

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILED 22 R 30

2022 JAN 10 P 2:42

MECKLENBURG CO., C.S.C.

In Re: Amendment to the Local Rules)
and Procedures for Juvenile Abuse,)
Neglect, and Dependency Cases in)
the 26th Judicial District, District/)
Family Court Division Regarding)
Permanency Planning Hearings)

ADMINISTRATIVE ORDER

N.C.G.S. §7B-906.1, as amended by Session Law 2021-132, requires the court conduct a review or permanency planning hearing within 90 days from the date of the initial dispositional hearing held pursuant to G.S. 7B-901. If custody has not been removed from a parent, guardian, caretaker, or custodian, the hearing shall be designated as a review hearing. If custody has been removed from a parent, guardian, or custodian, the hearings are required to be designated as permanency planning hearings. Rule 20 of The Local Rules and Procedures for Juvenile Abuse, Neglect, and Dependency Cases regarding permanency planning hearings is amended to comply with the requirements of amended N.C.G.S. §7B-906.1 and reads as rewritten:

Rule 20. Permanency Planning Hearing

a. There shall be a permanency planning hearing for all juveniles placed outside the custody of their parent, guardian, caretaker, or custodians within 90 days from the date of the initial dispositional hearing held pursuant to G.S. §7B-901. Permanency planning hearings shall be held at least every six months thereafter or earlier as set by the court to review the progress made in finalizing the permanent plan for the juvenile or, if necessary, to make a new permanent plan for the juvenile. After the initial permanency planning hearing, the subsequent hearings will be titled Permanency Planning Hearing #2, Permanency Planning Hearing #3, and so forth.

b. Initial Permanency Planning Hearings.

1. All reasonable efforts reports, court summaries and reports prepared by YFS, the GAL, or on behalf of a parent shall be provided to the judge and counsel for all parties at least fourteen (14) days prior to the first scheduled permanency planning hearing. The reports shall be provided by U.S. Postal Service, by depositing said reports in the official box for YFS, the GAL, and any attorney representing a parent, guardian, or custodian in the Juvenile Clerk's Office at the Mecklenburg County Courthouse, or by email. YFS and the GAL will also upload their reports to OneDrive and send the link to the presiding judge and counsel for all parties at least seven (7) days prior to the hearing.

2. If the court summaries or reports are objected to, then the objecting party may issue subpoenas and may provide an alternative report by depositing said reports in the official box for YFS, the GAL, and any attorney representing a parent, guardian, or custodian in the Juvenile Clerk's Office at the Mecklenburg County Courthouse, or by email at least seven (7) working days prior to the permanency planning hearing.

c. Subsequent Permanency Planning Hearings.

1. For subsequent permanency planning hearings scheduled less than six months from the date of the last hearing (i.e., Permanency Planning Hearing #2, and so forth), all reasonable efforts reports, and court summaries prepared by YFS, the GAL, or on behalf of a parent shall be file-stamped and provided to the judge and counsel for all parties at least five (5) working days prior to the hearing. The reports shall be provided by U.S. Postal Service, by depositing said reports in the official box for YFS, GAL, and/or any attorney representing a parent, guardian, or custodian in the Juvenile Clerk's Office at the Mecklenburg County Courthouse, or by email. YFS and the GAL will also upload the reports to OneDrive and send the link to the presiding judge and counsel for all parties at least three (3) days prior to the hearing.

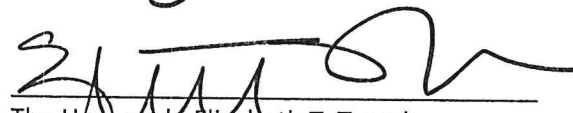
2. For subsequent permanency planning hearings scheduled six months from the date of the last hearing, reasonable efforts reports, court summaries and reports prepared YFS, the GAL, or on behalf of a parent shall be provided to the judge and counsel for all parties at least fourteen (14) days prior to the subsequent scheduled permanency planning hearing. The reports shall be provided by U.S. Postal Service, by depositing said reports in the official box for YFS, GAL, and/or any attorney representing a parent, guardian, or custodian in the Juvenile Clerk's Office at the Mecklenburg County Courthouse, or by email. YFS and the GAL will also upload the reports to OneDrive and send the link to the presiding judge and counsel for all parties at least seven (7) days prior to the hearing.

d. Contents of Reports for Permanency Planning Hearings. Additionally, the court shall determine at the permanency planning hearing whether the plan is to proceed toward:

- i. Reunification.
- ii. Adoption.
- iii. Guardianship or custody with a relative or some other suitable person.
- iv. Other Planned Permanent Living Arrangement ("OPPLA")/Another Planning Permanent Living Arrangement ("APPLA"); or
- v. Reinstatement of parental rights

If the court determines that none of these alternatives is in the juvenile's best interest, then it may authorize an alternative plan for a specified period.

Entered and effective, this the 10th day of January, 2022.


The Honorable Elizabeth T. Trosch
Chief District Court Judge