

Handouts for the Recorded Webinar

December 2022

**Drafting Abuse, Neglect, or Dependency Petitions
with and without Requests for Nonsecure Custody**

Presenters

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Produced by

Family and Children's Resource Program, part of the
UNC-Chapel Hill School of Social Work

Sponsored by


NC Dept of Health and Human Services, NC Division of Social Services, Child Welfare

Recording: if you want to view the webinar again, go to: <https://ncswlearn.org/> ("Watch Recorded Webinars")

Helpful Links/Resources Referred to in the Webinar

NC Judicial Branch, Administrative Office of the Courts forms:

- **General Forms Website** <https://www.nccourts.gov/documents/forms>
- **AOC-J-130** <https://www.nccourts.gov/documents/forms/juvenile-petition-abuseneglectdependency>
- **AOC-CV-609** <https://www.nccourts.gov/documents/forms/affidavit-as-to-status-of-minor-child>
- **AOC-G-250** <https://www.nccourts.gov/documents/forms/servicemembers-civil-relief-act-declaration>
- **AOC-J-142** <https://www.nccourts.gov/documents/forms/juvenile-summons-and-notice-of-hearing-abuseneglectdependency>
- **AOC-J-150** <https://www.nccourts.gov/documents/forms/order-for-nonsecure-custody-abuseneglectdependency>



NC Department of Health and Human Services
Drafting A/N/D Petitions
with and without Requests for Nonsecure Custody
DECEMBER 2022

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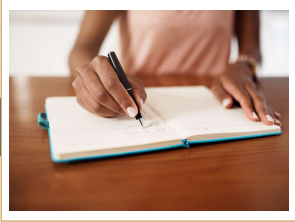
Objectives

- Learn how to properly draft a petition
- Know how and why to file a petition
- Identify when nonsecure custody is needed and when necessary, learn how to properly request it



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Necessary Materials

Pen and Paper

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Necessary Forms


Petition (or your county DSS form petition)	AOC-J-130
Affidavit as to Status of Minor Child	AOC-CV-609
SCRA Declaration	AOC-G-250
Summons	AOC-J-142
Order for Nonsecure Custody	AOC-J-150

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Purpose of Petition

- Starts the court case
- Names the parties
- Notice to all the parties
- Identifies what will be addressed in court (limiting)




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Why Is the Petition Important?

- The court cannot act without a petition or before a petition is filed.
- The filed petition gives the court "subject matter jurisdiction".



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Why Is the Petition Important?

Purpose of Juvenile Code:

- Provide procedures that ensure fairness and equity and protect parents' and children's constitutional rights
- Notice – what is this court case all about?
- Respondent will have an opportunity to be heard on what has been alleged

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Exercise

Take Out Your Pen and Paper

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Download and Review the Petition Form

STATE OF NORTH CAROLINA		File No.
County		In The General Court Of Justice District Court Division
IN THE MATTER OF		
Name And Address Of Juvenile		JUVENILE PETITION (ABUSE/NEGLECT/DEPENDENCY)
Juvenile's Date Of Birth	Age	
Name Of Petitioner		G.S. 7B-101, -400, -402 Condition Alleged <input type="checkbox"/> Abused <input type="checkbox"/> Neglected <input type="checkbox"/> Dependent

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Case Scenario

Law enforcement has responded to a domestic violence call.

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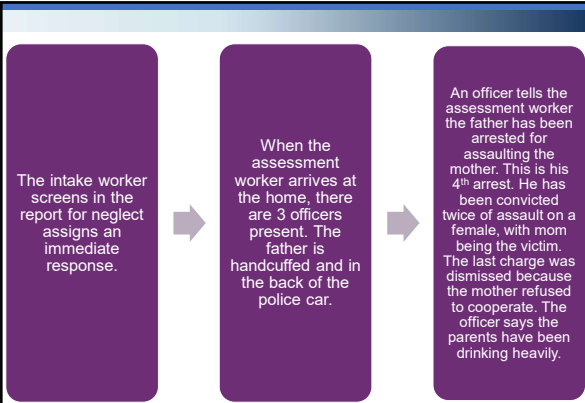
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- Officer reports to DSS there was a domestic violence incident
- Mother and father are present and so are their young children
- The father is facing arrest
- Mother is unable to care for the children

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The intake worker screens in the report for neglect assigns an immediate response.

When the assessment worker arrives at the home, there are 3 officers present. The father is handcuffed and in the back of the police car.

An officer tells the assessment worker the father has been arrested for assaulting the mother. This is his 4th arrest. He has been convicted twice of assault on a female, with mom being the victim. The last charge was dismissed because the mother refused to cooperate. The officer says the parents have been drinking heavily.

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Entering the Home



- Social worker enters the home
- Mother is in the living room holding an infant and a beer, both are crying
- Another officer is with mother
- Her words are slurred. She appears to have a bruise and cut over her eye.
- Furniture is upended, empty beer and liquor bottles, and broken glass are in the living room

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Kitchen

- Social worker goes to the kitchen where there is another officer
- There are numerous dirty dishes and empty liquor bottles on the counters
- A child is hiding under a cabinet where the officer is trying to encourage him to come out.




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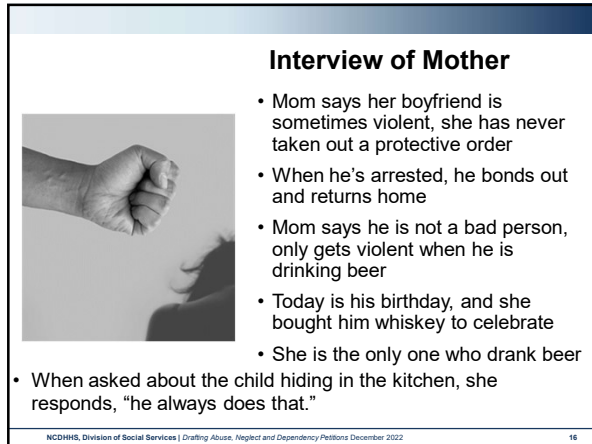
The Hiding Child

- Social worker and the officer attempt to speak with the child
- Child says he hides in the kitchen cabinet whenever mom and dad "yell and throw stuff at each other"
- Social worker notes a bruise on the side of the boy's face
- He appears to have been crying
- She asks him about the bruise, he sniffs, wipes his eyes, and states, "I want my teddy bear"



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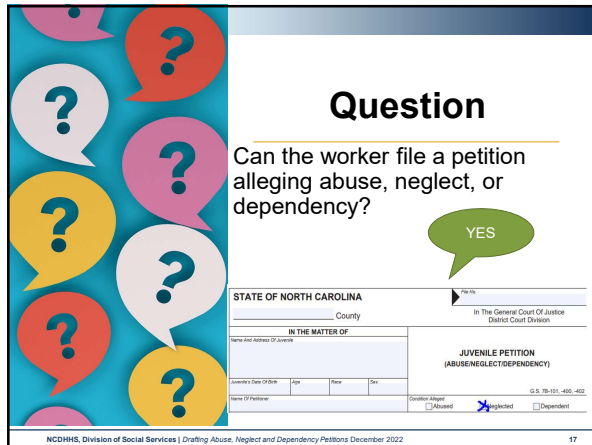
Interview of Mother

- Mom says her boyfriend is sometimes violent, she has never taken out a protective order
- When he's arrested, he bonds out and returns home
- Mom says he is not a bad person, only gets violent when he is drinking beer
- Today is his birthday, and she bought him whiskey to celebrate
- She is the only one who drank beer

• When asked about the child hiding in the kitchen, she responds, "he always does that."

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Question

Can the worker file a petition alleging abuse, neglect, or dependency?

YES

STATE OF NORTH CAROLINA
County _____ In The General Court Of Justice
District Court Division

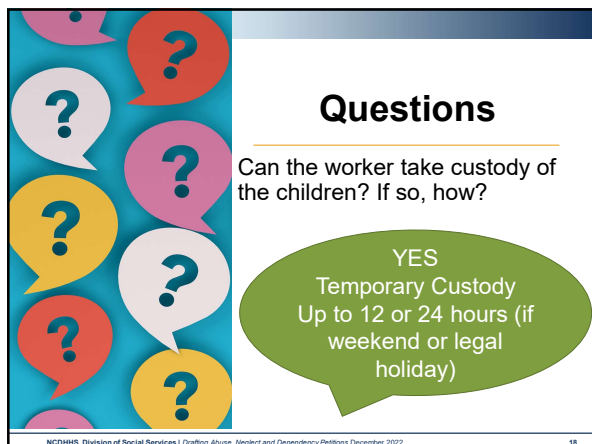
IN THE MATTER OF _____
Name And Address Of Juvenile _____

JUVENILE PETITION
(ABUSE/NEGLECT/DEPENDENCY)

Juvenile Date Of Birth _____ Sex _____ Race _____ Sex _____
Name Of Petitioner _____
Child/Abused Abused Neglected Dependent

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Questions

Can the worker take custody of the children? If so, how?

YES
Temporary Custody
Up to 12 or 24 hours (if weekend or legal holiday)

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Questions

Can the worker seek nonsecure custody? If so, how?

Yes, after filing a petition and requesting nonsecure custody

STATE OF NORTH CAROLINA
County _____
In the General Court of Justice
District Court Division _____
IN THE MATTER OF _____
Juvenile Petition (Abuse/Neglect/Dependency)

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1. Pause the recording and write down your allegations for the petition.

2. When you are done, restart the video.

STOP

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Allegations: Example 1

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

Social worker responded to domestic violence incident. Parents were both drunk. Father was arrested for assaulting the mother. Father has history of beating mother while children are present. Social worker noted a crying infant and terrified child hiding in a kitchen cabinet. House was filthy. Nonsecure custody is necessary to protect the children.

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Allegations: Example 2

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

Worker arrived at house where law enforcement was present. Worker observed empty beer cans and liquor bottles in the kitchen and living room, broken glass on the floor, a chair on its side, and a lamp on the floor. Respondent mother, Jenny Smith, was observed slurring her words and holding a beer. She appeared to have a cut and bruise over her eye. She reports that her boyfriend, Jack Jones, hit her. Mr. Jones admitted to law enforcement to consuming two bottles of whiskey. He was placed under arrest and charged with assault on a female. The assault occurred in the presence of the children. One child was observed in a kitchen cabinet, where he stated that he hides when "mom and dad yell and throw stuff at each other." The child was observed to have a facial bruise, and it appeared he had been crying. Mr. Jones has been charged more than once for assaults on Ms. Smith and has been convicted twice. Ms. Smith is married to William Smith, whose last known address is in Boise, Idaho. Ms. Smith reports that she has not seen him in several years.

Both respondents have failed to protect their children from domestic violence. Respondent mother fails to acknowledge her part in allowing her children to be exposed to domestic violence. Both respondents were impaired and unable to safely care for their young children.

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Which one does your petition resemble?

Is one petition better than the other?

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Allegations: Example 2

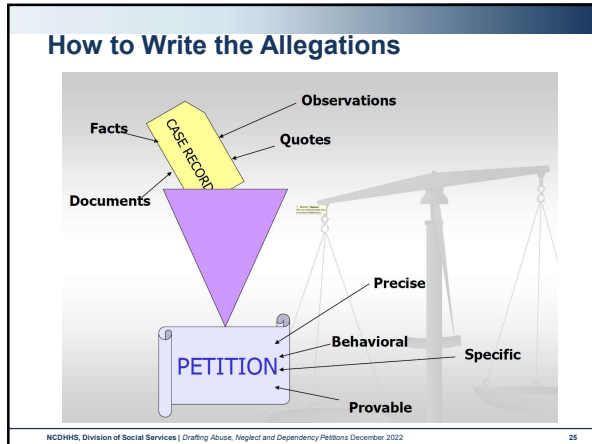
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Allegations: Example 1

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

Social worker responded to domestic violence incident. Parents were both **drunk**. Father was arrested for assaulting the mother. Father has history of beating mother while children are present. Social worker noted a crying infant and **terrified** child hiding in a kitchen cabinet. House was **filthy**. Nonsecure custody is necessary to protect the children.

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Allegations: Example 2


Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

Worker arrived at house where law enforcement was present. Worker **observed** empty beer cans and liquor bottles in the kitchen and living room, broken glass on the floor, a chair on its side, and a lamp on the floor. Respondent mother, **Jenny Smith, was observed slurring her words and holding a beer. She appeared to have a cut and bruise over her eye. She reports that her boyfriend, Jack Jones, hit her. Mr. Jones admitted** to law enforcement to consuming two bottles of whiskey. He was placed under arrest and charged with assault on a female. The assault occurred in the presence of the children. One **child was observed** in a kitchen cabinet, where he stated that he hides when "mom and dad yell and throw stuff at each other." The **child was observed to have a facial bruise, and it appeared he had been crying.** Mr. Jones has been charged more than once for assaults on Ms. Smith and has been convicted twice. Ms. Smith is married to William Smith, whose last known address is in Boise, Idaho. Ms. Smith reports that she has not seen him in several years.

Both respondents have failed to protect their children from domestic violence. Respondent mother fails to acknowledge her part in allowing her children to be exposed to domestic violence. Both respondents were impaired and unable to safely care for their young children.


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Buzzwords

 **Opinions**

- Drunk or High
- Filthy, dirty, disgusting
- Hoarder
- Dangerous or Unsafe (w/o explanation)

Lets look at the pdf

Facts: Observations 

- Slurring speech, falling down, unable to wake, unfocused, not understanding
- Dirty dishes, feces on floor, piles of garbage throughout house, smelled of urine and feces
- Filled with furniture, papers, etc. so unable to move around or see surfaces or sit
- Holes in floor, exposed electrical wires, trip hazards, no heat, aggressive dog

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Allegations: Example 2

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There's more to the petition than the allegations.

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Caption

- Best practice, a petition for each child
- Petition with multiple children permitted
 - Be sure to include allegations about each child

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Box 2 on Petition

Affidavit as to Status of Minor Child

2. The information required by G.S. 50A-209 is set out in the Affidavit As To Status Of Minor Child (AOC-CV-609), which is attached hereto and incorporated herein by reference.

Informs the court of other possible custody actions in NC or other states
 This goes to whether NC courts have subject matter jurisdiction to hear the case

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Box 3: Identifies the respondents

3. The names, addresses, and telephone numbers of the juvenile's parents, guardian, custodian, or caretaker are as follows:

Name	Relationship/Title	Address	Telephone No.

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Box 3: Parents

3. The names, addresses, and telephone numbers of the juvenile's parents, guardian, custodian, or caretaker are as follows:

Name	Relationship/Title	Address	Telephone No.



Must Address Mother and Father

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Case Scenario Continued


- When interviewing mother, she states she is married to William Smith, but they have been separated for 3 years
- The oldest child, Billy Smith, is his
- She has been living with her boyfriend, Jack Jones, for over a year
- The infant, Jackie Jones, is Jack's daughter

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Fathers




- Who do you include as respondent parents for Billy?
- Who do you include as respondent parents for Jackie?

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Ask about Fathers and Husbands

- Identify the parties
- Address paternity
- Impacts Placement
 - Reunification
 - Relatives



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Back to Numbered Paragraph 4

- Requesting Relief
 - What do you want to court to do?

I request the Court to hear the case to determine whether the allegations are true and whether the juvenile is in need of the care, protection, or supervision of the State.

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Your Signature

- Without proper signature, the court does not have subject matter jurisdiction

VERIFICATION	
Being first duly sworn, I say that I have read this Petition and that the same is true to my own knowledge, except as to those matters alleged upon information and belief, and as to those, I believe it to be true.	
SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME	
Date	Name and Address Of Petitioner
Signature Of Person Authorized To Administer Oaths	Signature Of Petitioner
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate	Telephone No.
<input type="checkbox"/> Notary Date My Commission Expires	
SEAL County Where Notarized	<input type="checkbox"/> Director <input type="checkbox"/> Authorized Representative Of Director
MAYNEDS/101 County Department of Social Services	

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Verification Required

- Without proper verification, the court does not have subject matter jurisdiction

VERIFICATION

Being first duly sworn, I say that I have read this Petition and that the same is true to my own knowledge, except as to those matters alleged upon information and belief, and as to those, I believe it to be true.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME Name And Address Of Petitioner

Date _____ Signature Of Person Authorized To Administer Oaths _____

Deputy CSC Clerk Of Superior Court District Court Judge Signature Of Petitioner _____

Assessment CSC Magistrate _____ Telephone No. _____

Notary Date My Commission Expires _____

SEAL County Where Notarized _____ Director Authorized Representative Of Director _____

WITNESSETH

County Department of Social Services

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Attorney Signature

- Must sign if drafting or filing petition


SIGNATURE OF ATTORNEY (if applicable)

Date _____ Signature Of Attorney _____ Name And Address Of Attorney _____

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Other Required Forms



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Remember Box 2

Affidavit as to Status of Minor Child

STATE OF NORTH CAROLINA Court File No.

____ County In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff

**AFFIDAVIT AS TO
STATUS OF MINOR CHILD** G.S. 80A-209

VERSUS

Name And Address Of Defendant Name Of Minor Child


Date Of Birth Birthplace

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If you are going to ask for nonsecure custody, you must address military status of each respondent.



STATE OF NORTH CAROLINA File No.

____ County In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff

**SERVICEMEN'S CIVIL RELIEF ACT
DECLARATION** G.S. 17B-401 - 407, 404, 408

VERSUS

Name And Address Of Defendant

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Summons

This gives the respondents notice of the court action.

STATE OF NORTH CAROLINA File No.

____ County In The General Court Of Justice
District Court Division

IN THE MATTER OF:

Name And Address Of Juvenile

**JUVENILE SUMMONS
AND NOTICE OF HEARING
(ABUSE/NEGLECT/DEPENDENCY)** G.S. 7B-406, 407, 404, 408

Date Of Birth Age Date Last Summons Issued Alias and Pluries Summons

To Each Of The Person(s) Named Below:

Name And Address Name And Address

Parent Other (specify) Parent Other (specify)

A petition has been filed alleging that the juvenile named above is: abused, neglected, dependent.

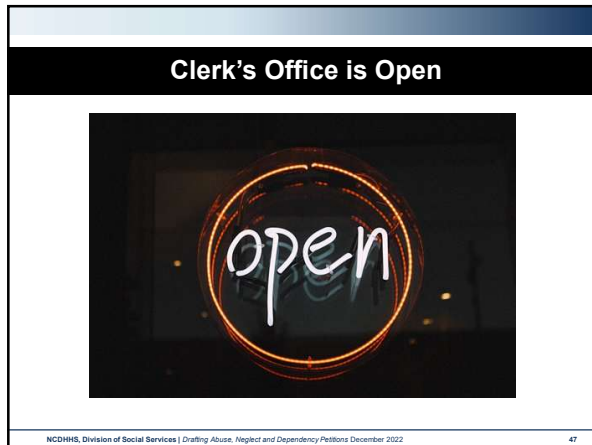
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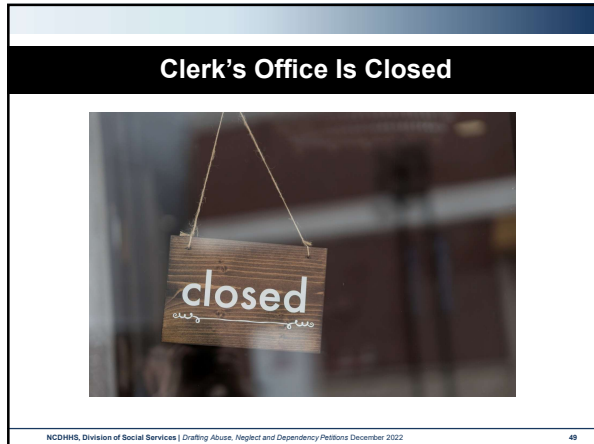
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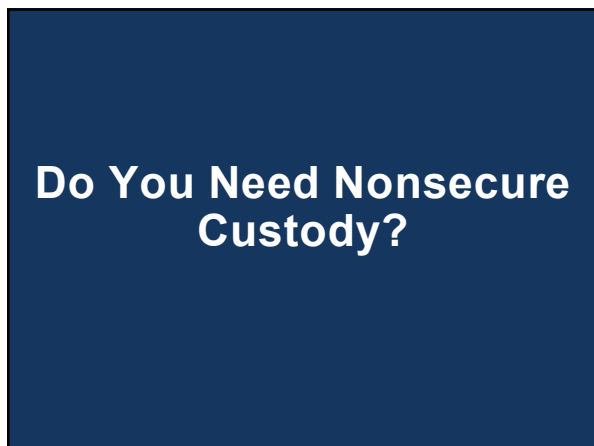
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Nonsecure Custody Is Not Needed in Every Case



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Criteria: On the J-150 Form

1. As grounds for the issuance of this Order, the Court finds that there is a **reasonable factual basis to believe that the matters alleged in the petition are true** that there are **no other reasonable means available to protect the juvenile** and (check one or more)



- a. the juvenile has been abandoned.
- b. the juvenile has suffered physical injury, sexual abuse, or serious emotional damage as defined by G.S. 7B-101(1)j.
- c. the juvenile is exposed to a substantial risk of physical injury or sexual abuse because the parent, guardian, custodian, or caretaker has created conditions likely to cause injury or abuse or has failed to provide, or is unable to provide, adequate supervision or protection.
- d. the juvenile is in need of medical treatment to cure, alleviate, or prevent suffering serious physical harm which may result in death, disfigurement, or substantial impairment of bodily functions, and the juvenile's parent, guardian, custodian, or caretaker is unwilling or unable to provide or consent to the medical treatment.
- e. the parent, guardian, custodian, or caretaker consents to the nonsecure custody order.
- f. the juvenile is a runaway and consents to nonsecure custody.

Must check the box that applies



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Consider the Case Scenario

Is nonsecure custody appropriate?

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YES, because

1. As grounds for the issuance of this Order, the Court finds that there is a reasonable factual basis to believe that the matters alleged in the petition are true, that there are no other reasonable means available to protect the juvenile, and (check one or more)

- a. the juvenile has been abandoned.
- b. the juvenile has suffered physical injury, sexual abuse, or serious emotional damage as defined by G.S. 7B-10(1)j.
- c. the juvenile is exposed to a substantial risk of physical injury or sexual abuse because the parent, guardian, custodian, or caretaker has created conditions likely to cause injury or abuse or has failed to provide, or is unable to provide, adequate supervision or protection.
- d. the juvenile is in need of medical treatment to cure, alleviate, or prevent suffering serious physical harm which may result in death, disfigurement, or substantial impairment of bodily functions, and the juvenile's parent, guardian, custodian, or caretaker is unwilling or unable to provide or consent to the medical treatment.
- e. the parent, guardian, custodian, or caretaker consents to the nonsecure custody order.
- f. the juvenile is a runaway and consents to nonsecure custody.

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HOW


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Must File the Petition First!



Clerk's Office Is Open




Clerk's Office Is Closed

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After Filing the Petition

- **Request nonsecure custody**
- Can be done orally or in writing
- If in writing, may have:
 - separate written request
 - include in petition with request for relief
 - filled out nonsecure custody order for judicial official's signature





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Who Authorizes a Nonsecure Custody Order

- A district court judge
- If your judicial district has an administrative order filed with the clerk's office, that order may authorize someone other than a judge




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What if a judge or authorized person is not available?

Telephonic approval is permitted:

- If clerk's office is open and no judge or authorized person is present
- If clerk's office is closed and no judge or authorized representative is present



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Best Practice:
Judge or authorized person present

File petition → Request nonsecure → See judge or authorized person → Explain how criteria applies → Have judge or authorized person sign the order

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Best Practice:
Judge or authorized person not present

File petition → Request nonsecure → Have judicial official petition is filed with contact judge or authorized person → Explain how criteria applies → Have judicial official complete nonsecure custody order at signature lines

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Signatures on Order

Person Approving Order (judge or designated person by administrative order)

and you are authorized to make nonsecure entry at any time if that is required by exigent circumstances on the label.

Date _____ Signature Of Judge/Judge's Designee _____

Maximum Duration Of Custody _____ Name Of Judge/Judge's Designee (type or print) _____ Judge Judge's Designee

If the person above gives telephonic approval:

Time AM PM Name And Title Of Person Receiving Telephonic Approval _____ Signature Of Person Receiving Telephonic Approval _____

Judicial official who is present when judge or designated person authorizes order

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Signatures on Order

and you are authorized to receive further entry as any other in use to request by eligible circumstances on the label.

Date	Signature Of Judge/Judge's Designee
Maximum Duration Of Custody	Name Of Judge/Judge's Designee (type or print) <input type="checkbox"/> Judge <input type="checkbox"/> Judge's Designee

If the person above gives telephonic approval:

Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Name And Title Of Person Receiving Telephonic Approval	Signature Of Person Receiving Telephonic Approval	
--	--	---	--




THIS SHOULD NOT BE YOU/DSS

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Importance of Language on Order



- Authorizes removal of child
- May authorize law enforcement to make forcible entry in home to assume physical custody of child
- Ensures IV-E funding for the child

Lets look at the pdf

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Title IV-E Language


2. Efforts by DSS to prevent or eliminate the need for the juvenile's placement were reasonable and include The Department has had an open case with respondent mother since [insert date]. Respondent mother has been referred for substance abuse treatment for her alcohol use, as well as individual therapy but has been inconsistent with both.

- If you have an open case with the family, be sure to include it in your petition attachment, as well as the nonsecure.
- The work that has been done with the family may be considered reasonable efforts to prevent or eliminate the need for the juvenile's placement. This is crucial for IV-E funding.

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When Order Is Granted




- Copy of Order, Petition, and Summons must be served on Respondents
- Physical custody of child is assumed by law enforcement, DSS social worker, or both
- Hearing on Need for Continued Nonsecure Custody will be held within 7 days if judge authorized order or next date of district court session if designated person authorized order

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When Order Is Denied



- Physical custody of the child cannot occur.
- Do not get child. If child is in temporary custody, must be returned to parent, guardian, custodian, or caretaker.
- Court case continues.
- First hearing will be a pre-adjudication hearing.

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Conclusion

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Summary

This was an overview of:

- How to properly draft and file a petition
- When and how to request nonsecure custody

Take Aways:

- If you have any questions, talk to the DSS attorney
- Make sure you are using current forms
- Know if your judicial district has an administrative order designating others to approve nonsecure custody orders



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STATE OF NORTH CAROLINA

File No.

Jameson County

In The General Court Of Justice
District Court Division

IN THE MATTER OF

Name And Address Of Juvenile

Billy Smith
123 Anywhere Street
Jamestown NC 12345

JUVENILE PETITION
(ABUSE/NEGLECT/DEPENDENCY)

Juvenile's Date Of Birth: 10/01/2018
Age: 4
Race: W
Sex: M

G.S. 7B-101, -400, -402

Name Of Petitioner
Jameson County Department of Social Services

Condition Alleged
[] Abused [X] Neglected [] Dependent

I have sufficient knowledge or information to believe that a case has arisen that invokes the juvenile jurisdiction of the court, and therefore allege that:

- 1. The juvenile named above resides in the district at the address shown above, was found in the district as alleged herein, or venue exists pursuant to G.S. 7B-400(a) or (b).
2. The information required by G.S. 50A-209 is set out in the Affidavit As To Status Of Minor Child (AOC-CV-609), which is attached hereto and incorporated herein by reference.
3. The names, addresses, and telephone numbers of the juvenile's parents, guardian, custodian, or caretaker are as follows:

Table with 4 columns: Name, Relationship/Title, Address, Telephone No. Rows include Jennifer Smith (Mother), William Smith (Father), and Jack Jones (Caretaker).

4. The juvenile is an abused juvenile, neglected juvenile, or dependent juvenile, as alleged more specifically below: (Check only the blocks that apply.)

- [] A. The juvenile is an ABUSED JUVENILE, in that:
[] 1. the juvenile's parent, guardian, custodian, or caretaker has inflicted or allowed to be inflicted on the juvenile a serious physical injury by other than accidental means.
[] 2. the juvenile's parent, guardian, custodian, or caretaker has created or allowed to be created a substantial risk of serious physical injury to the juvenile by other than accidental means.
[] 3. the juvenile's parent, guardian, custodian, or caretaker has used or allowed to be used upon the juvenile cruel or grossly inappropriate devices or procedures to modify behavior.
[] 4. the juvenile's parent, guardian, custodian, or caretaker has committed, permitted, or encouraged the commission of a sex or pornography offense by, with, or upon the juvenile in violation of the criminal law.
[] 5. the juvenile's parent, guardian, custodian, or caretaker has created or allowed to be created serious emotional damage to the juvenile.
[] 6. the juvenile's parent, guardian, custodian, or caretaker has encouraged, directed, or approved of delinquent acts involving moral turpitude committed by the juvenile.
[] 7. the juvenile is a minor victim of human trafficking under G.S. 14-43.15.

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is an abused juvenile as indicated above. Attach additional pages if necessary.)

(See reverse side for additional allegations)

- B. The juvenile is a **NEGLECTED JUVENILE**, in that:
- 1. the juvenile's parent, guardian, custodian, or caretaker does not provide proper care, supervision, or discipline.
 - 2. the juvenile's parent, guardian, custodian, or caretaker has abandoned the juvenile.
 - 3. the juvenile's parent, guardian, custodian, or caretaker has not provided or arranged for the provision of necessary medical care.
 - 4. the juvenile's parent, guardian, custodian, or caretaker has not provided or arranged for the provision of necessary remedial care.
 - 5. the juvenile's parent, guardian, custodian, or caretaker creates or allows to be created a living environment that is injurious to the juvenile's welfare.
 - 6. the juvenile's parent, guardian, custodian, or caretaker has participated or attempted to participate in the unlawful transfer of custody of the juvenile under G.S. 14-321.2.
 - 7. the juvenile's parent, guardian, custodian, or caretaker has placed the juvenile for care or adoption in violation of law.
 - 8. the juvenile is a minor victim of human trafficking under G.S. 14-43.15.
 - 9. the juvenile's parent, guardian, or custodian has refused to follow the recommendations of the Juvenile and Family Team made pursuant to Article 27A of Chapter 7B of the General Statutes.

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

SEE ATTACHMENT

- C. The juvenile is a **DEPENDENT JUVENILE**, in that:
- 1. the juvenile needs assistance or placement because the juvenile has no parent, guardian, or custodian responsible for the juvenile's care or supervision.
 - 2. the juvenile's parent, guardian, or custodian is unable to provide for the juvenile's care or supervision and lacks an appropriate alternative child care arrangement.

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

I request the Court to hear the case to determine whether the allegations are true and whether the juvenile is in need of the care, protection, or supervision of the State.

VERIFICATION

Being first duly sworn, I say that I have read this Petition and that the same is true to my own knowledge, except as to those matters alleged upon information and belief, and as to those, I believe it to be true.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		<i>Name And Address Of Petitioner</i> Jameson County Department of Social Services
<i>Date</i>	<i>Signature Of Person Authorized To Administer Oaths</i>	Ann Smithers, Director 100 Main Street Jamestown, NC 00000
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate		<i>Signature Of Petitioner</i>
<input type="checkbox"/> Notary	<i>Date My Commission Expires</i>	<i>Telephone No.</i> <p style="text-align: right;">(333) 555-5555</p>
SEAL	<i>County Where Notarized</i>	<input type="checkbox"/> Director <input checked="" type="checkbox"/> Authorized Representative Of Director Jameson _____ County Department of Social Services

SIGNATURE OF ATTORNEY (if applicable)

<i>Date</i>	<i>Signature Of Attorney</i>	<i>Name And Address Of Attorney</i>

STATE OF NORTH CAROLINA

File No.

Jameson County

In The General Court Of Justice
District Court Division

IN THE MATTER OF

Name And Address Of Juvenile

Jackie Jones
123 Anywhere Street
Jamestown NC 12345

JUVENILE PETITION (ABUSE/NEGLECT/DEPENDENCY)

Juvenile's Date Of Birth

01/01/2022

Age

10 mos

Race

W

Sex

F

G.S. 7B-101, -400, -402

Name Of Petitioner

Jameson County Department of Social Services

Condition Alleged

Abused

Neglected

Dependent

I have sufficient knowledge or information to believe that a case has arisen that invokes the juvenile jurisdiction of the court, and therefore allege that:

1. The juvenile named above resides in the district at the address shown above, was found in the district as alleged herein, or venue exists pursuant to G.S. 7B-400(a) or (b).
2. The information required by G.S. 50A-209 is set out in the **Affidavit As To Status Of Minor Child (AOC-CV-609)**, which is attached hereto and incorporated herein by reference.
3. The names, addresses, and telephone numbers of the juvenile's parents, guardian, custodian, or caretaker are as follows:

Name	Relationship/Title	Address	Telephone No.
Jennifer Smith	Mother	123 Anywhere Street, Jamestown, NC 12345	
William Smith	Legal Father	LKA: 10 King Street, Boise, ID 12321	
Jack Jones	Alleged Father	123 Anywhere Street, Jamestown, NC 12345	

4. The juvenile is an abused juvenile, neglected juvenile, or dependent juvenile, as alleged more specifically below: *(Check only the blocks that apply.)*

- A. The juvenile is an **ABUSED JUVENILE**, in that:
1. the juvenile's parent, guardian, custodian, or caretaker has inflicted or allowed to be inflicted on the juvenile a serious physical injury by other than accidental means.
 2. the juvenile's parent, guardian, custodian, or caretaker has created or allowed to be created a substantial risk of serious physical injury to the juvenile by other than accidental means.
 3. the juvenile's parent, guardian, custodian, or caretaker has used or allowed to be used upon the juvenile cruel or grossly inappropriate devices or procedures to modify behavior.
 4. the juvenile's parent, guardian, custodian, or caretaker has committed, permitted, or encouraged the commission of a sex or pornography offense by, with, or upon the juvenile in violation of the criminal law.
 5. the juvenile's parent, guardian, custodian, or caretaker has created or allowed to be created serious emotional damage to the juvenile.
 6. the juvenile's parent, guardian, custodian, or caretaker has encouraged, directed, or approved of delinquent acts involving moral turpitude committed by the juvenile.
 7. the juvenile is a minor victim of human trafficking under G.S. 14-43.15.

Specifically, on or about *(date or time period)* _____: *(State facts supporting allegations that the juvenile is an abused juvenile as indicated above. Attach additional pages if necessary.)*

(See reverse side for additional allegations)

- B. The juvenile is a **NEGLECTED JUVENILE**, in that:
- 1. the juvenile's parent, guardian, custodian, or caretaker does not provide proper care, supervision, or discipline.
 - 2. the juvenile's parent, guardian, custodian, or caretaker has abandoned the juvenile.
 - 3. the juvenile's parent, guardian, custodian, or caretaker has not provided or arranged for the provision of necessary medical care.
 - 4. the juvenile's parent, guardian, custodian, or caretaker has not provided or arranged for the provision of necessary remedial care.
 - 5. the juvenile's parent, guardian, custodian, or caretaker creates or allows to be created a living environment that is injurious to the juvenile's welfare.
 - 6. the juvenile's parent, guardian, custodian, or caretaker has participated or attempted to participate in the unlawful transfer of custody of the juvenile under G.S. 14-321.2.
 - 7. the juvenile's parent, guardian, custodian, or caretaker has placed the juvenile for care or adoption in violation of law.
 - 8. the juvenile is a minor victim of human trafficking under G.S. 14-43.15.
 - 9. the juvenile's parent, guardian, or custodian has refused to follow the recommendations of the Juvenile and Family Team made pursuant to Article 27A of Chapter 7B of the General Statutes.

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

SEE ATTACHMENT

- C. The juvenile is a **DEPENDENT JUVENILE**, in that:
- 1. the juvenile needs assistance or placement because the juvenile has no parent, guardian, or custodian responsible for the juvenile's care or supervision.
 - 2. the juvenile's parent, guardian, or custodian is unable to provide for the juvenile's care or supervision and lacks an appropriate alternative child care arrangement.

Specifically, on or about (date or time period) _____: (State facts supporting allegations that the juvenile is a neglected juvenile as indicated above. Attach additional pages if necessary.)

I request the Court to hear the case to determine whether the allegations are true and whether the juvenile is in need of the care, protection, or supervision of the State.

VERIFICATION

Being first duly sworn, I say that I have read this Petition and that the same is true to my own knowledge, except as to those matters alleged upon information and belief, and as to those, I believe it to be true.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		<i>Name And Address Of Petitioner</i> Jameson County Department of Social Services	
<i>Date</i>	<i>Signature Of Person Authorized To Administer Oaths</i>	Ann Smithers, Director 100 Main Street Jamestown, NC 00000	
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Magistrate		<i>Signature Of Petitioner</i>	
<input type="checkbox"/> Notary	<i>Date My Commission Expires</i>	<i>Telephone No.</i> <p style="text-align: right;">(333) 555-5555</p>	
SEAL	<i>County Where Notarized</i>	<input type="checkbox"/> Director <input checked="" type="checkbox"/> Authorized Representative Of Director Jameson _____ County Department of Social Services	

SIGNATURE OF ATTORNEY (if applicable)

<i>Date</i>	<i>Signature Of Attorney</i>	<i>Name And Address Of Attorney</i>	

STATE OF NORTH CAROLINA

Court File No.

Jameson County

In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff
Jameson County Department of Social Services
Ann Smithers, Director
100 Main Street
Jamestown, NC 12345

AFFIDAVIT AS TO STATUS OF MINOR CHILD

G.S. 50A-209

VERSUS

Name And Address Of Defendant
Jennifer Smith, Jack Jones
123 Anywhere Street
Jamestown, NC 12345

William Smith
LKA: 10 King Street
Boise, ID 12321

Name Of Minor Child
Billy Smith

Date Of Birth
10/01/2018

Birthplace
Boise, ID

I, the undersigned affiant, being first duly sworn, say that during the past five (5) years the above named minor child has lived as follows:

Period Of Residence		Address	Name Of Person Lived With	Present Address Of Person
From	To			
11/5/21	Present	123 Anywhere Street, Jamestown NC	Jennifer Smith, Jack Jones	Same
Birth	11/4/21	10 King Street, Boise ID 12321	Jennifer Smith, William Smith	Jennifer Smith 123 Anywhere Street, Jamestown
				William Smith LKA: 10 King Street, Boise ID

I further say that: (Check those that apply)

I have participated in litigation concerning the custody of the above named child.

Capacity As Participant

Name And Address Of Court

Date Of Child Custody Determination

Case No.

Details

I have information about a custody proceeding. Examples of custody proceeding include divorce, proceeding related to domestic violence, a protective order, termination of parental rights or adoption that is pending in a court of this or another state and could affect this proceeding.

Name And Address Of Court

Details (include case number and describe nature of the proceeding)

I know of a person as listed below, who has physical custody or claims to have custody or visitation rights with respect to the above named child.

Name And Address Of Person

Physical Custody

Claimed Custody

Visitation Rights

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Date

Signature Of Person Authorized To Administer Oaths

Signature Of Affiant

Deputy CSC Assistant CSC Clerk Of Superior Court Magistrate

Name Of Affiant (type or print)

Notary

Date My Commission Expires

Relationship To Above Named Child

SEAL

County Where Notarized

STATE OF NORTH CAROLINA

File No.

Jameson County

In The General Court Of Justice

Name And Address Of Plaintiff
Jameson County Department of Social Services
10 Main Street
Jamestown, NC 12345

SERVICEMEMBERS CIVIL RELIEF ACT
DECLARATION

VERSUS

Name And Address Of Defendant
William Smith
LKA: 10 King Street
Boise, ID 12321

G.S. Ch. 127B, Art. 4; 50 U.S.C. 3901 to 4043

NOTE: Though this form may be used in a Chapter 45 Foreclosure action, it is not a substitute for the certification that may be required by G.S. 45-21.12A.

DECLARATION

I, the undersigned Declarant, under penalty of perjury declare the following to be true:

- 1. As of the current date: (check one of the following)
a. I have personal knowledge that the defendant named above is in military service.*
b. I have personal knowledge that the defendant named above is not in military service.*
c. I am unable to determine whether the defendant named above is in military service.*
2. As of the current date, I have have not received a copy of a military order from the defendant named above relating to State active duty as a member of the North Carolina National Guard or service similar to State active duty as a member of the National Guard of another state. See G.S. 127B-27 and G.S. 127B-28(b).
3. I used did not use the Servicemembers Civil Relief Act Website (https://scra.dmdc.osd.mil/) to determine the defendant's federal military service.
The results from my use of that website are attached.
(NOTE: The Servicemembers Civil Relief Act Website is a website maintained by the Department of Defense (DoD). If DoD security certificates are not installed on your computer, you may experience security alerts from your internet browser when you attempt to access the website. Members of the North Carolina National Guard under an order of the Governor of this State and members of the National Guard of another state under an order of the governor of that state will not appear in the SCRA Website database.)
4. The following facts support my statement as to the defendant's military service: (State how you know the defendant is or is not in the military. Be specific.)
Social Worker has not been able to contact Mr. Smith in order to verify whether or not he is in the National Guard.

*NOTE: The term "military service" includes the following: active duty service as a member of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; service as a member of the National Guard under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days for purposes of responding to a national emergency; active service as a commissioned officer of the Public Health Service or of the National Oceanic and Atmospheric Administration; any period of service during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. 50 U.S.C. 3911(2). The term "military service" also includes the following: State active duty as a member of the North Carolina National Guard under an order of the Governor pursuant to Chapter 127A of the General Statutes, for a period of more than 30 consecutive days; service as a member of the National Guard of another state who resides in North Carolina and is under an order of the governor of that state that is similar to State active duty, for a period of more than 30 consecutive days. G.S. 127B-27(3) and G.S. 127B-27(4).

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Date Signature Of Declarant Name Of Declarant (type or print)

NOTE TO COURT: Do not proceed to enter judgment in a non-criminal case in which the defendant has not made an appearance until a Servicemembers Civil Relief Act affidavit or declaration (whether on this form or not) has been filed, and if it appears that the defendant is in military service, do not proceed to enter judgment until such time that you have appointed an attorney to represent him or her.

(Over)

Information About Servicemembers Civil Relief Act Affidavits And Declarations

1. Plaintiff to file affidavit/declaration

In any civil action or proceeding, including any child custody proceeding, in which the defendant does not make an appearance, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

- (A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or
- (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

50 U.S.C. 3931(b)(1).

2. Appointment of attorney to represent defendant in military service

If in a civil action or proceeding in which the defendant does not make an appearance it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If an attorney appointed to represent a service member cannot locate the service member, actions by the attorney in the case shall not waive any defense of the service member or otherwise bind the service member. 50 U.S.C. 3931(b)(2).

State funds are not available to pay attorneys appointed pursuant to the Servicemembers Civil Relief Act. To comply with the federal Violence Against Women Act and in consideration of G.S. 50B-2(a), 50C-2(b), and 50D-2(b), plaintiffs in Chapter 50B, Chapter 50C, and Chapter 50D proceedings should not be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. Plaintiffs in other types of actions and proceedings may be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. The allowance or disallowance of the ordering of costs will require a case-specific analysis.

3. Defendant's military status not ascertained by affidavit/declaration

If based upon the affidavits filed in such an action, the court is unable to determine whether the defendant is in military service, the court, before entering judgment, may require the plaintiff to file a bond in an amount approved by the court. If the defendant is later found to be in military service, the bond shall be available to indemnify the defendant against any loss or damage the defendant may suffer by reason of any judgment for the plaintiff against the defendant, should the judgment be set aside in whole or in part. The bond shall remain in effect until expiration of the time for appeal and setting aside of a judgment under applicable Federal or State law or regulation or under any applicable ordinance of a political subdivision of a State. The court may issue such orders or enter such judgments as the court determines necessary to protect the rights of the defendant under this Act. 50 U.S.C. 3931(b)(3).

4. Satisfaction of requirement for affidavit/declaration

The requirement for an affidavit above may be satisfied by a statement, declaration, verification, or certificate, in writing, subscribed and certified or declared to be true under penalty of perjury. 50 U.S.C. 3931(b)(4). The presiding judicial official will determine whether the submitted affidavit is sufficient.

5. Penalty for making or using false affidavit/declaration

A person who makes or uses an affidavit permitted under 50 U.S.C. 3931(b) (or a statement, declaration, verification, or certificate as authorized under 50 U.S.C. 3931(b)(4)) knowing it to be false, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both. 50 U.S.C. 3931(c).

STATE OF NORTH CAROLINA

File No.

Jameson County

In The General Court Of Justice

Name And Address Of Plaintiff
Jameson County Department of Social Services
10 Main Street
Jamestown, NC 12345

SERVICEMEMBERS CIVIL RELIEF ACT
DECLARATION

VERSUS

Name And Address Of Defendant
Jennifer Smith
123 Anywhere Street
Jamestown, NC 12345

G.S. Ch. 127B, Art. 4; 50 U.S.C. 3901 to 4043

NOTE: Though this form may be used in a Chapter 45 Foreclosure action, it is not a substitute for the certification that may be required by G.S. 45-21.12A.

DECLARATION

I, the undersigned Declarant, under penalty of perjury declare the following to be true:

- 1. As of the current date: (check one of the following)
a. I have personal knowledge that the defendant named above is in military service.*
b. I have personal knowledge that the defendant named above is not in military service.*
c. I am unable to determine whether the defendant named above is in military service.*
2. As of the current date, I have have not received a copy of a military order from the defendant named above relating to State active duty as a member of the North Carolina National Guard or service similar to State active duty as a member of the National Guard of another state. See G.S. 127B-27 and G.S. 127B-28(b).
3. I used did not use the Servicemembers Civil Relief Act Website (https://scra.dmdc.osd.mil/) to determine the defendant's federal military service.
The results from my use of that website are attached.
(NOTE: The Servicemembers Civil Relief Act Website is a website maintained by the Department of Defense (DoD). If DoD security certificates are not installed on your computer, you may experience security alerts from your internet browser when you attempt to access the website. Members of the North Carolina National Guard under an order of the Governor of this State and members of the National Guard of another state under an order of the governor of that state will not appear in the SCRA Website database.)
4. The following facts support my statement as to the defendant's military service: (State how you know the defendant is or is not in the military. Be specific.)
Ms. Smith reports that she is not in the military.

*NOTE: The term "military service" includes the following: active duty service as a member of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; service as a member of the National Guard under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days for purposes of responding to a national emergency; active service as a commissioned officer of the Public Health Service or of the National Oceanic and Atmospheric Administration; any period of service during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. 50 U.S.C. 3911(2). The term "military service" also includes the following: State active duty as a member of the North Carolina National Guard under an order of the Governor pursuant to Chapter 127A of the General Statutes, for a period of more than 30 consecutive days; service as a member of the National Guard of another state who resides in North Carolina and is under an order of the governor of that state that is similar to State active duty, for a period of more than 30 consecutive days. G.S. 127B-27(3) and G.S. 127B-27(4).

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Date Signature Of Declarant Name Of Declarant (type or print)

NOTE TO COURT: Do not proceed to enter judgment in a non-criminal case in which the defendant has not made an appearance until a Servicemembers Civil Relief Act affidavit or declaration (whether on this form or not) has been filed, and if it appears that the defendant is in military service, do not proceed to enter judgment until such time that you have appointed an attorney to represent him or her.

(Over)

Information About Servicemembers Civil Relief Act Affidavits And Declarations

1. Plaintiff to file affidavit/declaration

In any civil action or proceeding, including any child custody proceeding, in which the defendant does not make an appearance, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

- (A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or
- (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

50 U.S.C. 3931(b)(1).

2. Appointment of attorney to represent defendant in military service

If in a civil action or proceeding in which the defendant does not make an appearance it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If an attorney appointed to represent a service member cannot locate the service member, actions by the attorney in the case shall not waive any defense of the service member or otherwise bind the service member. 50 U.S.C. 3931(b)(2).

State funds are not available to pay attorneys appointed pursuant to the Servicemembers Civil Relief Act. To comply with the federal Violence Against Women Act and in consideration of G.S. 50B-2(a), 50C-2(b), and 50D-2(b), plaintiffs in Chapter 50B, Chapter 50C, and Chapter 50D proceedings should not be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. Plaintiffs in other types of actions and proceedings may be required to pay the costs of attorneys appointed pursuant to the Servicemembers Civil Relief Act. The allowance or disallowance of the ordering of costs will require a case-specific analysis.

3. Defendant's military status not ascertained by affidavit/declaration

If based upon the affidavits filed in such an action, the court is unable to determine whether the defendant is in military service, the court, before entering judgment, may require the plaintiff to file a bond in an amount approved by the court. If the defendant is later found to be in military service, the bond shall be available to indemnify the defendant against any loss or damage the defendant may suffer by reason of any judgment for the plaintiff against the defendant, should the judgment be set aside in whole or in part. The bond shall remain in effect until expiration of the time for appeal and setting aside of a judgment under applicable Federal or State law or regulation or under any applicable ordinance of a political subdivision of a State. The court may issue such orders or enter such judgments as the court determines necessary to protect the rights of the defendant under this Act. 50 U.S.C. 3931(b)(3).

4. Satisfaction of requirement for affidavit/declaration

The requirement for an affidavit above may be satisfied by a statement, declaration, verification, or certificate, in writing, subscribed and certified or declared to be true under penalty of perjury. 50 U.S.C. 3931(b)(4). The presiding judicial official will determine whether the submitted affidavit is sufficient.

5. Penalty for making or using false affidavit/declaration

A person who makes or uses an affidavit permitted under 50 U.S.C. 3931(b) (or a statement, declaration, verification, or certificate as authorized under 50 U.S.C. 3931(b)(4)) knowing it to be false, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both. 50 U.S.C. 3931(c).

STATE OF NORTH CAROLINA

File No.

Jameson County

In The General Court Of Justice
District Court Division

IN THE MATTER OF:

JUVENILE SUMMONS
AND NOTICE OF HEARING
(ABUSE/NEGLECT/DEPENDENCY)

G.S. 7B-406, -407, -504, -506

Name And Address Of Juvenile
Billy Smith
123 Anywhere Street
Jamestown, NC 12345

Date Of Birth 10/01/2018 Age 4 Date Last Summons Issued

Alias and Pluries Summons

To Each Of The Person(s) Named Below:

Name And Address
Jennifer Smith
123 Anywhere Street
Jamestown, NC 12345
Jack Jones
123 Anywhere Street
Jamestown, NC 12345

Name And Address
William Smith
LKA: 10 King Street
Boise, ID 12321

Parent Other (specify) Caretaker Parent Other (specify)

A petition has been filed alleging that the juvenile named above is:
abused. neglected. dependent.

NOTICE TO PARENT(S) ABOUT THE PARENT'S RIGHT TO A LAWYER

You have a right to be represented by a lawyer at all stages of the proceeding. If you want a lawyer and cannot afford to hire one, the Court will appoint a lawyer to represent you.

- You may contact the Clerk of Superior Court immediately to ask for a court-appointed lawyer.
If you want a court-appointed lawyer, you are encouraged to contact immediately the following lawyer who has been temporarily assigned to represent you.

Form with fields for Name And Address of Mother's Lawyer, Name And Address of Father's Lawyer, and Telephone Number Of Attorney.

NOTICE OF PREHEARING CONFERENCE

A nonsecure custody order has been entered and the juvenile has been placed in the temporary custody of the Department of Social Services (DSS). You are notified to appear on the date, and at the time and place set forth below for a conference to review the need for continued custody, placement options, visitation, available services, and other issues.

Form with fields for Date Of Conference, Time (AM/PM), and Place.

NOTICE OF HEARING ON NEED FOR CONTINUED NONSECURE CUSTODY

A nonsecure custody order has been entered and the juvenile has been placed in the temporary custody of the Department of Social Services (DSS). Unless changed at the Prehearing Conference, you are notified to appear on the date, time and place set forth below for a hearing to determine the need for continued custody.

Form with fields for Date Of Hearing On Continued Custody, Time (AM/PM), and Place.

NOTICE OF PRE-ADJUDICATION HEARING

A juvenile petition has been filed in this matter. You are notified to appear on the date, time, and place set forth below for a pre-adjudication hearing.

Form with fields for Date Of Pre-Adjudication Hearing, Time (AM/PM), and Place.

SUMMONS AND NOTICE OF HEARING ON PETITION

You are SUMMONED to appear on the date and at the time and place set forth below for a hearing on the attached petition.

<i>Date Of Hearing On Petition</i>	<i>Time</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Place</i>
<i>Date Issued</i>	<i>Signature</i>	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the petitioner, the time within which this Summons must be served is extended sixty (60) days.

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

NOTE: See Important Notices below.

IMPORTANT NOTICES

If the Court determines at the hearing on the petition that the allegations of abuse, neglect or dependency are true, the Court will conduct a dispositional hearing to consider the needs of the juvenile and enter an order designed to meet those needs and the objectives of the State. The dispositional order, or a subsequent order, may:

- remove the juvenile from the custody of a parent, guardian, custodian, stepparent, adult member of the juvenile's household, or adult relative entrusted with the juvenile's care;
- order the parent to pay child support if custody of the juvenile is placed with someone other than the parent;
- place legal or physical custody of the juvenile with the parent, stepparent, adult member of the juvenile's household, or adult relative entrusted with the juvenile's care on the condition that that individual undergo medical, psychiatric, psychological, or other treatment;
- require that the juvenile receive medical, psychiatric, psychological, or other treatment and that the parent, guardian, custodian, stepparent, adult member of the juvenile's household, or adult relative entrusted with the juvenile's care participate in the treatment;
- require the parent, stepparent, adult member of the juvenile's household, or adult relative entrusted with the juvenile's care to undergo psychiatric, psychological, or other treatment or counseling;
- order the parent, stepparent, adult member of the juvenile's household, or adult relative entrusted with the juvenile's care to pay for treatment that is ordered for the juvenile or that individual;
- upon proper notice and hearing and a finding based on the criteria set out in G.S. 7B-1111, terminate the parental rights of the respondent parent.**

RETURN OF SERVICE

INSTRUCTIONS TO SHERIFF:

This Summons, with a copy of the Petition, any Order For Nonsecure Custody (AOC-J-150) and an Affidavit As To Status Of Minor Child (AOC-CV-609) attached, shall be served immediately upon each of the persons named above, by personally delivering copies to that person.

I certify that this Summons, a copy of the petition, any attached Order For Nonsecure Custody and an Affidavit As To Status Of Minor Child were received and served by personally delivering to each person named below a copy of the same.

<i>Date Served</i>	<i>Name Of Person Personally Served</i>
<i>Date Served</i>	<i>Name Of Person Personally Served</i>
<i>Date Served</i>	<i>Name Of Person Personally Served</i>

I certify that the person(s) named below cannot be found by a diligent effort: *(state reason not found)*

<i>Date Received</i>	<i>Signature Of Deputy Sheriff Making Return</i>
<i>Date Of Return</i>	<i>Name Of Deputy Sheriff Making Return (Type Or Print)</i>
	<i>County Of Deputy Sheriff Making Return</i>

NOTICE TO PARENT, GUARDIAN, CUSTODIAN, OR CARETAKER: *You may be held in contempt of court if, without reasonable cause, you fail to (1) appear at a hearing and (2) bring the juvenile before the Court if the juvenile resides with you. In addition, upon service of this summons on you, the Court obtains jurisdiction over you, and your failure to comply with any order of the Court pursuant to G.S. 7B-904 may cause the Court to issue a show cause order for contempt.*

_____ County

IN THE MATTER OF

ORDER FOR
NONSECURE CUSTODY
(ABUSE/NEGLECT/DEPENDENCY)

Name And Address Of Juvenile

Billy Smith
123 Anywhere Street
Jamestown, NC 12345

Juvenile's Date Of Birth

10/01/2018

Age

4

Race

W

Sex

M

G.S. 7B-502 through -505.1, -508

Name And Address Of Parent/Guardian/Custodian/Caretaker

Jennifer Smith, Jack Jones
123 Anywhere Street
Jamestown, NC 12345

Name And Address Of Parent/Guardian/Custodian/Caretaker

William Smith
LKA: 10 King Street
Boise, ID 12321

Based upon the verified petition, this Court has jurisdiction over the subject matter of this proceeding and of the person of the juvenile.

1. As grounds for the issuance of this Order, the Court finds that there is a reasonable factual basis to believe that the matters alleged in the petition are true, that there are no other reasonable means available to protect the juvenile, and (check one or more)

- a. the juvenile has been abandoned.
- b. the juvenile has suffered physical injury, sexual abuse, or serious emotional damage as defined by G.S. 7B-101(1)e.
- c. the juvenile is exposed to a substantial risk of physical injury or sexual abuse because the parent, guardian, custodian, or caretaker has created conditions likely to cause injury or abuse or has failed to provide, or is unable to provide, adequate supervision or protection.
- d. the juvenile is in need of medical treatment to cure, alleviate, or prevent suffering serious physical harm which may result in death, disfigurement, or substantial impairment of bodily functions, and the juvenile's parent, guardian, custodian, or caretaker is unwilling or unable to provide or consent to the medical treatment.
- e. the parent, guardian, custodian, or caretaker consents to the nonsecure custody order.
- f. the juvenile is a runaway and consents to nonsecure custody.

2. Efforts by DSS to prevent or eliminate the need for the juvenile's placement were reasonable and include: _____
The Department made efforts to contact relatives respondent mother offered for placement, none responded.

OR

3. Efforts to prevent the need for the juvenile's placement were precluded by an immediate threat of harm to the juvenile, and placement of the juvenile in the absence of such efforts was reasonable. (Describe immediate threat of harm.)

4. Based on the above findings, the Court concludes that it is contrary to the juvenile's welfare to remain in the home.

4a. Based on an inquiry of the petitioner, the Court finds that the petitioner does not know knows has reason to know that the juvenile is an Indian Child.

(if applicable) Following the inquiry, the Court instructed the petitioner to notify the Court if petitioner subsequently obtains information that provides reason to know that the juvenile is an Indian Child.

4b. (if applicable) The juvenile is an Indian Child and a member of or eligible for membership in the _____ tribe.

(if applicable) Emergency removal or placement is necessary to prevent imminent physical damage or harm to the Indian Child.

5. Based on the (check one or both) petition and request for nonsecure custody, testimony of the petitioner, the Court concludes that a less intrusive remedy than entering private property to take physical custody of the juvenile is not available.

6. A former foster parent of the juvenile, nonrelative kin of the juvenile, other person(s) with legal custody of a sibling of the juvenile, _____ (name person(s)), is/are willing and able to provide proper care and supervision in a safe home, and placement of the juvenile with this person/these persons would would not be in the juvenile's best interests for the following reasons: _____

TO ANY LAW ENFORCEMENT OFFICER OR DIRECTOR OF A COUNTY DEPARTMENT OF SOCIAL SERVICES

YOU ARE ORDERED to take physical custody of the above-named juvenile(s) for placement in nonsecure custody and to make due return on this Order. You are also ordered to give a copy of this Order to the juvenile's parent, guardian, custodian, or caretaker named above.

The juvenile(s) shall be placed in nonsecure custody with:

- 1. the Department of Social Services of the county named above. The department may place the juvenile in a licensed foster home, a home otherwise authorized by law to provide temporary residential care, a facility operated by the department, or the home of a parent, relative, nonrelative kin, or other person with legal custody of a sibling, which the Court hereby approves:

_____.
 The department is authorized to arrange for, provide, or consent to routine medical and dental care or treatment including, but not limited to, treatment for common pediatric illnesses and injuries that require prompt intervention; emergency medical, surgical, psychiatric, psychological, or mental health care or treatment; and testing and evaluation in exigent circumstances unless pursuant to G.S. 7B-505.1(a), the court orders the following exceptions to the department's authorization:

_____ (if blank, the department has no exceptions to the statutory authorization).

- The department is authorized to consent to treatment the medical provider recommends in order to cure, alleviate, or prevent the juvenile from suffering physical harm, pursuant to 1.d set forth above as a ground for nonsecure custody.
- The department is authorized to consent to a Child Medical Evaluation. The following findings demonstrate the director's compelling interest in having the juvenile evaluated prior to the hearing on the need for continued nonsecure custody:

- 2. (designate person, if the Court places the juvenile directly, not through DSS) _____
 A further hearing to determine the need for continued nonsecure custody, whether with DSS or someone else shall be held:

Date Of Hearing	Time Of Hearing <input type="checkbox"/> AM <input type="checkbox"/> PM	Place Of Hearing Jameson County Courthouse
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- 3. The juvenile is a member of a State-recognized tribe. The Department of Social Services shall notify the juvenile's State-recognized tribe of the need for nonsecure custody for the purpose of locating relatives or nonrelative kin for placement.
- 4. The Department of Social Services shall make diligent efforts to notify relatives and, if applicable, other persons with legal custody of the juvenile's sibling, of nonsecure custody and subsequent hearings.

TO ANY LAW ENFORCEMENT OFFICER

- (No. 5 on Side One must be checked) YOU ARE AUTHORIZED to enter private property to take custody of the juvenile.
- and you are authorized to make forcible entry at any hour if that is required by exigent circumstances of the case.

Date	Signature Of Judge/Judge's Designee	
Maximum Duration Of Custody	Name Of Judge/Judge's Designee (type or print)	<input type="checkbox"/> Judge <input type="checkbox"/> Judge's Designee

If the person above gives telephonic approval:

Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Name And Title Of Person Receiving Telephonic Approval	Signature Of Person Receiving Telephonic Approval
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RETURN ON ORDER

Date Order Received	Date Order Returned
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- 1. The juvenile named in this Order was taken into custody at _____ AM PM, on (date) _____, and taken to _____; I gave a copy of this Order to the person named below.
- 2. Though diligently sought, the juvenile named in this Order could not be found in this county. (Add any comments or information about the juvenile's possible whereabouts.)

Name Of Person Who Has Personally Received A Copy Of This Order (type or print)	Signature And Title Of Person Making Return
Relationship To Juvenile	Department Or Agency