommends in order to cure, alleviate, or prevent the juvenile from suffering physical harm pursuant to 6(d) set forth on the reverse as a ground for nonsecure custody.

☐ b. only the following types of evaluation and/or treatment, after first attempting to obtain consent from the juvenile's parent, guardian, custodian, or caretaker: _____

5. Other: _____

Date	Name Of Judge (type or print)	Signature Of Judge