

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 716
SENATE BILL 602

AN ACT TO PROTECT CHILDREN PLACED FOR ADOPTION BY REQUIRING
NOTICE AND INVESTIGATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 48-3 is amended as follows:

- (1) by changing the period at the end of the catch line to a semicolon and adding a new phrase to read:

"notice required before a child's placement; violation a misdemeanor; investigation.";

- (2) by designating the present text of that section as subsection (a); and
- (3) by adding two new subsections to read:

"(b) No less than 72 hours before any child less than 12 years old may be placed with any person in anticipation of an adoption, the director of social services of the county in which the parent or guardian resides or the county in which the child was born or will be born shall be notified in writing of the proposed placement. The written notification shall be sent by the prospective adoptive parents and shall contain:

- (1) the names and addresses of each parent or guardian of the child and of each person with whom the child is to be placed for adoption,
- (2) the signatures of a parent or guardian of the child and of each person with whom the child is to be placed for adoption,
- (3) the birth date or expected birth date and county of birth or expected county of birth of the child, and
- (4) the intention of the parties as to adoption of the child.

The notification may also contain any request for counseling that any of the parties to the placement wish to make.

The requirement of notification does not apply to placements with a child's relative listed in G.S. 48-21.

Any person who wilfully and knowingly violates this subsection shall be guilty of a misdemeanor.

(c) Promptly upon receipt of notification under subsection (b), the director shall investigate the proposed adoptive placement. The director may waive an investigation if circumstances warrant, or, in making an investigation, may rely on information already known to the department. If the director determines that the proposed placement appears to be contrary to the child's welfare, the director shall promptly notify all the parties to the proposed placement."

Sec. 2. G.S. 14-320 is repealed.

Sec. 3. This act shall become effective October 1, 1987, and shall apply only to placements made on and after that date.

In the General Assembly read three times and ratified this the 3rd day of August, 1987.