

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 459  
HOUSE BILL 1183

AN ACT TO AMEND CHAPTER 7A, ARTICLES 42 AND 52, TO PROVIDE FOR COURT REVIEW OF THE VOLUNTARY PLACEMENT OF A JUVENILE IN FOSTER CARE PURSUANT TO AN AGREEMENT BETWEEN THE JUVENILE'S PARENTS OR GUARDIAN AND THE DIRECTOR OF SOCIAL SERVICES.

The General Assembly of North Carolina enacts:

Section 1. Article 52 of Chapter 7A of the General Statutes is amended by adding a new section thereto, as follows:

**"§ 7A-661. Review of voluntary foster care placements.**—(a) The court shall review the placement of any juvenile in foster care made pursuant to a voluntary agreement between the juvenile's parents or guardian and a county department of social services and shall make findings from evidence presented at a review hearing with regard to:

- (1) The voluntariness of the placement;
- (2) The appropriateness of the placement;
- (3) Whether the placement is in the best interests of the juvenile; and
- (4) The services that have been or should be provided to the parents, guardian, foster parents, and juvenile, as the case may be, either (i) to improve the placement or (ii) to eliminate the need for the placement.

(b) The court may approve the continued placement of the juvenile in foster care on a voluntary agreement basis, disapprove the continuation of the voluntary placement, or direct the department of social services to petition the court for legal custody if the placement is to continue.

(c) An initial review hearing shall be held not more than 180 days after the juvenile's placement and shall be calendared by the clerk for hearing within such period upon timely request by the director of social services. Additional review hearings shall be held at such times as the court shall deem appropriate and shall direct, either upon its own motion or upon written request of the parents, guardian, foster parents or director of social services.

(d) The clerk shall give at least 15 days advance written notice of the initial and subsequent review hearings to the parents or guardian of the juvenile, to the juvenile if 12 or more years of age, to the director of social services, and to any other persons whom the court may specify."

Sec. 2. G.S. 7A-523(a) is amended by changing the period at the end of subdivision (5) to a semicolon and by adding a new subdivision (6) at the end thereof, as follows:

"(6) Proceedings to review the placement of a juvenile in foster care pursuant to an agreement between the juvenile's parents or guardian and a county department of social services."

Sec. 3. This act is effective October 1, 1985.

In the General Assembly read three times and ratified, this the 24th day of June, 1985.