Hearing Types for A/N/D and TPR Actions

Abuse/Neglect/Dependency

- Interference Petition (G.S. 7B-303)
- Continued nonsecure custody (G.S. 7B-506)
 - Including issues involving placement, visitation, medical consent
- Pre-adjudicatory hearing (G.S. 7B-800.1)
- Adjudicatory hearing (G.S. 7B-801; -807)
- Initial Disposition (G.S. 7B-901)
- Review Hearing (G.S. 7B-906.1)
- Permanency Planning Hearing (G.S. 7B-906.1)
 - Must be held at least every 6 months unless waived under G.S. 7B-906.1(k) or (n)
- Motion for Review
 - Modify or Vacate Order: G.S. 7B-1000
 - Visitation: G.S. 7B-905.1
- Judicial Review of Selection of Adoptive Parent(s) (G.S. 7B-1112.1)
- Foster Care 18-21 (G.S. 7B-910.1)
- Voluntary Foster Care Placement (juvenile under 18) (G.S. 7B-910)
- Responsible Individuals List Judicial Review or Ex Parte Placement (G.S. 7B-323)

Termination of Parental Rights/ Relinquishment

- Preliminary Hearing on Unknown Parent (G.S. 7B-1105)
- Pretrial Hearing (G.S. 7B-1108.1)
- Adjudication (G.S. 7B-1109; -1111)
- Disposition (G.S. 7B-1110)
- Post-TPR Hearing (G.S. 7B-908)
- Post-Relinquishment Review Hearing (G.S. 7B-909)
- Reinstatement of Parental Rights (G.S. 7B-1114)

WORKSHEET: Consider the different types of hearings in A/N/D - TPR cases from the list above. Of those hearing types, identify which ones your judicial district has that you believe are the highest volume, the most time consuming, the most complex, and the most important. Write the hearing type in the appropriate box below. You may a hearing type in more than one box.

Most Volume	Most Time Consuming
Most Complex	Most Important

6/29/2020

On Monday, be prepared to discuss the following (NOTE, it may help to have a list for class).

1. What is your priority in addressing the hearings that are required under the Juvenile Code that have been backlogged while still addressing the future hearings that must be scheduled in existing A/N/D – TPR actions and new petitions that are filed?

2. Since the March 16, 2020 restrictions on court proceedings, are there any new trends with court proceedings in A/N/D – TPR actions? For example: more or less new petitions filed; motions for specific types of relief (if so, what); increased or decreased collaboration by attorneys out of court (e.g., consents or stips that could be presented to the court)

HOMEWORK TO SUBMIT TO <u>sara@sog.unc.edu</u> by 10:00 a.m. on Monday, June 29th

Answer the Following Questions (you may need to consult with your clerk, judicial assistant, and/or family court administrator)

- During the March 16, 2020 May 31, 2020 restrictions on court proceedings

 What A/N/D TPR hearing types did your district conduct?
 - b. What A/N/D TPR hearing types were not conducted?
- 2. Since the June 1, 2020 expansion of court hearings,
 - a. What A/N/D TPR hearing types were held (were any added from the prior restricted period?)
 - b. Is there any A/N/D TPR hearing type that is not being held during this period of expansion?
- 3. Regarding conducting the hearings since the March 16, 2020 restrictions on court proceedings, for those A/N/D TPR hearings that were held
 - a. What has worked well regarding the process/format?
 - b. What has not worked well?
 - c. What lessons have your learned?