

**COVID19 PROTOCOL FOR Juvenile Abuse, Neglect, and Dependency Court
(GSO & HPT) in JUNE 2020**

1. The Court plans to continue having remote WebEx hearings when appropriate and/or necessary. Parties requesting WebEx remote hearings should make their requests at least one day prior to the scheduled hearing date so that the presiding judge and clerk can ensure an invitation is sent to all parties.
2. **Non Secured Custody** hearings will continue to be heard and have priority over all other matters. Parties in non-secured custody matters should report to court at 9:00 am to be given the order of the calling of cases related to non-secured custody hearings.
3. Beginning June 1, 2020 and until further directives are given, the Court will allow **Pre-Adjudications and Adjudications** in person or via WebEx remote hearings. The Court will consider objections or requests for continuances for these matters for good cause shown or extraordinary circumstances.
4. Beginning June 1, 2020 and until further directives are given, the Court will hear matters for Pre-Adjudication and Adjudication based upon the age of the case (older matters will be given priority and called first after non-secured custody matters).
5. **Dispositions** will be continued for at least 30 days after Adjudication to allow the GAL program and all other parties to be fully prepared for Disposition hearings until further directives are given by the Court.
6. **Consent Orders:**
 - a. Whenever possible, all parties are encouraged to enter consent orders regarding changes in visitation. If the parties reach a consent, the agreement should be reduced to writing and presented to the judge for entry on a consent order that complies with the procedures set forth in G.S. 7B-801(b1). To comply with G.S. 7B-905.1(b), when DHHS temporarily suspends all or part of a visitation plan, DHHS must file a motion. In cases where there is disagreement about changes to visitation, respondent counsel or the juvenile's GAL should file a responsive pleading delineating the reasons for the objection; **These matters shall be heard by the assigned judge on the limited basis of resolving any issues related to objections after all Pre-Adjudication and Adjudication hearings that are scheduled for the day.**
 - b. The Court will allow and sign consent orders related to "reasonable efforts" on cases that are out of statutory compliance since the last hearing so that DHHS can continue to claim title IV-E funds for the juvenile(s);
 - c. The use of consent orders to the extent possible is encouraged by the Court during this time. Parties should refer to Chapter 6.5 of the UNC School of Government publication

“Abuse, Neglect, Dependency and Termination of Parental Rights” by Sara DePasquale for ensuring consent orders are done correctly. The entire publication is available on the Juvenile Court Improvement Program (CIP) section of nccourts.gov and the School of Government website for free. Please remember that all parties must consent to the order and/or be represented by counsel who has authority to enter into a consent order. The parties cannot enter into consent orders for dependency only cases where the GAL program or a GAL attorney advocate is not appointed;

7. **Aging Out - 18 Years Old**: G.S. 7B-912(b) requires a court to make findings at least 90 days before a juvenile attains 18 years of age that the juvenile will not age out of foster care without copies of necessary documents, ie. birth certificate, social security card, as jurisdiction in the A/N/D action automatically terminates upon the juvenile’s 18th birthday under G.S. 7B-201(a). **These matters shall be brought to the assigned judge’s attention prior to the session of court and resolved in court at the conclusion of any Pre-Adjudication and Adjudication hearings that are scheduled for the day.**
8. No **Termination of Parental Rights** pre-trial or trial hearings will be heard during the June 2020 Session.
9. Parties will be allowed into the courtroom for their individual case(s) one case at a time.
10. The Court will notify you (via the clerk) regarding the court’s status, as well your case status, before the lunch break. The Court will continue any scheduled and unresolved matters to the next available term of court.
11. The Court requests attorneys and litigants to wear a face-covering/mask when in the courtroom. In addition, the court request all attorneys and litigants to practice social distancing while in the courthouse.