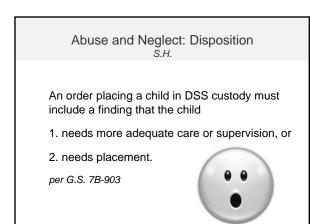


Abuse and Neglect: Adjudication & Disposition S.C.R.

Mistakes to Avoid

- 1. Failing to make independent findings
- 2. Misunderstanding nature of the proceeding
- 3. Ordering permanent plan without proper notice
- 4. Failing to address visitation



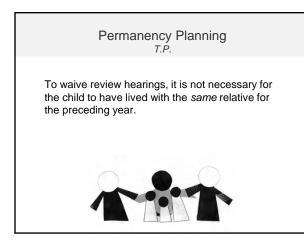
Permanency Planning *T.P.*

Custody to non-parent requires finding / conclusion that parents

- are unfit or
- have acted inconsistently with their constitutionally protected status.



*Constitutional argument cannot be made for the first time on appeal.



Termination of Parental Rights N.C. Supreme Court

<u>Waiver of Counsel</u> Accepting parent's waiver of right to counsel [*P.D.R.*]

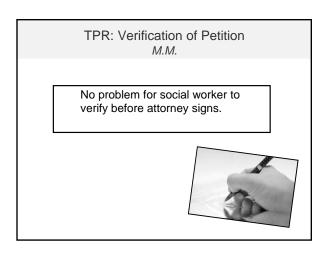


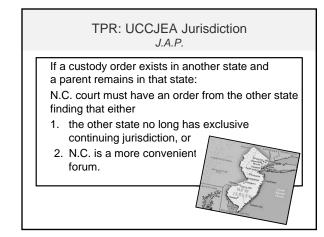
Termination of Parental Rights N.C. Supreme Court

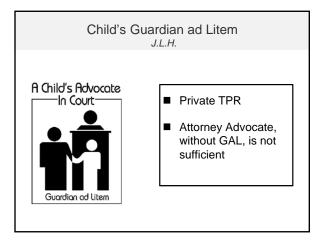
Jurisdiction

Court had jurisdiction when TPR was filed while appeal was pending [*M.I.W.*]

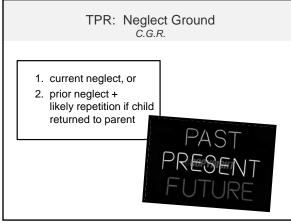


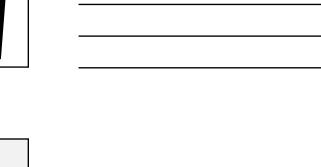


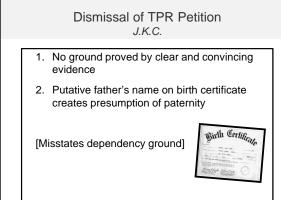










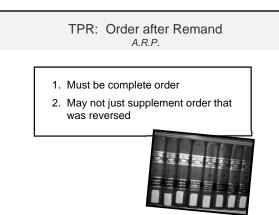


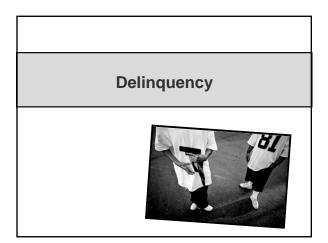
Private TPRs D.T.L.; J.S.L.

- <u>Nonsupport</u>: required court order or agreement
 <u>Abandonment</u> = no parent-like conduct during 6-month period
- <u>Paternity</u>: If paternity is "in issue," the court must order paternity testing

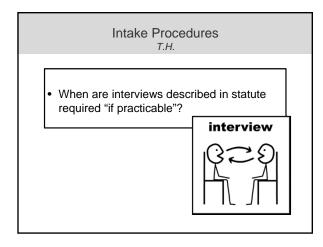
Amendment to Conform to Evidence *G.B.R.*

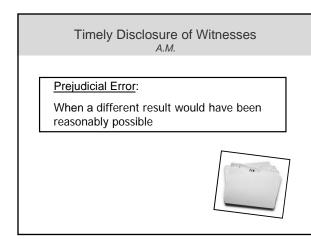
- 1. Allowing amendment was not prejudicial
- 2. Insufficient evidence to support neglect ground

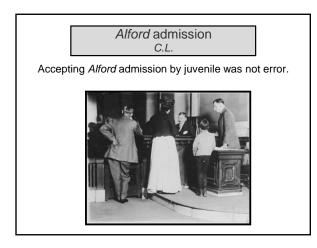




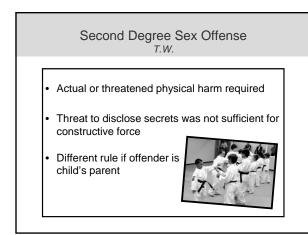


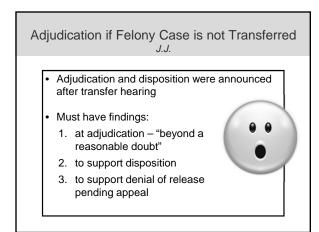












Appeal by State P.K.M.

- State can appeal order granting motion to suppress only if the order terminates prosecution of the case.
- Appeal provision in G.S. Ch. 15A did not apply.

