Responsible Individuals List	
What is it?	
10A NCAC 70A.0102: employability or fitness to care for or adopt children	
	<u> </u>
Who Can Access it? 7B-311(b), (c)	
Child care institutionsChild placing agencies	
 Group homes Foster care, child care, or adoption services providers 	
Sanction: Class 3 misdemeanor	

Responsible Individua
7B-101(18a)

A parent, guardian, custodian, or caretaker who abuses or seriously neglects a juvenile

Serious Neglect 7B-101(19a)

Conduct, behavior, or inaction (by a parent, guardian, custodian, or caretaker) that evinces a disregard of consequences of such magnitude it constitutes an unequivocal danger to the child's health, welfare, or safety, but does not constitute abuse.

≠ Neglect

What is it?



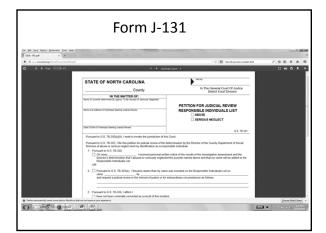
Due Process

- In re W.B.M., 202 N.C. App. 606 (2010)
 - Art. 1, Section 19
 - Liberty interest
 - Pre-deprivation hearing

Father Alleged abuse Sexualized behaviors of son

NOTICE

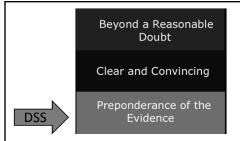
- Identified as responsible individual
- Nature of assessment and determination of abuse and/or serious neglect
- Summary of substantial evidence supporting determination
- Appeal rights and copy of form
- w/in <u>5 days</u> of completion of investigative Ax



Judicial Review

15 days of receipt or waived

- <u>Director</u>
 - After receive notice of hearing, must review records of investigative Ax.
 - If insuff ev, written statement to individual and clerk, cancel hearing
- Court
 - Hearing w/in 45 days
 - Closed if requested
 - Rules of Evidence but court may permit reliable and relevant evidence if interests of justice and general rules of ev. will be served
 - Order w/in 30 days



- 1. Abuse or serious neglect
- 2. Identification of responsible individual

- Court may review if serves interests of justice or for extraordinary circumstances
- Expunge name

		-
No right to judicial review		
Convicted of same incident		
Convicted of same incident		
		-
Ev D	arta Ordar	
Ex Parte Order		-
 Director cannot show actual notice to individual 		
HearingDistrict Court judge determines director made		
diligent efforts to find the individual – Evading service is relevant		
		_
A/N/D vs. RIL		
	D V3. IVIL	
Similarities	Differences	-
DSS burdenAbuse	No appointed counselCulpability of adult	
Confidentiality	Serious neglectPreponderance of the	
	Preportoerance of the evidenceThe parties	
	- The parties	