

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 581
HOUSE BILL 759

AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-289.27 is amended by deleting the second and third sentences from the second paragraph and inserting in their place the following:

"The summons shall notify the respondents to file a written answer within 30 days after service of the summons and petition."

Sec. 2. G.S. 7A-289.27 is further amended by designating the existing section as subsection (a) and by adding a new subsection (b) to read:

"(b) The summons shall be issued for the purpose of terminating parental rights pursuant to the provisions of subsection (a) of this section and shall include:

- (1) The name of the minor child;
- (2) Notice that a written answer to the petition must be filed with the clerk who signed the petition within 30 days after service of the summons and a copy of the petition, or the parent's rights may be terminated;
- (3) Notice that if they are indigent, the parents are entitled to appointed counsel. The parents may contact the clerk immediately to request counsel;
- (4) Notice that this is a new case. Any attorney appointed previously will not represent the parents in this proceeding unless ordered by the court;
- (5) Notice that the date, time and place of the hearing will be mailed by the clerk upon filing of the answer or 30 days from the date of service if no answer is filed;
- (6) Notice of the purpose of the hearing and notice that the parents may attend the termination hearing."

Sec. 3. G.S. 7A-289.31 is amended by designating the present subsection (d) as subsection (e) and inserting between existing subsection (c1) and newly designated subsection (e) a new subsection to read:

"(d) Counsel for the petitioner shall serve a copy of the termination of parental rights order upon the guardian ad litem for the child, if any, and upon the child if he is 12 years of age or older."

Sec. 4. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 22nd day of June, 1983.