

FILED
DATE: May 27, 2025
TIME: 3:04:19 PM
GUILFORD COUNTY
CLERK OF SUPERIOR COURT
BY: P. Wheeler

25R000527-400

STATE OF NORTH CAROLINA
TWENTY-FOURTH JUDICIAL DISTRICT
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

**ADMINISTRATIVE ORDER
AMENDING LOCAL RULES GOVERNING
Abuse, Neglect, Dependency and Termination of Parental Rights Proceedings**

Pursuant to the Court's inherent and statutory authority to manage the Abuse, Neglect, Dependency and Termination of Parental Rights Proceedings, the prior Local Rules Governing Abuse, Neglect, Dependency and Termination of Parental Rights Proceedings for the District Court Division of the Twenty-Fourth Judicial District, Guilford County, are hereby rescinded and replaced with the attached Local Rules pertaining to said proceedings.

IT IS HEREBY ORDERED that the attached Local Rules for Abuse Neglect, Dependency and Termination of Parental Rights Proceedings are hereby adopted effective May 27, 2025 and shall continue in effect until further orders of the Court are entered that may alter or rescind this Order.

This the 5/27/2025 11:31:58 AM

Michelle Fletcher

The Honorable K. Michelle Fletcher
Chief District Court Judge

**LOCAL RULES FOR ABUSE, NEGLECT, DEPENDENCY
AND TERMINATION OF PARENTAL RIGHTS CASES**

**RULE 1
SCOPE OF THE LOCAL RULES**

- 1.01** These rules shall apply to all cases in which a petition is filed alleging abuse, neglect, dependency, or to terminate parental rights. They are promulgated in compliance with NC General Statute sec. 7A-146, Rule 40(a) of the North Carolina Rules of Civil Procedure, and Rule 2 of the General Rules of Practice for the Superior and District Courts of North Carolina.
- 1.02** These rules are not complete in every detail and will not cover every situation that may arise. In the event these rules do not cover a specific matter, the presiding judge is authorized to act in their own discretion and compliance with applicable law.

**RULE 2
PURPOSES OF LOCAL RULES**

- 2.01** To establish procedures for abuse, neglect, dependency ("A/N/D"), and termination of parental rights ("TPR") cases.
- 2.02** To help achieve a permanent, stable, and safe home for juveniles who come under the court's jurisdiction and to do so in a timely manner.
- 2.03** To ensure compliance with Chapter 7B of the North Carolina General Statutes and the North Carolina Rules of Civil Procedure.
- 2.04** To help parties present issues and evidence to the court in an efficient manner.
- 2.05** To help the court oversee case management from beginning to termination of the case.
- 2.06** To eliminate unnecessary delays in court proceedings.
- 2.07** To develop a disposition in each juvenile case that reflects consideration of the facts, the needs and limitations of the juvenile, and the strengths and weaknesses of the family.
- 2.08** To aid the court in arranging for appropriate community level services to be provided to the juvenile and the juvenile's family in order to strengthen the home situation.

- 2.09** To ensure that the best interests of the juvenile are of paramount consideration to the court and that when it is not in the juvenile's best interest to be returned home, the juvenile will be placed in a safe, permanent home within a reasonable amount of time.

RULE 3

INTERPRETATION AND CONSTRUCTION OF THE LOCAL RULES

- 3.01** These rules shall be liberally construed to accomplish the purposes set forth in Rule 2. The rules shall be interpreted and applied only in ways that are consistent with the Constitution of the United States, the Constitution of the State of North Carolina, and applicable law. These rules shall not be construed, applied, or enforced in a manner that will endanger or harm a child.
- 3.02** The court may impose sanctions as allowed by North Carolina Law or as hereinafter provided against a party, attorney, or other participant under the court's jurisdiction who fails to comply with these local rules.
- 3.03** Each presiding judge may allow an exception or exceptions to the usual rules for a particular case or situation only if the exception is necessary to prevent injustice, to protect the welfare of a juvenile, or to promote the efficient disposition of cases. However, such exceptions shall not be contrary to existing statutes, constitutional rights, or caselaw of the higher courts. Exceptions shall not be allowed in a manner to unfairly disadvantage any party.

RULE 4

APPOINTMENT OF COUNSEL, GUARDIAN AD LITEM FOR PARENT, AND CONFLICT GUARDIAN AD LITEM ATTORNEY ADVOCATE

- 4.01** The clerk of court shall maintain the list of attorneys eligible to be appointed to represent parents as attorneys or as Guardians ad Litem ("GAL"), pursuant to the Regulations for Appointment of Counsel in the 24th Judicial District, under the Indigent Defense Services Act (i.e., District Appointment Plan).
- 4.02** Any attorney who requests to be placed on the appointment list must affirm the following:
- (a) The attorney has sufficient experience and skills to provide competent representation in this area of law;
 - (b) The attorney has a good working knowledge of juvenile law, juvenile court procedures, and local rules;
 - (c) The attorney has a good understanding of child protective services and the related mandates that apply to Guilford County Department of Health and Human Services ("DHHS");
 - (d) The attorney has a commitment to work with parents and juveniles;

- (e) After their first year on the list they will be willing, if needed, to serve as a mentor to an attorney seeking to join the list.

4.03 Requirements of New Attorneys to the Court Appointment List

I. Prior to Approval:

General: The applicant must be a duly licensed attorney and a member in good standing of the North Carolina State Bar.

Observation: The applicant must observe at least two (2) full morning sessions of A/N/D court and one (1) contested TPR trial, or at least three (3) hours of each, whichever is shorter.

Knowledge of Law: The applicant must be familiar with the current law pertaining to A/N/D and TPR cases from the Juvenile Code (N.C. Gen. Stat. Chapter 7B) and resources available through IDS and the Office of Parent Representation.

Written Certification of Compliance: The applicant must certify in writing to the Guilford County Committee on Indigent Appointments that they have completed the above requirements before they can receive appointed cases. This written certification must be directed to the Administrator of the Guilford County Committee on Indigent Appointments. A short-written statement by the applicant is sufficient.

II. Upon Approval:

Mentor: The applicant must have a mentor for at least the first year. The mentor must be someone who has practiced in A/N/D and TPR court for at least one year and will be assigned by the Guilford County Committee on Indigent Appointments. The mentor will be available to the applicant during the applicant's first year of handling these cases.

DHHS Orientation: As soon as possible, following approval for the Parent Representation list, the applicant is expected to contact the county attorney and coordinate a time to be oriented on the DHHS process, including how reports are received and investigated, as well as meeting requirements as a case progresses through foster care.

Training: Within the first year following appointment, the applicant is expected to participate in the Parent Defender's Conference through IDS and the Office of Parent Representation and more thoroughly study the A/N/D and TPR Manual from the UNC School of Government (and available online through IDS and the Office of Parent Representation).

Continuing requirements: The attorney must complete at least three (3) hours of training every other year through an approved training provider.

III. Exemptions:

Attorneys Presently on the Parent Representation Appointment List: Any Attorney already on the Parent Representation List is exempted from the “prior to approval,” receiving mentorship, and DHHS orientation requirements, but must complete at least three (3) hours of training every other year.

Attorneys Formerly on the Parent Representation Appointment List: Any attorney who was formerly on the Parent Representation appointment list for more than one year is exempted from the "prior to approval," receiving mentorship, and DHHS orientation requirements, but must complete three (3) hours of training every other year.

- 4.04** Appointment of Guardian ad Litem for Parent in accordance with §7B-602 and N.C.G.S. §1A-I, Rule 17:
- (a) The Court shall appoint a Guardian ad Litem to any parent who is under the age of 18 years and who is not married or otherwise emancipated.
 - (b) Upon motion, the Court may appoint a Rule 17 Guardian ad Litem for a parent where the Court makes a determination that the parent is incompetent and cannot adequately act in their own interest; the Court must make specific findings of fact as to reasons for determining that the parent is incompetent.
- 4.05** At the first hearing, a respondent parent shall complete an affidavit of indigency. The court shall review the issue of counsel and confirm the appointment of counsel or dismiss the provisional counsel pursuant to N.C.G.S. §7B-602 or N.C.G.S. §7B-1101.1.
- 4.06** Any party, agency, or attorney who has reason to suspect that there may be a conflict issue in a case shall ensure that the concern is conveyed to the Court and all other parties not later than the next-scheduled setting of the case. If the potential conflict is discovered by a party or agency who is represented by counsel, this shall be conveyed through their attorney. This includes conflicts by an attorney or conflicts by an agency (e.g., conflict for DHHS if both a juvenile and their minor parent are in DHHS custody).
- 4.07** If an attorney has previously represented a parent, every effort shall be made to appoint the same attorney or Guardian ad Litem for a parent, unless circumstances are presented to the presiding judge justifying the appointment of a different attorney or Guardian ad Litem.
- 4.08** When appointing attorneys to represent parents, the clerk and court shall make every effort to follow the sequence in which the attorneys' names appear on the list. If the name of an attorney is passed over for a reason other than the attorney's unavailability or appointment in a different capacity in the same case, then the attorney's name shall be maintained on the list for the next appointment. If any attorney requests that another attorney be appointed

to represent a parent, the presiding judge may appoint new counsel in the interest of justice. If a provisional attorney communicates to the Clerk their unavailability for the initial setting of the case, then the Clerk's Office may skip their name and provisionally appoint the next name on the list without the matter being addressed to a Judge.

4.09 Appointment of a Conflict Attorney Advocate:

Where a parent has been represented by the Attorney Advocate when that parent was a juvenile in DHHS custody, there is a conflict. At the first hearing after the conflict becomes known, the Attorney Advocate must inform all parties and the Court of said conflict. Unless the conflict is waived in writing by the parent, a Conflict Attorney Advocate shall be appointed to represent the juvenile in the current proceeding. This conflict does not extend to the Guardian ad Litem program or their volunteer(s). The Guardian ad Litem Program shall maintain the list of Conflict Attorney Advocates, and every effort shall be made to follow the list in the sequence in which the Conflict Attorney Advocate's name appears.

RULE 5

RESPONSIBILITIES OF PARENT'S ATTORNEYS, GUARDIANS AD LITEM FOR RESPONDENT PARENTS, AND ATTORNEY ADVOCATE

5.01 Responsibilities of Parent's Attorney and Guardian ad Litem:

- (a) Be available for the initial hearing of a new appointment;
- (b) Attend all hearings and be present for the call of the calendar;
- (c) Assist the client with completing an affidavit of indigency at the first proceeding at which the client appears;
- (d) Stay in regular contact with the client;
- (e) Continue to stay in contact with DHHS and monitor case progress between court hearings;
- (f) Provide the parent or legal caretaker with a copy of all orders, especially adjudication, disposition, and permanency planning review hearing orders;
- (g) Be in court at the appointed time. If the attorney is delayed, contact the County Attorneys on the attorney's cases for the day by 8:30 a.m. the day of court to inform them of the delay, the cause for the delay, and how the attorney may be contacted;
- (h) Keep the County Attorneys informed of their location at all times, if the attorney is absent from the courtroom;
- (i) Comply with the General Rules of Practice for Superior and District Courts relating to priority, in particular Rule 3.1 Guidelines for resolving scheduling conflicts (attached, as an Appendix to these rules, for reference);
- (j) Report to the court when the needs of the parents are not being met;
- (k) Prepare or assist the parent with preparing any evidence or written reports that need to be submitted to the court for or by the parents;

- (l) Facilitate when appropriate the settlement of issues;
- (m) Offer evidence and examine witnesses at all hearings, as needed to promote the interests of their client;
- (n) Remain informed about current law;
- (o) Comply with the Regulations for Appointment of Counsel in the 24th Judicial District, under the Indigent Defense Services Act (i.e., District Appointment Plan).; and
- (p) Attend all Court proceedings, as well as any DHHS meetings at which the client requests their presence, or their presence is necessary to protect the rights and interests of the parent.

5.02 Responsibilities of Attorney Advocate are:

- (a) To assist the non-attorney Guardian ad Litem in carrying out duties as allowed by law pursuant to N.C.G.S. §7B-601; and
- (b) To separately represent the best interests of the juvenile and protect the legal interest of the juvenile in all actions.

5.03 Responsibilities of a Conflict Attorney Advocate:

- (a) The duties, powers, and responsibilities of the conflict Attorney Advocate shall be the same as for the regular Attorney Advocate (see Attorney Advocate's responsibilities).

5.04 Responsibilities of the Court Liaison - The Court Liaison is a Parent Attorney who serves on both the High Point and Greensboro Court Appointed Lists. This attorney is selected by the Lead DHHS Judge. Their responsibilities include:

- (a) Facilitate communication between the Parent attorneys and the various court entities.
- (b) The parent attorneys are to go to the Court Liaison with questions or concerns, and the Court Liaison shall discuss said concerns with the Lead Judge or other court agency/entity head.

RULE 6

INITIAL PETITION AND REQUEST FOR NONSECURE CUSTODY

6.01 A new petition that includes a request for Nonsecure Custody shall be filed during regular courthouse business hours, if reasonably feasible to do so. Upon the filing, the County Attorney associated with the case shall give notice to the judges currently assigned to the A/N/D/TPR rotation, to determine which judge is available to consider the nonsecure custody request. Once a judge is determined to be available, the County Attorney shall notify the Clerk's Office to task the proposed Nonsecure Custody Order to the available judge's individual task queue. That judge shall promptly review the petition and complete the order, granting or denying nonsecure custody, return it to the Clerk, and notify the County Attorney that it has been completed.

6.02 If a new petition and request for Nonsecure Custody needs to be presented after hours due to an emergency that cannot reasonably wait until the next business day, then the

petitioner may take the petition and related documents to the magistrate's office. The magistrate shall ensure that the petitioner has signed and been sworn or affirmed to the petition and related documents, then shall attempt after-hours telephone contact with a judge. The magistrates' office shall maintain a list of names and contact phone numbers for all judges currently assigned to the A/N/D/TPR rotation. The magistrate shall first attempt to contact the judge assigned to this court for the current week. If the magistrate is unable to reach the current assigned judge, then they shall attempt to reach any other judge on this rotation.

- (a) If the magistrate is able to reach one of the rotation judges, the magistrate or petitioning social worker shall provide a succinct telephone summary of the circumstances requiring emergency nonsecure custody. The judge may ask for any necessary clarifications or additional details, then shall clearly communicate to the magistrate whether or not the request for nonsecure custody should be granted. The magistrate shall sign the order with this decision, as "Person Receiving Telephonic Approval."
- (b) If the magistrate is unable to reach one of the rotation judges, then the magistrate shall review the petition and documents and shall make the decision on emergency nonsecure custody based on the authority delegated by the Chief District Court Judge, pursuant to NC Gen. Stat. sec. 7B-502(b) and related administrative order(s).

- 6.03** In the event a new petition and request for Nonsecure Custody needs to be filed during ordinary court business hours, and Odyssey / File and Serve / electronic filing is not functioning, then the Court grants permission in advance for paper filing under Rule 5(b)(5) of the General Rules of Practice.

RULE 7

COURT APPOINTED ATTORNEY; CONTINUATION OF REPRESENTATION

- 7.01** Once an attorney is appointed to represent a parent, the attorney has a duty to represent the client through all stages of the abuse, neglect, dependency, or termination of parental rights proceedings and will not be allowed to withdraw except for compelling reasons, or as otherwise provided by law.
- 7.02** The parent cannot choose their own court appointed attorney, and all appointments must comply with Rule 4 of these Local Rules. The court shall not replace a court appointed attorney with a different court appointed attorney at the request of a parent unless the Court determines there is a conflict.
- 7.03** At the time of filing of a TPR petition or motion, the following applies:
- (a) If the TPR is filed by petition and an attorney is currently appointed in the underlying A/N/D case, the same attorney shall be provisionally appointed for the TPR, and may be confirmed at the first setting of the TPR.
 - (b) If the TPR is filed by motion and an attorney is currently appointed in the underlying case, the same attorney shall be appointed for the TPR, and no confirmation of counsel is necessary.
 - (c) If an attorney is currently provisionally appointed in the underlying case,

the same attorney shall be provisionally appointed for the TPR.

- (d) If there is no attorney currently appointed in the underlying case, the attorney most recently appointed and released in the underlying case shall be provisionally appointed for the TPR. If that attorney is not currently on the list for appointment, then the next-available attorney from the list shall be provisionally appointed.
- (e) If an attorney is appointed and confirmed for the TPR at a time when there is no attorney appointed in the underlying A/N/D case, then the same attorney for the TPR shall be provisionally appointed for the underlying case.

7.04 When an attorney is appointed into a case, the Clerk's office shall ensure that a notice is sent to that attorney, not later than the following day. This is particularly important when an attorney is appointed in the courtroom (upon another attorney withdrawing, e.g.).

7.05 An attorney representing a parent shall be released at such time as further review hearings are waived, no longer scheduled, or for cause set forth by law or in these rules. An attorney has a duty to represent their client until released as attorney of record. The release of an attorney shall not be effective, and their access to the electronic file shall not be terminated, until the order releasing them has been signed and entered.

7.06 In the event a case is returned on appeal, all efforts will be made to reappoint the same court-appointed attorney. In a case where the parent was previously represented by a private attorney, a court-appointed attorney will not be appointed until the parent completes an affidavit of indigency.

7.07 An attorney that withdraws from a case shall provide a copy of their entire file to the newly appointed attorney, if there is one.

RULE 8

CALENDARING OF CASES

8.01 The schedule for calendaring cases shall be as follows:

1. Juvenile Court in High Point

- (a) Monday at 9:00 a.m.: TPRs, as well as contested A/N/D matters with the consent of the presiding judge, and post-termination and post-relinquishment reviews.
- (b) Thursday at 9:00 a.m.: A/N/D non-secure custody hearings, adjudications, dispositions, reviews, permanency planning reviews, motions, RIL hearings, and emancipations.
- (c) Thursday at 2:00 p.m.: Post-termination and post-relinquishment review hearings.

2. Juvenile Court in Greensboro

- (a) Tuesday at 9:00 a.m.: TPRs, as well as contested A/N/D matters with the consent of the presiding judge, and post-termination and post-relinquishment reviews.
 - (b) Wednesday and Friday at 9:00 a.m.: A/N/D non-secure custody hearings, adjudications, dispositions, reviews, and permanency planning reviews, motions, RIL hearings, and emancipations.
 - (c) Wednesday and Friday at 2:00 p.m.: Post-termination and post-relinquishment review hearings.
3. Juvenile A/N/D cases may be set on a day other than that specified above, if the presiding judge approves and the scheduling would promote the efficient disposition of cases (e.g., setting a permanency planning case on a TPR day that has a small number of cases, and that may allow the permanency planning to be heard instead of requiring a continuance). However, the cases designated above shall have priority on their specified days.

8.02 The courtroom clerk shall do the following:

- (a) Prepare a printed court calendar for the judge and have it available on the day of court;
- (b) Maintain a record of all upcoming court dates in the comprehensive court calendar;
- (c) Keep a copy of the comprehensive court calendar in the courtroom for reference;
- (d) Keep the minutes of the courtroom proceedings, which include, but are not limited to, keeping track of the next hearing date scheduled in open court, continuances, case closures, appointment and release of attorneys, appointment and release of Guardians ad Litem, judicial assignment, and other similar matters;
- (e) Have copies of any unserved petition and summons available to be served on the unserved parties and provided to their attorneys.

8.03 Distribution of Court Calendar:

- (a) The court calendar shall be set by the Juvenile Court judge presiding and, when necessary, by the juvenile court clerk's office.
- (b) A Preliminary Court Calendar for each court session shall be prepared for viewing by 4 p.m. the preceding day. Preliminary Court Calendars are to be digitally distributed by the clerk's office to each of the County Attorneys assigned to juvenile court, the DHHS Director and Children's Services program managers, the GAL program administrator, GAL supervisors, GAL attorney advocates, and any attorney representing a parent or other party designated on the calendar. In addition, each of the agencies or attorneys (or firm, in the case of more than one attorney in the same firm) may designate up to two staff members to receive the preliminary calendars. For purposes of this rule, High Point and Greensboro County Attorney and GAL offices are treated as separate offices. Each attorney or

agency shall ensure that their staff receiving these calendars or other juvenile court information understands fully and commits to maintain the confidentiality of the dockets and all information related to juvenile proceedings.

- (c) Individuals receiving the preliminary calendar are responsible for contacting the clerk immediately if there are corrections that need to be made to the preliminary calendar.
- (d) A final court calendar shall be electronically distributed to the presiding judge, DHHS Supervisors, County Attorneys, GAL supervisors, GAL Attorney Advocate, parent attorneys, and parent GAL's by 4pm the day before court.
- (e) Court calendars shall never be provided to the juveniles, parents, or other parties.

8.04 Cases to be calendared at all times:

Each abuse, neglect, dependency, and termination of parental rights case shall be maintained on the court calendar at all times for as long as juvenile court jurisdiction in the case continues unless the court orders that no further reviews are required. If a case cannot be reached for hearing due to other scheduled matters, no person involved in the case shall leave the courtroom prior to the case being re-calendared. This will serve as notice of any future hearing dates set.

8.05 In the event of a weather, natural disaster, or administrative closure of court, if other courtrooms are open and only juvenile A/N/D court is affected by the closure, then the county attorney shall ask the District Court Manager to make an A/N/D judge available to come into court briefly to address rescheduling of cases for the day. If the closure is of all courts, or if no A/N/D judge is available for that purpose, then the Clerk shall promptly circulate an email to all attorneys suggesting date(s) to set all the cases on the assigned judge's next court date. If any attorney has a conflict or preference for a different date, they shall communicate with the other attorneys for that case and attempt to reach a mutually-agreeable date. If they agree on a different date, then they shall notify the Clerk and the attorney who requested the revised date shall prepare the continuance/rescheduling order. If no mutually agreed date is reached by the attorneys, then the date proposed by the Clerk shall be the date for the case and the County shall prepare the necessary continuance orders.

8.06 Courtroom Management:

- (a) The County Attorneys are responsible for managing the order cases are called, subject to the approval of the presiding judge.
- (b) Cases that should be given priority should include (not in any specific order):
 - Cases recommended for Reunification, Age Out, or other orders that terminate the jurisdiction of the Court.
 - Adjudications
 - Incarcerated Parents transported to court on a writ
 - Juveniles present
 - Interpreter necessary and present
 - Non-secure Custody Hearings

- Cases designated in advance by the court as “priority” matters
 - Other cases that will maximize courtroom efficiency and promote the welfare of the affected children.
- (c) The above priorities are considered alongside all other issues presented and do not override other important considerations that may affect the order in which cases are heard, including but not limited to the time since the last completed hearing.
- (d) The County Attorneys in court shall announce a tentative projected case order after docket call. If the County Attorneys know that any particular case is expected to take an extended length of time, they should make reasonable efforts to notify the other attorneys ahead of time as much as possible. Parent attorneys who need to go to other courtroom(s) shall communicate effectively to County Attorneys, to ensure their timely availability when needed.
- 8.07 Procedure for Producing Incarcerated Parent:**
- (a) In order for a parent incarcerated in the Guilford County jail to be produced at a Court hearing, the Bailiffs office shall be contacted by 4:00 p.m. the day before Court or as soon as possible on the court date (if not known before) by:
1. The county attorney, when the incarcerated parent is unrepresented or in cases of the initial non-secure custody hearing;
 2. The parent's attorney, for all other circumstances.
- (b) If an incarcerated parent is in the Department of Corrections, the parent's attorney shall determine whether their client wishes to be present in court and, if so, arrange for the writ.

RULE 9

JUVENILES’ ATTENDANCE IN COURT

- 9.01** Any juvenile in the custody of DHHS may attend the hearing of their case, but is not required to be present for the hearing.
- 9.02** Any party requesting to have the juvenile present at any court proceeding shall notify in writing the Social Worker, Social Work Supervisor, and all attorneys or unrepresented parties on the case at least seven (7) calendar days in advance of the hearing. If no agreement can be reached as to the juvenile's presence, the party requesting the juvenile's appearance shall cause a subpoena to be issued and served upon the Director or Assistant Director of DHHS (except that the County Attorneys do not need to subpoena the Department). The juvenile shall be able to participate by WebEx if it can be arranged and the parties/attorneys are in agreement with the juvenile participating by WebEx.
- 9.03** Cases in which the juvenile is present under subpoena should be given priority. If the juvenile is in the courthouse at the beginning of the day, the juvenile's case should be heard as quickly as possible.

- 9.04** In order to ensure that the juvenile does not have to wait a long time for the juvenile's case to be heard, when any party becomes aware that the juvenile wants to be present for the court hearing the party shall inform all the other parties in order to determine approximately what time would be best to conduct the hearing. Any agreement upon the time should be shared with the Court during calendar call.
- 9.05** The DHHS social worker and the GAL shall ensure that all parties are informed when the juvenile is in the courthouse.
- 9.06** The juvenile shall only be present in the courtroom for their own hearing, and not for the cases of other juveniles.

RULE 10 HEARINGS

- 10.01** At the initial Non-secure Custody Hearing, DHHS shall file a Reasonable Efforts Report, and DHHS shall provide the parent attorney with all contact information for their client, including relative contacts. DHHS has a continuing duty to keep the parent attorney informed of any known changes to their client's contact information.
- 10.02** The pre-adjudication hearing may be combined with a non-secure custody hearing or may be heard the same day as adjudication.
- 10.03** The court, in its discretion, may order any local agency where a juvenile is placed to have a representative present at any hearing.
- 10.04** All parties shall be prepared to address issues relating to reasonable efforts and any other issue that would aid the court in making decisions in the best interest of the juvenile.
- 10.05** Parties may prepare a proposed order for the court to consider as the order to be entered in the case for any hearing. Such order must be shared in advance with all other attorneys or unrepresented parties before submission to the judge.
- 10.06** The date, time, and place of future hearings shall be stated in open court by the presiding judge. The next court date for any hearing shall be noted in the order, and no one present will be entitled to any further notice of that hearing. The clerk shall notify any person not present but who is entitled to notice of the next scheduled hearing. The Department shall ensure that the clerk has contact information for such persons, especially foster parents and children entitled to notice.
- 10.07** Any reports, documents, or other papers that are admitted into evidence shall be maintained by the Clerk's office as an admitted exhibit, and also uploaded into the eCourts digital court file for ease of future review. It shall not be

necessary for the judge in court to specifically order this.

RULE 11
VIDEOCONFERENCING FOR COURT
(“Virtual Court”)

- 11.01** Videoconferencing technology promotes and eases access to the courts for the parents and families affected by A/N/D/TPR court. It provides opportunities to attend for juveniles whose placement makes in-person attendance impossible or burdensome. It eases the scheduling obstacles for GAL volunteers, social workers, and other witnesses. For all these reasons, this court shall include the opportunity to connect and participate via videoconferencing for each court session.
- 11.02** As of the adoption of these revised rules, the Administrative Office of the Courts approved WebEx as the only platform for use in court sessions. For simplicity’s sake, these rules shall refer to WebEx. However, notwithstanding the usage in these rules, the approved platform for A/N/D/TPR court shall be whatever platform is approved by the AOC at the time of the court session.
- 11.03** All participants connecting to participate via WebEx shall be required to follow the following rules:
- (a) Do not record or screenshot the WebEx session, or any portion of it. Do not livestream, broadcast, or share the WebEx session in any form.
 - (b) Ensure they are in a location that is appropriate to ensure the proceedings are kept confidential. They should NOT be in a public area or any place where the audio/video might be seen or heard by anyone not directly involved with the case(s).
 - (c) Do not attempt to connect or participate while driving or from any moving vehicle.
 - (d) Ensure that they are connecting through a strong and stable internet connection. Wired connections (rather than wireless) are preferred, if available.
 - (e) Even though they are on video, participants shall treat this as they would an in-person court appearance, including ensuring that they are appropriately dressed.
 - (f) Stay muted at all times, unless they are recognized to speak/share in the court proceedings.
 - (g) If they expect to testify as a witness, the participant shall make sure that they have a functioning camera and are set up in a way that everyone will be able to see their video in the meeting when they testify.
 - (h) Individual judges may have additional expectations, and participants must take care to follow all directives of the presiding judge.
- 11.04** The above WebEx requirements shall be circulated as part of the WebEx invitation. Any attorney with a client or witness participating via WebEx

shall ensure they are informed of these rules. Failure to follow these rules may result in the participant being ejected from the WebEx session, being excluded from future participation through WebEx, or receiving other possible sanctions from the Court.

- 11.05** Any attorney or unrepresented party who expects to call a witness to testify via WebEx shall give at least five days advance notice to the other attorneys and parties to the case. The other attorneys and parties shall promptly inform the party calling the witness whether they have any objection to remote testimony by the witness. If they are unable to reach agreement, the issue shall be presented to the judge scheduled to preside at the hearing, prior to the start of the hearing for which remote testimony is requested.
- 11.06** Attorneys and parties to the case are expected to attend court in-person, rather than by WebEx, unless there is good cause why they cannot or should not attend in person. This may include factors such as distance from court, illness, etc.
- 11.07** The WebEx link shall be shared to respondents/parents by the respondent/parent's attorney. Social Workers and representatives of the department shall not share the link to the parent/respondent, unless the party's attorney has been informed and agrees.
- 11.08** For any party who has not been personally served with the summons and petition in their case, attending court via WebEx shall constitute making a general appearance before the court, and submitting to the personal jurisdiction of the Court without personal service.

RULE 12 PLACEMENT AND VISITATION

- 12.01** Prior to a change of placement for any juvenile, the Department shall give advance notice to all parties and attorneys and shall schedule a Team-Decision Making (TDM) meeting, except in cases of an emergency placement change. If all parties are unable to attend such a meeting, the meeting may go forward in their absence.
 - a. If an emergency change in placement occurs, written notice to all parties shall be completed and provided to the parties within 3 business days, and notice of a post-TDM decision shall be included in this notice.
 - b. When a planned change in placement is being considered, written notice to all parties shall be completed and provided to the parties at the earliest time before the planned change in placement, but not less than 14 calendar days before the planned change in placement. If a potential placement is only available for a period less than 14 days, then this should be considered as an emergency change.

- 12.02** For any issue that needs an urgent hearing and should not wait until the next court session for the judge assigned to the case, then the need for an emergency hearing should be communicated to the Trial Court Manager for District Court (including all attorneys and unrepresented parties in the communication), who shall work with the judges to enable prompt scheduling of the emergency hearing.
- 12.03** For any issue that needs an out-of-court conference or clarification with the judge, the attorneys (and unrepresented parties, if any) shall conference among themselves to agree how to communicate the need to the necessary judge. If they are unable to agree upon this, then the matter shall be set to address in court and on the record.

RULE 13
REASONABLE EFFORTS REPORTS
AND COURT REPORTS

- 13.01** DHHS shall provide an updated Reasonable Efforts report at every non-secure custody hearing. The social worker shall provide the report to the assigned County attorney not later than the 9:00am start of court, and the county attorney shall distribute to the other attorneys on the case by the end of the morning calendar call.
- 13.02** At the disposition hearing and all subsequent review hearings, DHHS shall provide a written court report to all unrepresented parties, attorneys, and the Guardian Ad Litem Program not later than the final business day of the preceding week.
- 13.03** At the disposition hearing and all subsequent review hearings, if the Guardian ad Litem has an assigned volunteer who is expected to testify, then they shall provide a written court report to all unrepresented parties and attorneys, not later than the final business day of the preceding week.
- 13.04** The lack of an advance court report may be one factor considered by the judge in ruling on any request for continuance, but shall not automatically require continuance of a case, if there are issues that are ready and able to be addressed. Whether or not to continue a case remains in the discretion of the presiding judge.
- 13.05** If there is a protective order in place or a concern for safety then, upon request or motion, the contact information for a parent, juvenile, or caregiver shall remain confidential and shall be redacted throughout the entire court file, including but not limited to court reports and attachments.

RULE 14
PREPARATION AND DISTRIBUTION OF ORDERS

- 14.01** Unless the court directs otherwise, for every hearing, the DHHS attorney shall prepare a written draft order reflecting findings of fact, conclusions of law, and decretal provisions, that shall be submitted to the court pursuant to statute.
- 14.02** The DHHS attorney shall provide the draft order to unrepresented parties and counsel for all parties for comment prior to submitting it to the court. All shall respond with comments or objections within five (5) business days of the receipt of the order. Any disagreements over the terms of the order which cannot be resolved shall be addressed to the court.
- 14.03** Each order shall state the date and time of the next scheduled hearing and the type of hearing to be held.
- 14.04** Once any objections or revisions from the other parties have been resolved, the drafting attorney shall ensure the proposed order is uploaded into the electronic filing system (Odyssey), for the Clerk to send to the appropriate judge as a Task. Continuance orders, Nonsecure Custody orders, and fee applications may be uploaded as pdfs; all other orders shall include a MS Word file, for purposes of any necessary edits.
- 14.05** Once the order has been signed and filed, copies shall be distributed to counsel for all parties, the GAL, and unrepresented parties with an attached certificate of service.
- 14.06** DHHS shall provide a copy of every order to any foster parent or agency in whose care the juvenile is residing, if allowed by law.

RULE 15
CIVIL CHILD-CUSTODY ORDERS,
PURSUANT TO NC GEN. STAT. §7B-911

- 15.01** The attorney whose client is granted primary custody shall prepare the N.C.G.S §7B-911 order. The county attorney will prepare the order if custody is granted to an unrepresented party.
- 15.02** The attorney shall provide the proposed order to unrepresented parties and counsel for all parties for comment prior to submitting it to the Court. All shall respond with comments or objections within five (5) days of the receipt of the order. Any disagreements over the terms of the order which cannot be resolved shall be addressed to the court.
- 15.03** The order shall be in writing, signed, and entered no later than 30 days

from the entry of the DHHS Order terminating the Court's jurisdiction in the juvenile proceeding.

- 15.04** The Clerk shall waive all filing fees for orders under §7B-911 and shall assign a civil case file number at the time the civil custody order is submitted for filing.
- 15.05** The signed N.C.G.S §7B-911 order shall be distributed to all the parties and attorneys by the drafting attorney, and accompanied by a Certificate of Service, within one week of being properly entered.
- 15.06** Civil custody matters resulting from N.C.G.S §7B-911 orders are exempt from custody mediation and should be designated as exempt in the Clerk of Superior Court digital filing system.

RULE 16 CONTINUANCES

- 16.01** Motions for continuances shall be presented or submitted in writing to the assigned judge at least five (5) calendar days in advance of the scheduled hearing date. The motion shall state reasons for the continuance and whether all other counsel involved in the case consent or object to the extension or continuance.
- 16.02** In extraordinary circumstances where time does not permit the filing of a motion five days prior to the hearing, the court may consider a verbal motion for continuance on the assigned court date. An order granting said motion must be in writing.
- 16.03** The moving party shall submit a proposed order allowing the motion which shall provide for a new hearing date and time and state clearly the reasons for the continuance.
- 16.04** The attorney drafting an order shall distribute copies of the draft order to counsel for all parties, the GAL, and any unrepresented party for requested revisions, prior to submission to the Court.

RULE 17 DISCOVERY

- 17.01** Except as protected by privilege, all parties shall disclose all relevant information, records, reports, and materials related to the pending action to all other parties. DHHS shall allow party counsel to have access to DHHS records for examination. Any use of information received by a party counsel under these rules must comply with confidentiality restrictions appropriate to the nature of the particular document(s). Records may be provided digitally, if voluminous.

- 17.02** Upon a written motion of a party and a finding of good cause, the court may at any time order that discovery be denied, restricted, or deferred.
- 17.03** A party seeking to deny, restrict, or defer discovery may submit supporting affidavits or statements to the court for in camera inspection or a court hearing.
- 17.04** At any time, including at the initial non-secure custody hearing, a party may execute and provide to DHHS and GAL a release of information allowing the release of confidential and non-confidential information in the possession or under the control of an agency. The release shall include the right to provide copies of protected documents contained in the DHHS file to counsel for that party, or other party counsel, and GAL.
- 17.05** Release of confidential information forms for mental health evaluations, treatment records and substance abuse evaluations, or other treatment records shall be available in the courtroom at each hearing. If a respondent consents to and signs such a release prior to court, DHHS may accept such a release.
- 17.06** If a party respondent is unavailable or unwilling to sign such a release, counsel for a party making such a request may file a motion to require production of such protected documents.
- 17.07** All parties are under an affirmative duty to provide any and all exculpatory evidence in that party's possession at the time of the hearing and is not protected by privilege, state or federal law, as it may relate to the allegations in the petition.
- 17.08** Any party, including the juvenile, may file a motion to compel discovery of specific information or materials. The motion shall be heard at the next court date of the judge assigned to hear the case.
- 17.09** All means of discovery permitted by the Rules of Civil Procedure shall be available.
- 17.10** The Guardian ad Litem Attorney Advocate, conflict Guardian ad Litem Attorney Advocate, DHHS attorney, counsel for all parents, any unrepresented party, and the Guardian ad Litem for a parent shall have access to any records subpoenaed (e.g., audio/video recordings, medical records, etc.), evaluations, or other such documents of another respondent.
- 17.11** Attorneys and parties shall make a good faith effort to have sufficient copies of all exhibits, reports, or other documents that may be introduced at a hearing, available for distribution to each party prior to the scheduled court hearing. All attorneys and parties shall make a good faith attempt to share exhibits with all parties for their review prior to the hearing.

RULE 18
FILING TERMINATION OF PARENTAL RIGHTS
PETITIONS AND MOTIONS

- 18.01** The party filing the petition/motion to terminate parental rights shall, at the time of filing, obtain from the clerk a date within 10 days to schedule the preliminary hearing for any unknown parent and a date within 45 days to schedule the pre-trial and adjudicatory hearing.
- 18.02** At the pretrial hearing, the Court shall consider the issues contained in NC Gen. Stat. § 7B-1108.1, as well as any other pretrial issues raised.
- 18.03** The court may set subsequent pretrial/adjudication hearing date(s), to promote that the pending petition should be heard within the 90-day statutory time.
- 18.04** Parents are expected to attend all hearings, except if parents have had continued communication with their attorney and all parties agree prior to the court date that the matter is unable to proceed on the scheduled day.
- 18.05** Once a contested TPR begins, the court shall attempt to hear the matter on consecutive court days until the hearing is completed. The contested TPR has priority over all other scheduled cases, except non-secure custody hearings and cases where the children are being returned to their parents. In order to proceed on consecutive days, the cases may have to be heard in Greensboro and High Point.
- 18.06** All parties shall be prepared to hear the petition/motion at the designated day and time.

RULE 19
CASE ASSIGNMENT AND CASE MANAGEMENT

- 19.01** The first hearing of any juvenile action shall be scheduled by the clerk of court in compliance with statutes and these local rules.
- 19.02** The subsequent hearings of any juvenile action shall be scheduled by the juvenile court judge presiding or, when necessary, by the juvenile court clerk's office.
- 19.03** The presiding judge shall reschedule all cases "not reached" or continued, and the juvenile clerk shall record the rescheduled date.
- 19.04** All juvenile actions shall be assigned or scheduled before a presiding juvenile court judge as follows:
- a. The judge who presides over the Adjudication of a case becomes the assigned judge for the family.
 - b. One family one judge expectation:

1. When a petition or motion is filed in a juvenile action and the family or juvenile was previously assigned to a judge, that judge will continue as their assigned juvenile court judge.
 2. When a family has subsequent children, the new juvenile action shall be assigned to the presiding judge on the sibling's action as soon as practicable.
 - c. Termination of Parental Rights Hearings shall be scheduled to be heard by a different judge than the judge that heard the underlying A/N/D case or, only upon agreement of all parties, before the judge assigned to the underlying case.
 - d. The judge who rules on a TPR becomes the assigned judge for the family for all future hearings in the TPR and the underlying case.
 - e. Efforts should be made not to schedule visiting judges in juvenile A/N/D/TPR court unless the visiting judge has substantial experience presiding in juvenile abuse, neglect, dependency, and termination of parental rights court.
 - f. For urgent issues, the case shall be held before a judge as directed in Rule 12.03 (above).
- 19.05** A judge, in consultation with the Chief District Court Judge and the District Court Manager, can schedule a special setting with the consent of all parties if it is not reasonable for a case to be scheduled on a regular A/N/D court date.

RULE 20

SANCTION FOR VIOLATIONS OF LOCAL RULES

- 20.01** If the court finds that there has been a willful or a repeated neglectful failure of any party to comply with any provisions of these local rules, that party is subject to sanctions in the discretion of the presiding judge. Such sanctions may include, but are not limited to, an award of attorney's fees, fines, exclusions of reports, striking of pleadings, or any other sanction allowed by law.

These Local Rules are subject to amendment or modification as experience dictates and requires.

THESE RULES ARE EFFECTIVE MAY 27, 2025, AND SUPERSEDE ALL PREVIOUS JUVENILE A/N/D/TPR LOCAL RULES IN THE DISTRICT COURT OF THE 24th JUDICIAL DISTRICT.