

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

_____ County

IN THE MATTER OF

Name Of Juvenile Determined By Agency To Be Abused Or Seriously Neglected

Name And Address Of Petitioner (Individual Seeking Expungement)

Date Of Birth Of Petitioner (Individual Seeking Expungement)

**ORDER ON PETITION FOR EXPUNGEMENT
FROM
RESPONSIBLE INDIVIDUALS LIST**☐ ABUSE☐ SERIOUS NEGLECT

G.S. 7B-325

This case was heard at a session for juvenile hearings on the above named petitioner's *Petition For Expungement From Responsible Individuals List*.

The following persons were present at the hearing:

NAME	RELATIONSHIP OR TITLE	NAME	RELATIONSHIP OR TITLE

FINDINGS

Based on the evidence presented, the court finds the following by a preponderance of the evidence:

1. The Court has jurisdiction over the parties and the subject matter.
2. The petitioner was placed on the Responsible Individuals List on (date) _____.
- ☐ 3. At least one year has passed since the petitioner was placed on the Responsible Individuals List without judicial review, though eligible for review.
- ☐ 4. At least five years have passed since the petitioner was placed on the Responsible Individuals List after judicial review.
- ☐ 5. At least eight years have passed since the petitioner, who was criminally convicted as a result of the same incident that placed the petitioner on the Responsible Individuals List completed their sentence, complied with all post-release conditions and has not subsequently been convicted of any felony or misdemeanor other than a traffic violation under a jurisdiction in this State or any other United States jurisdiction. The petitioner's conviction is not related to sexual abuse of a child, human trafficking, or a child fatality related to abuse or neglect.
- ☐ 6. There is little likelihood that the petitioner will be a future perpetrator of child abuse or neglect.
- ☐ 7. The petitioner has not proven that there is little likelihood that the petitioner will be a future perpetrator of child abuse or neglect.
- ☐ 8. The petitioner's name ☐ should ☐ should not be removed from the Responsible Individuals List and the Court finds the following additional facts: (In ruling on a petition for expungement, a court shall consider all of the following:
 - (1) The nature of the abuse or serious neglect based on documentation maintained by the county department of social services.
 - (2) The amount of time since the placement on the responsible individuals list.
 - (3) Any activities that would reflect upon the person's changed behavior or circumstances, such as therapy, employment, or education.
 - (4) Any other circumstances relevant to whether the petition should be granted.Make findings of fact as to the considerations above and attach additional page(s) if necessary.)

(Over)

CONCLUSIONS OF LAW		
<p>Based on the foregoing Findings of Fact, the Court concludes as a matter of law:</p> <div style="display: flex; flex-direction: column; gap: 5px;"> <div><input type="checkbox"/> 1. The petitioner is not eligible to file a petition for expungement from the Responsible Individuals List.</div> <div><input type="checkbox"/> 2. The petitioner is eligible to file a petition for expungement from the Responsible Individuals List.</div> <div><input type="checkbox"/> 3. There is little likelihood that the petitioner will be a future perpetrator of child abuse.</div> <div><input type="checkbox"/> 4. The petition should be granted.</div> <div><input type="checkbox"/> 5. The petition should not be granted.</div> </div>		
ORDER		
<p>It is therefore ORDERED that:</p> <div style="display: flex; flex-direction: column; gap: 10px;"> <div><input type="checkbox"/> 1. The petition for expungement from the Responsible Individuals List is denied.</div> <div><input type="checkbox"/> 2. The petition for expungement from the Responsible Individuals List is granted.</div> </div> <p>To the Director of the County Department of Social Services: You are ORDERED to expunge the petitioner's name from the Responsible Individuals List, this shall be accomplished without unreasonable delay.</p>		
Date	Name Of Presiding Judge (type or print)	Signature Of Presiding Judge
CERTIFICATE OF SERVICE		
<p>I certify that this Order On Petition For Expungement From Responsible Individuals List was served as follows:</p>		
PETITIONER		
Date Served	Name Of Person Served	
<div style="display: flex; flex-direction: column; gap: 10px;"> <div><input type="checkbox"/> By hand delivery to petitioner.</div> <div><input type="checkbox"/> By sending it by email from ICMS/File & Serve to <div style="display: flex; flex-direction: column; gap: 5px;"> <div><input type="checkbox"/> petitioner's attorney at an email address of record with the court, specifically: _____</div> <div><input type="checkbox"/> petitioner at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____</div> </div> </div> <div><input type="checkbox"/> By sending it by email to <div style="display: flex; flex-direction: column; gap: 5px;"> <div><input type="checkbox"/> petitioner's attorney at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____</div> <div><input type="checkbox"/> petitioner at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____</div> </div> </div> <div><input type="checkbox"/> By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to petitioner at the address shown above for that person.</div> <div><input type="checkbox"/> Other manner of service: _____</div> </div>		
COUNTY DEPARTMENT OF SOCIAL SERVICES (DSS) DIRECTOR		
Date Served	Name Of Person Served	
<div style="display: flex; flex-direction: column; gap: 10px;"> <div><input type="checkbox"/> By hand delivery to DSS Director.</div> <div><input type="checkbox"/> By sending it by email from ICMS/File & Serve to <div style="display: flex; flex-direction: column; gap: 5px;"> <div><input type="checkbox"/> The DSS attorney at an email address of record with the court, specifically: _____</div> <div><input type="checkbox"/> The DSS Director at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____</div> </div> </div> <div><input type="checkbox"/> By sending it by email to <div style="display: flex; flex-direction: column; gap: 5px;"> <div><input type="checkbox"/> The DSS attorney at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____</div> <div><input type="checkbox"/> The DSS Director at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____</div> </div> </div> <div><input type="checkbox"/> By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the DSS Director at the following address: _____</div> <div><input type="checkbox"/> Other manner of service: _____</div> </div>		
Name Of Clerk (type or print)	Signature Of Clerk	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court