

LEGISLATIVE UPDATE-2020

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1

Appeals

HB 239, HB 630, HB 229 Effective for appeals
filed on or after 1/1/2019:

- ✓ TPR appeals and TPR/CRE appeals go directly to
the NC Supreme Court
- ✓ CRE orders from 906.2(b) are now appealable
when no TPR filed within 65 days (vs. 180 days)

2

Bill #/Session Law

- HB 469 / SL 2019-172
- SB 230/SL 2019-201
- SB 199/SL 2019-245
- SB 704/SL 2020-3
- HB 1043/SL 2020-4
- HB 918
- HB 593/SL 2020-83

3

HB 469 amends NC's ICPC

§ 7B-3807. Adoption of the Interstate Compact on the Placement of Children regulations.

The Interstate Compact on the Placement of Children regulations and any subsequent amendments that are adopted by the Association of Administrators of the Interstate Compact on the Placement of Children of the American Public Human Service Association are hereby enacted into law and shall apply to all interstate placements of children between North Carolina and jurisdictions that are a party to this Compact.

4

SB 230/SL 2019-201

§ 7B-302. Assessment by director...

(a1) All information received by the department of social services, including the identity the reporter, shall be held in strictest confidence by the department, except under the following circumstances:

(1) ...The disclosure of confidential information pursuant to this subdivision shall include sharing information with the appropriate military authority if the director finds evidence that a juvenile may have been abused or neglected and the parent, guardian, custodian, or caretaker of the juvenile alleged to have been abused or neglected has a military affiliation.....

5

SB 199/SL 2019-245

G.S. 7B-101(3) Caretaker

(3) Caretaker. – Any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of a juvenile in a residential setting. A person responsible for a juvenile's health and welfare means a stepparent; foster parent; an adult member of the juvenile's household; an adult ~~relative~~ entrusted with the juvenile's care; a potential adoptive parent during a visit or trial placement with a juvenile in the custody of a department; ...

6

SB 704/SL 2020-3 COVID-19 Recovery Act

- Federal waivers
- Criminal history checks
- Training waivers

7

HB 1043/SL 2020-4

Funding:

- \$290,000 to the Department of Health and Human Services, Division of Social Services, to provide funds for the LINKS program, a foster care support program for youth ages 13-21 years.
- \$2,250,000 to the Department of Health and Human Services, Division of Social Services, to assist in serving children in foster care during the COVID-19 emergency. These funds shall be used for monthly supplemental payments in the amount of one hundred dollars (\$100.00) for each child receiving foster care assistance payments for the months of April 2020, through June 2020.

8

HB 918

- Requires the court to issue an order for non-secure if an infant is born drug-exposed to alcohol, unlawful controlled substances, or controlled substances used in violation of the law.
- Requires the court to consider the juvenile's developmental and attachment needs when deciding whether to order placement of the juvenile with a relative.
- Allows any person with whom a juvenile has lived for a continuous period of 15 months or more to file a petition or motion to terminate the parental rights of either or both of the juvenile's parents.

9

HB 918

“House Bill 918 discourages pregnant women with substance use disorders from seeking treatment and prenatal care, risking their health and the health of newborns. And while it penalizes pregnant women with substance use disorders, it does nothing to expand access to treatment. This would disproportionately impact women of color and low-income women, who are already less likely to have access to the substance use treatment and quality healthcare they need.” Governor Cooper

10

HB 593/SL 2020-83

Section 10.1 increases court appointed attorney fees in criminal cases and increases court costs to support Indigent Defense Services. Effective December 1, 2020.

Section 10.1(d). The Office of Indigent Defense Services shall report to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by March 1, 2021, regarding the implementation of rate increases to the Private Assigned Counsel Fund and modifications to appointed counsel fee application forms.

11