

NORTH CAROLINA
COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:)

Child.)

ORDER ON ADJUDICATION

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, for Adjudication upon a petition filed by the _____ County Department of Social Services.

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

That the Court finds the following by clear, cogent and convincing evidence:

FINDINGS OF FACT:

1. That pursuant to N.C.G.S. 7B-801, this matter came on for Adjudication upon a Petition filed by the _____ County Department of Social Services on (date). The Court has considered the circumstances listed in N.C.G.S. 7B-801 (a) 1-5, and in its discretion finds that this hearing should be closed to the public.

2. That the mother of the Child, (name), was personally served with the Petition on (date). That the father of the Child, (name), was personally served with the Petition on (date).

3. .

_____ 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.

4. That the Child, (name), was born on (date) and is (#) years of age.

____ 5. That the Child, (name), is an Abused Child pursuant to N.C.G.S. 7B-101 (1) in that the (parent) of the Child has

____ A-(created or allowed to be created a substantial risk of serious physical injury to the Child by other than accidental means)

____ B-(inflicted or allowed to be inflicted upon the Child a serious physical injury by other than accidental means)

____ C- (used or allowed to be used upon the Child cruel or grossly inappropriate procedures or cruel or grossly inappropriate devices to modify behavior)

____ D-(created or allowed to be created serious emotional damage to the Child)

____ E-(encouraged, directed or approved of delinquent acts involving moral turpitude by the Child)

____ F-(rape, etc.)

____ 6. That the Child, (name), is a Neglected Child pursuant to N.C.G.S. 7B-101 (15) in that the Child

____ A-(does not receive proper care, supervision or discipline from the (parent))

____ B-(lives in an environment injurious to the Child's welfare)

____ C- (has been abandoned)

____ D-(is not provided necessary medical care)

____ E-(is not provided necessary remedial care)

____ F-(has been placed for care or adoption in violation of law)

____ G-(lives in a home where another Child has been subjected to abuse or neglect by an adult who regularly lives in the home) OR (lives in a home where another Child has died as a result of suspected abuse or neglect)

____ 7. That the Child, (name), is a Dependent Child pursuant to N.C.G.S. 7B-101 (9) in that the Child is

____ A-(in need of assistance or placement because the Child has no parent, guardian or custodian responsible for (his/her) care or supervision)

____ B- a Child whose parent, guardian or custodian is unable to provide for the care or supervision of the Child and lacks an appropriate child care arrangement)

8. That the Court finds: MAKE SPECIFIC FINDINGS OF FACT WHICH SUPPORT THE ABOVE.

9. 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 as follows: _____

OR

9. That the _____ County Department of Social Services was initially precluded from making reasonable efforts as required by G.S. 7B-507 due to the circumstances, under which 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. **(STATE THE EFFORT MADE OR THE REASON EFFORTS COULD NOT BE MADE)**

If R.E. 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.

____ a Court of competent jurisdiction has determined that the parent has subjected the Child to aggravated circumstances as defined by G.S. 7B-101

____ a Court of competent jurisdiction has terminated involuntarily the parental rights of the parent to another Child of the parent

____ a Court of competent jurisdiction has determined that the parent has committed murder or voluntary manslaughter of another Child of the parent; has aided, abetted, attempted, conspired, or solicited to commit murder or voluntary manslaughter of the Child of another parent; or has committed a felony assault resulting in bodily injury to the Child or another Child of the parent

11. That the Indian Child Welfare Act [] does [] does not apply in this matter and required notice was given to the / Tribe.

12. That the Howard M. Metzenbaum Multiethnic Placement Act of 1994 [] does not [] does apply in this matter and due consideration has been given.

13. That it is in the best interest of (name) that their custody be with the County Department of Social Services with placement discretion and with authority to provide and authorize necessary medical, dental, psychological, psychiatric, educational and assessment services.

14. That return of (name) to the home of the parents would be contrary to the welfare of said Child.

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

OR

____ 15. 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**).

16. 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.

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 pursuant to N.C.G.S. 7B-801, this Adjudication has been conducted in the time required by the said statute.

____ 3. That the Child, (name), is an Abused Child pursuant to N.C.G.S. 7B-101 (1).

____ 4. That the Child, (name), is a Neglected Child pursuant to N.C.G.S. 7B-101 (15)

____ 5. That the Child, (name), is a Dependent Child pursuant to N.C.G.S. 7B-101 (9)

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That this hearing is closed to the public.
2. That the Child (name) be and hereby is adjudicated a (Abused, Neglected, Dependent) Child as defined by N.C.G.S. 7B-101 (1), (9), (15).
3. That the Child shall remain in the legal custody of the _____ County Department of Social Services pending Disposition in this matter, which is responsible for providing foster care for this Child, 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 and psychiatric services for the Child.
4. That the Child shall remain in the legal custody of the _____ County Department of Social Services pending Disposition in this matter, with placement in the home of (relative/friend) as approved by this Court.
5. That there are no other children remaining in the home of the Child.

OR

_____ 5. 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)**.

6. That pursuant to N.C.G.S. 7B-901, the Disposition in this matter shall be heard (at this time) (other date).

Entered this the / day of /,_____.

Signed this the _____ day of _____,_____.

District Court Judge Presiding