

NORTH CAROLINA
COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF)

Child.)

ORDER

1ST 90 DAY REVIEW

THIS CAUSE, coming on to be heard before the undersigned District Court Judge presiding at the /, session of Juvenile Court in and for County, North Carolina.

Present for the hearing were: /, Foster Care Social Worker with the County Department of Social Services; /, Social Work Supervisor with the County Department of Social Services; , Coordinator of the Guardian ad Litem Program; , Esq., Attorney Advocate; and , Esq., Agency Attorney with the County Department of Social Services.

The Court, after considering the evidence presented, makes the following:

FINDINGS OF FACT:

1. That this matter came on for the initial 90 day Review hearing pursuant to N.C.G.S. 7B-906 .

2. That the Child, (name), is currently in the legal care, custody and control of the County Department of Social Services), pursuant to a nonsecure custody Order entered on (date) by the Honorable (judge), and subsequent Adjudication Order and a Disposition Order entered on (date) by the Honorable (judge). (or other)

3. That the Child was adjudicated (what) pursuant to an Order entered on (date) by the Honorable (judge). That the Child is (#) years of age and is currently placed in a County foster home. (or other)

4. That (M) is the mother of the Child, and (F) is the father of the Child, and

_____ That the **mother/father** was not present at this hearing.

_____ That the M was present for the hearing and () was not represented/ () was represented by , Esq.

_____ That the F was present for the hearing and () was not represented/ () was represented by _____, Esq.

5. That the **name/whereabouts** of the (mother/father) of the Child is unknown to the _____ County Department of Social Services after diligent efforts to ascertain the (name/whereabouts) of the (parent) in that the Department **(state specifically)**

____ 6. That the Child does not have any other relatives available for placement at this time that are known to the _____ County Department of Social Services.

OR

____ 6. That the Child has the following relatives: (name/relationship/address). That the _____ County Department of Social Services has conducted a study on the home(s) of (names) and makes the following recommendations: ____ that the home of (name) is appropriate for placement of the Child in that (reasons) **OR** ____ that the home of (name) is not appropriate for the placement of the Child in that (reasons) **(provide for each relative named)**

If a relative's home is appropriate

____ 7. That (name), the (relationship) of the Child, is willing and able to provide proper care and supervision for the Child. That the home is located at (address) and is a safe home for the Child.

OR

____ 7. That although (name) is willing and able to provide proper care and supervision for the Child, the Court finds that placement with (name) would be contrary to the best interest of the Child, for the following reasons: **(state specifically)**

(Include all findings)

8. Department has to report on Independent Living Program or Plan (if 16 or 17 yro)

9. That the visitation plan recommended by the _____ County Department of Social Services is as follows: (state specifically)

____ 10. That it is possible to return Child to home within 6 months.

OR

____ 10. That it is not in the best interest of the Child to return to the home of the (parent) within six months.

11. That the best plan of care to achieve a safe, permanent home for the Child within a reasonable period of time is as follows: **(state specifically) Court must make**

specific findings as to the best plan to achieve a safe, permanent home for the Child within a reasonable time period.

(legal guardianship or custody to another person? – what responsibilities will remain with parent) (TPR and adoption? – barriers to adoption?) (remain in current placement or placed in different permanent arrangement, and why)

12. That the current plan for this child is (state the plan with specificity, including what the Parents and the Department are to do and what the Court expects to be done by the next hearing date.

Court must make specific findings as to the best plan to achieve a safe, permanent home for the Child within a reasonable time period.

(legal guardianship or custody to another person? – what responsibilities will remain with parent) (TPR and adoption? – barriers to adoption?) (remain in current placement or placed in different permanent arrangement, and why)

[Include what the Department is required to do as well as the parents.]

13. That the _____ County Department of Social Services has made reasonable efforts in this matter to prevent or eliminate the need for placement with the Department, to reunify this family, and to implement a permanent plan for the Child in that the Department has **(state specific efforts or reason for lack of efforts).**

14. That the _____ County Department of Social Services Court Report, marked as DSS #1, was admitted into evidence and is attached hereto and incorporated herein by reference.

15. That the Court finds that return of this Child to the home of the parents would be contrary to the welfare of the said Child.

16. That the conditions that led to the custody of the Child by the _____ County Department of Social Services and removal from the home of the (parent) continue to exist.

____ 17. That it is in the best interest of (child) that their custody remain with the _____ County Department of Social Services with placement in their discretion and with authority to authorize necessary medical, dental, psychiatric, psychological, education or assessment services for the said child.

OR

____ 17. That it is in the best interest of (child) that their custody remain with the _____ County Department of Social Services with placement in their discretion and with authority to authorize necessary medical, dental, psychiatric, psychological, education or assessment services for the

said child, with physical placement in the home of (relative/friend) which physical placement is approved by the Court.

18. That there are no other children remaining in the home of the Child.

OR

____ 18. That there are other children remaining in the home of the Child. That the Court finds that the following investigation was conducted, the following actions were taken, and or other services were provided for the protection of these children, as follows **(state specifically)**.

19. That pursuant to G.S. 7B-507, the _____ County Department of Social Services has made reasonable efforts in this matter prevent or eliminate the need for placement with the Department, to reunify this family, and to implement a permanent plan for the Child; however, under the circumstances, it was neither possible or reasonable to prevent the removal of the Child from the home of the (parent) and assure the Child's safety.

____ 20. That the _____ County Department of Social Services shall continue to make reasonable efforts to (whatever).

OR

If reasonable efforts no longer required

____ 20. That pursuant to G.S. 7B-507, the _____ County Department of Social Services is no longer required to make reasonable efforts in this matter to reunify this family as those efforts would clearly be futile or would be inconsistent with the Child's health and safety, and need for a safe, permanent home within a reasonable period of time.

21. That the _____ County Department of Social Services Court Report, marked as DSS #1, was admitted into evidence and is attached hereto and incorporated herein by reference.

22. That the Court received evidence from all of the persons specified in N.C.G.S. 7B-906 (b), who were present at this hearing and expressed a desire to present evidence to the Court.

BASED on the foregoing, the Court CONCLUDES AS A MATTER OF LAW:

1. That this matter is properly before the Court and the Court has jurisdiction over the parties and the subject matter of this action.

2. That it is in the best interest of the Child that (his/her) custody remain with the County Department of Social Services.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That it is in the best interest of the Child, (name), that his/her custody remain with the _____ County Department of Social Services, with placement in the Department's discretion to provide or arrange for foster care or other placement, and with the authority to authorize necessary medical, dental, psychological, psychiatric, educational and assessment services for the Child.

____ 2. That placement of the Child shall be in the home of (name), the (relationship) of the Child.

OR

____ 2. That based upon the facts found herein, the placement of the Child shall not be in the home of (name), the (relationship) of the Childs.

3. That the best plan of care to achieve a safe, permanent home for the Child within a reasonable period of time is as follows: **(state specifically Should be same as Finding of Fact #13)**

4. That the visitation plan between the (relation) and the Child is approved as follows: (state specifically)

5. That the _____ County Department of Social Services is to arrange, supervise or facilitate the visitation plan.

____ 6. That pursuant to N.C.G.S. 7B-907, the next Review hearing in this matter shall be set within six months on (date).

OR

____ 6. **(If RE are ceased)** That a Permanency Planning hearing in this matter shall be held within 30 calendar days on /.

If TPR is plan

____ 7. That the termination of parental rights petition must be filed within 60 days of this hearing (unless Court makes written findings why cannot be filed, and then **must specify time frame for filing petition**)

8. That there are no other children remaining in the home of the Child.

OR

____ 8. That there are other children remaining in the home of the Child. That the Court finds that the following investigation was conducted, the following actions were taken, and or

other services were provided for the protection of these children, as follows (**state specifically**).

9. That the Child's placement and care are the responsibility of the County Department of Social Services and the Department is to provide or arrange for foster care or other placement of the Child.

____ 10. That the _____ County Department of Social Services shall continue to make reasonable efforts to (whatever).

OR

If reasonable efforts no longer required

____ 10. That pursuant to G.S. 7B-507, the _____ County Department of Social Services is no longer required to make reasonable efforts in this matter to reunify this family as those efforts would clearly be futile or would be inconsistent with the Child's health and safety, and need for a safe, permanent home within a reasonable period of time.

Entered this the / day of /,_____.

Signed this the _____ day of _____, _____.

District Court Judge Presiding