



Foster Care in North Carolina: How the System Works

A plain-language guide for biological, foster, and kinship families · The Healing Home Approach™

When a child cannot safely stay at home, several people share one goal: the child's safety and, whenever possible, a path back home. This guide explains how North Carolina's child welfare system works and what each person's rights and role are, so **biological parents, kinship caregivers, and foster (resource) parents** can all understand the whole picture. Read the parts that apply to you, and read the rest to understand the people you are working alongside.

What an "abuse, neglect, or dependency" case means

This is the legal name for a case where the court looks at whether a child has been hurt, not adequately cared for, or left without a safe caregiver. It is **not** a finding that a parent is a bad person. It is about whether the child is safe and what help the family may need.

How a case usually begins

North Carolina runs a **county-administered** system, so most cases begin with a report to the **county Department of Social Services (DSS)** where the child lives, not a single statewide hotline. After hours, counties keep someone on call. The county decides whether to respond with a **family assessment** (a less adversarial, family-engagement approach for lower-risk reports) or an **investigative assessment** (used for the most serious reports). **Most reports do not lead to a child being removed**; many families are offered services and support instead.

The people in a case

Who	Their role
Biological parent	The child's parent or legal custodian; usually the person the case is about, with the goal of safe reunification.
Kinship caregiver	A relative or close family friend who may care for the child during the case.
Foster (resource) parent	A trained, approved caregiver who provides temporary care when the child cannot be with family.
The child	At the center of the case; their safety and best interest guide every decision.
Guardian ad Litem (GAL)	The child's advocate: a trained community volunteer, paired with an attorney advocate, who tells the judge what is best for the child. This is North Carolina's version of CASA.
DSS social worker	From the county DSS; assesses safety, builds the plan, and reports progress to the court.
County / DSS attorney	Brings the case to court on behalf of the agency.
Parent's attorney	Represents a parent, protects their rights, and speaks for them in court.
District Court judge	Hears the evidence in the juvenile session of District Court and makes the legal decisions.

Two systems, and how North Carolina courts are set up

Two systems run side by side. The **county DSS** (supervised by the state agency, NC DHHS) looks into concerns, places children when needed, and offers services. The **court** is where a judge makes the legal decisions. These cases are heard in the **juvenile session of District Court**, decided by a judge with no jury. If a parent disagrees with the judge's final decision, the appeal goes to the **North Carolina Court of Appeals**, which reviews the record for legal error rather than holding a brand-new trial.

How a child may be removed, and whether a court order is needed

A social worker or law enforcement officer may take a child into **temporary custody** without a prior court order when there are reasonable grounds to believe the child is unsafe and cannot wait

for an order. That brief custody lasts only until the court can issue a **nonsecure custody order**, which is how a child is formally placed in DSS custody before the case is decided. The court must address **reasonable efforts** to prevent removal, and safety is looked at **child by child**, so in some families one child may go home while another stays in care for a time.

What biological parents have the right to

Foster and kinship caregivers: knowing these rights helps you support the child and the case.

- **A lawyer.** Parents have the right to an attorney, and to a court-appointed attorney if they cannot afford one. When a petition is filed, the court appoints **provisional counsel** for each parent automatically, and confirms it at the first hearing. Being told “you don’t need a lawyer” is not the same as having no right to one.
- **Notice and a voice.** The right to be told about hearings and to attend them.
- **A case plan and a path home.** For most families the goal is to safely return the child home. Parents have the right to a written case plan listing the steps to get there.
- **Visitation (family time).** The right to visits with their child, as set by the court.
- **To challenge a finding.** A decision that places someone on the Responsible Individuals List can be challenged (see that section).

Reasonable efforts: In most cases DSS must make reasonable efforts to prevent removal and to help reunify the family. In limited situations a court may find those efforts are not required.

Fathers: A father who is not married to the mother may need to **establish paternity** to be fully recognized in the case and to receive notice, counsel, and placement consideration. Ask the social worker or an attorney how to start.

What kinship caregivers should know

DSS must use **due diligence to identify and notify adult relatives within 30 days** after the initial removal, and the court must **first consider a willing and able relative** for placement, unless that would not be in the child’s best interest. North Carolina also offers financial help to relatives who take permanent guardianship through the **Guardianship Assistance Program (GAP)**, which can include a monthly payment and Medicaid for the child.

What foster (resource) parents should know

Foster parents provide **temporary** care and, in most cases, support the goal of reunification. They must receive at least **15 days’ notice** of review and permanency planning hearings and an **opportunity to be heard**, though notice alone does not make them a party. North Carolina’s **reasonable and prudent parent standard** lets foster parents make everyday, age-appropriate decisions, such as sleepovers, sports, field trips, and camps, without prior court or agency approval. North Carolina also has a Foster Parents’ Bill of Rights.

Siblings and older youth

DSS must make **reasonable efforts to place siblings together** and, when that is not possible, to support frequent contact. **Youth age 12 and older receive notice** of hearings and have a say in their own case. And youth do not simply age out at 18: through **Foster Care 18 to 21**, North Carolina offers continued support to young adults who were in foster care, up to age 21.

While a child is in care: school and health

Children in foster care keep important supports. Under federal law, a child can usually **stay in their same school** when it is in their best interest, with transportation arranged. Children in care are also covered by **Medicaid**, and many young people who age out can keep Medicaid up to age 26. It helps to ask the social worker about school stability and health appointments early.

The hearings, in order

- **Nonsecure custody hearing.** The first court date after a removal, held within 7 calendar days, with another hearing within 7 business days, and then about every 30 days while the case is pending.
- **Adjudication hearing.** Held within 60 days of the petition. The judge decides, by clear and convincing evidence, whether the child was abused, neglected, or dependent.
- **Disposition.** Within 30 days of adjudication, the judge decides where the child lives and approves the plan.

- **Review and permanency planning hearings.** The first is within 90 days, then at least every 6 months, to review progress and the goal.
- **Termination of parental rights (TPR).** Often considered when a child has been in care for 12 of the most recent 22 months. It is decided only if the child cannot safely return home.

Who comes to the hearings

Parents should attend every hearing: dress neatly, arrive early, and bring any important information written down. The child is represented by the **Guardian ad Litem**, and children are usually **not required to attend**, especially younger ones, though a judge can ask for a child to be present. Foster and kinship caregivers receive notice and may be heard. Juvenile hearings are generally **closed to the public** to protect the child's privacy. If anyone is told to bring the children, it is fair to ask which children and why.

What the Guardian ad Litem and a CASA do

In North Carolina, the **Guardian ad Litem (GAL) Program** is the child's advocate. A **trained community volunteer** gets to know the child by talking with the people in the child's life, then a volunteer and an **attorney advocate** work together to tell the court what the child needs and what is in the child's best interest. This volunteer-plus-attorney model is North Carolina's equivalent of a CASA program. The GAL is appointed in every abuse or neglect case.

Child and Family Team meetings

Along with court, the county DSS holds **Child and Family Team (CFT) meetings**, where the family, their natural and community supports, and professionals come together to plan for the child's safety and a permanent home. If you are invited, it is fair to ask what will be decided and whether you may bring a support person.

The Responsible Individuals List

North Carolina does **not** have a broad, public abuse registry. Instead, when an investigative assessment finds that a person committed **abuse or serious neglect**, that person can be placed on the **Responsible Individuals List (RIL)**, which agencies use when screening people who work with children. DSS must **personally deliver written notice**, and the person has **15 days to file a petition asking a District Court judge to review** the decision. At that hearing DSS must prove abuse or serious neglect by a preponderance of the evidence. If you do not ask for review in time, the name is added.

A few things that are unusual about North Carolina

The child's advocate is a Guardian ad Litem, a trained community volunteer paired with an attorney. This is North Carolina's version of a CASA program.

No single statewide hotline. Reports go to the county Department of Social Services where the child lives.

Two response tracks. A report is handled as a family assessment or an investigative assessment, depending on how serious it is.

A narrow Responsible Individuals List instead of a broad public registry, with a built-in right to ask a judge to review the decision within 15 days.

If your family may have Native American heritage

Tell your social worker and the court **right away**. A federal law, the Indian Child Welfare Act (ICWA), may give your family added protections. North Carolina has federally recognized tribes, including the Eastern Band of Cherokee Indians and the Lumbee Tribe, and state-recognized tribes as well; ICWA works best when raised early.

Language and special needs: Anyone in a case can ask for a free interpreter, and should tell the court or social worker early about any medical, medication, or disability needs for themselves or the child.

A few court words, in plain language

Adjudication: the hearing where the judge decides whether the child was abused, neglected, or dependent.

Disposition: the judge's decision about where the child lives and what the plan requires.

Nonsecure custody: a court order placing a child in DSS custody before the case is decided.

Guardian ad Litem (GAL): the child's court-appointed advocate, a trained volunteer paired with an attorney.

Permanency: the long-term plan for the child: home, a relative, or adoption.

The typical schedule

Stage	Typical timing in North Carolina
Report and response	Report to the county DSS; a family assessment or investigative assessment begins (within 24 hours for abuse, 72 hours for neglect).
Temporary and nonsecure custody	A child may be taken into temporary custody, then held under a nonsecure custody order.
Nonsecure custody hearing	Within 7 calendar days, then within 7 business days, then about every 30 days.
Adjudication	Within 60 days of the petition; clear and convincing evidence.
Disposition	Within 30 days of adjudication.
Review and permanency planning	First within 90 days, then at least every 6 months.

Questions worth asking your social worker or attorney

- Is this a family assessment or an investigative assessment, and what does that mean for us?
- Is my child in care under a nonsecure custody order, and when is the next hearing?
- Has provisional counsel been appointed for me, and how do I reach my attorney?
- Have all adult relatives been notified, and can a relative be considered for placement?
- What is the case plan, and what specifically needs to change for the child to come home?
- If I was named a responsible individual, what is my deadline to ask a judge to review it?

If you have a concern

North Carolina does **not** have a single, independent foster care ombudsman. To raise a concern, start with the county DSS director, then contact the **NC DHHS Customer Service Center at 1-800-662-7030** or the **Child Welfare Services Constituent Concerns Office**. You can also speak with your attorney or the child's Guardian ad Litem.

Where to get help

Ask the court clerk or your social worker how to reach your **court-appointed attorney**, your **local legal aid** office, and the **Guardian ad Litem program**. To report concerns about a child's safety, contact the **county Department of Social Services** where the child lives.

North Carolina official sources (retrieved June 2026)

[G.S. 7B-302 Assessment & response](#) · [G.S. 7B-500 Temporary custody](#) · [G.S. 7B-506 Custody hearing](#) · [G.S. 7B-505 Placement & relatives](#) · [G.S. 7B-601 Guardian ad Litem](#) · [G.S. 7B-602 Parent's right to counsel](#) · [G.S. 7B-801 / 906.1 Hearings](#) · [G.S. 7B-311 / 320 / 323 Responsible Individuals List](#) · [NC DHHS: Child Protective Services](#) · [NC DHHS: Local DSS directory](#) · [NC Courts: Abuse, Neglect & Dependency](#) · [NC DHHS: Kinship care](#) · [G.S. 131D-10.2A Prudent parent standard](#)

Please verify before you rely on this guide

This document is a **general educational overview only**. It is **not legal advice** and should not be treated as a statement of current law or of the facts of any case. Laws, policies, timelines, and phone numbers change, and they can be applied differently from one county, court, social worker, or family to the next. **Before you act on anything here, confirm it** with your county DSS social worker, the court, or a licensed North Carolina attorney. Reading this guide does not create an attorney-client or other professional relationship.