

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

IN THE MATTER OF:

ORDER
ON MINOR'S PETITION FOR
WAIVER OF PARENTAL CONSENT
REQUIREMENT FOR ABORTION

G.S. 90-21.6 through -21.10; 7A-451(a)(16), 7B-200

FINDINGS

This matter is properly before the Court on the petition of the minor named above. A confidential hearing was held before the undersigned judge on the date shown below.

Present at the hearing were:

the minor petitioner the guardian ad litem the attorney for the minor petitioner. Other:

The Court heard evidence relating to the emotional development, maturity, understanding and intellect of the minor; the nature, possible consequences and alternatives to the abortion; and other evidence that the Court found useful in determining whether the parental consent requirement should be waived.

Based on the record of this proceeding and the evidence, the Court makes the following FINDINGS OF FACT:

- 1. The petitioner is an unemancipated minor as defined in G.S. 90-21.6(1).
2. The petitioner resided in or was physically present in the county named above at the time of the filing of the petition.
3. The petitioner is pregnant and wants the Court to waive the parental consent requirement pursuant to G.S. 90-21.7(a).
4. The petitioner is mature and well-informed enough to make the abortion decision on her own.
5. It would be in the petitioner's best interests for parental consent not to be required.
6. The petitioner is a victim of rape or of felonious incest under G.S. 14-178. [See reporting requirements pursuant to G.S. 90-21.8(f) and G.S. 7B-301.]
7. Other: (State other findings that support the Court's decision. Use attachment if necessary.)

CONCLUSIONS

Based on these findings of fact, the Court concludes, as a matter of law, that the statutory conditions for waiving the parental consent requirement for an abortion have been met. have not been met.

ORDER

The Court ORDERS:

- The parental consent requirement IS WAIVED.
The parental consent requirement IS NOT WAIVED.

NOTE: [See important appeal information on reverse side of form.]

The Court Further ORDERS:

- 1. That a confidential record be maintained.
2. That no copies of this Order or any other document from the file of this case be given, without specific court order, to anyone other than the petitioner, her guardian ad litem, her attorney, or person(s) to whom the petitioner asked that such papers be sent.
3. That no costs be assessed in this matter.

Date Of Hearing

Signature Of Judge

Date Order Issued (if different from hearing date)

Name Of Judge (Type Or Print)

District Court Judge
Superior Court Judge

NOTE TO CLERK: (1) Do not calendar or take minutes of this proceeding. This proceeding is completely confidential; the file may be seen only by the minor, her attorney, or her guardian ad litem. (2) Do not serve a copy of this Order or other papers on the minor's parents, legal guardian, or custodian unless the minor so requests in the petition. (3) The minor is not required to pay any court costs. No judgment for attorney fees or guardian ad litem fees should be entered.

(Over)

APPEAL INFORMATION FOR MINOR

- 1. If this is a **DISTRICT COURT order** denying your request for waiver of the parental consent requirement and you want to appeal the judge's decision, you must file a notice of appeal with the Clerk of Superior Court **within 24 hours** from the date the Court issues this Order. *(This 24 hours does not include weekends or holidays.)*
 - a. If you do not have an attorney or guardian ad litem (a person to help you in this proceeding) and you want one, you should ask the judge or the clerk immediately to appoint one for you.
 - b. If you appeal, a different judge (a superior court judge) will hold a completely new hearing within 7 days after you file your notice of appeal with the clerk.
 - c. To appeal, sign the "Notice of Appeal" below and give it to the Clerk of Superior Court.

- 2. If this is a **SUPERIOR COURT order** denying your request for waiver of the parental consent requirement and you want to appeal the judge's decision, you should file a notice of appeal with the Clerk of Superior Court as soon as possible, but at least within 30 days from the date the Court issues this Order.
 - a. If you do not have an attorney or guardian ad litem (a person to help you in this proceeding) and you want one, you should ask the judge or the clerk immediately to appoint one for you.
 - b. If you appeal, the case will be considered by the Court of Appeals in Raleigh.
 - c. To appeal, sign the "Notice of Appeal" below and give it to the Clerk of Superior Court. Thereafter, you will need to comply with the North Carolina Rules of Appellate Procedure.

NOTICE OF APPEAL

I appeal from the order of the Court denying my petition in this case.

<i>Date</i>	<i>Signature Of Minor</i>
	<i>Signature Of Minor's Attorney (if applicable)</i>
	<i>Signature Of Minor's Guardian Ad Litem (if applicable)</i>

CERTIFICATION

I certify that this is a true and correct copy of the original on file in this case.

<i>Date</i>	<i>Signature</i>
	<input type="checkbox"/> <i>Deputy CSC</i> <input type="checkbox"/> <i>Assistant CSC</i> <input type="checkbox"/> <i>Clerk Of Superior Court</i>