



CHAPTER 7B
ARTICLE 11 - TERMINATION OF PARENTAL RIGHTS

N.C.G.S. § 7B-1109.

Adjudicatory hearing on termination.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-16, s. 1.14(b) — seventeenth act in the lineage	RETRIEVED 21 September 2026, 04:11 UTC	SOURCE FINGERPRINT 4d51f24dbf25494975b40013 - 215fddcb1c9c86d602ccaf04 - 91fddadfd6761009
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§ 7B-1109(a) The hearing on the termination of parental rights shall be conducted by the court sitting without a jury and shall be held in the district at such time and place as the chief district court judge shall designate, but no later than 90 days from the filing of the petition or motion unless the judge pursuant to subsection (d) of this section orders that it be held at a later time. Reporting of the hearing shall be as provided by G.S. 7A-198 for reporting civil trials.

§ 7B-1109(b) The court shall inquire whether the juvenile's parents are present at the hearing and, if so, whether they are represented by counsel. If the parents are not represented by counsel, the court shall inquire whether the parents desire counsel but are indigent. In the event that the parents desire counsel but are indigent as defined in G.S. 7A-450(a) and are unable to obtain counsel to represent them, counsel shall be appointed to represent them in accordance with rules adopted by the Office of Indigent Defense Services. The court shall grant the parents such an extension of time as is reasonable to permit their appointed counsel to prepare their defense to the termination petition or motion.

§ 7B-1109(c) The court may, upon finding that reasonable cause exists, order the juvenile to be examined by a psychiatrist, a licensed clinical psychologist, a physician, a public or private agency, or any other expert in order that the juvenile's psychological or physical condition or needs may be ascertained or, in the case of a parent whose ability to care for the juvenile is at issue, the court may order a similar examination of any parent of the juvenile.

§ 7B-1109(d)

The court may for good cause shown continue the hearing for up to 90 days from the date of the initial petition in order to receive additional evidence including any reports or assessments that the court has requested, to allow the parties to conduct expeditious discovery, or to receive any other information needed in the best interests of the juvenile. Continuances that extend beyond 90 days after the initial petition shall be granted only in extraordinary circumstances when necessary for the proper administration of justice, and the court shall issue a written order stating the grounds for granting the continuance.

§ 7B-1109(e)

The court shall take evidence, find the facts, and shall adjudicate the existence or nonexistence of any of the circumstances set forth in G.S. 7B-1111 which authorize the termination of parental rights of the respondent. The adjudicatory order shall be reduced to writing, signed, and entered no later than 30 days following the completion of the termination of parental rights hearing. If the order is not entered within 30 days following completion of the hearing, the clerk of court for juvenile matters shall schedule a subsequent hearing at the first session of court scheduled for the hearing of juvenile matters following the 30-day period to determine and explain the reason for the delay and to obtain any needed clarification as to the contents of the order. The order shall be entered within 10 days of the subsequent hearing required by this subsection.

§ 7B-1109(f)

The burden in such proceedings shall be upon the petitioner or movant and all findings of fact shall be based on clear and convincing evidence. The rules of evidence in civil cases shall apply. No husband-wife or physician-patient privilege shall be grounds for excluding any evidence regarding the existence or nonexistence of any circumstance authorizing the termination of parental rights.

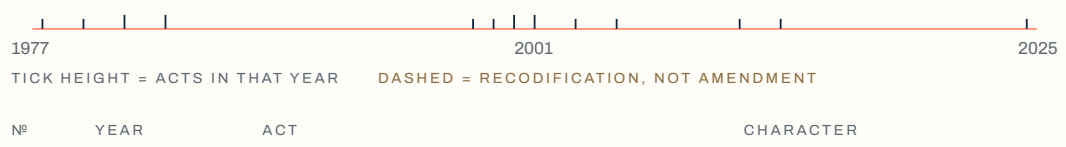
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
17 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



01	1977	c. 879, s. 8	ENACTED
02	1979	c. 669, s. 1	AMENDED
03	1981	c. 966, s. 3	AMENDED
04	1981	Reg. Sess., 1982), c. 1331, s. 3	AMENDED
05	1983	c. 870, s. 2	AMENDED
06	1983	1989 (Reg. Sess., 1990), c. 851, s. 1	AMENDED
07	1998	S.L. 1998-202, s. 6	AMENDED
08	1999	S.L. 1999-456, s. 60	AMENDED
09	2000	S.L. 2000-144, s. 19	AMENDED
10	2000	S.L. 2000-183, s. 9	AMENDED
11	2001	S.L. 2001-208, ss. 7, 22	AMENDED
12	2001	S.L. 2001-487, s. 101	AMENDED
13	2003	S.L. 2003-304, s. 2	AMENDED
14	2005	S.L. 2005-398, s. 16	AMENDED
15	2011	S.L. 2011-295, s. 15	AMENDED
16	2013	S.L. 2013-129, s. 34	AMENDED
17	2025	S.L. 2025-16, s. 1.14(b)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 7A-198	(a)	"hearing shall be as provided by"
G.S. 7A-450(a)	(b)	"but are indigent as defined in"
G.S. 7B-1111	(e)	"of the circumstances set forth in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-1109 (2025).

PINPOINT

N.C. Gen. Stat. § 7B-1109(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1977, c. 879, s. 8; 1979, c. 669, s. 1; 1981, c. 966, s. 3; Reg. Sess., 1982), c. 1331, s. 3; 1983, c. 870, s. 2; 1989 (Reg. Sess., 1990), c. 851, s. 1; 1998-202, s. 6; 1999-456, s. 60; 2000-144, s. 19; 2000-183, s. 9; 2001-208, ss. 7, 22; 2001-487, s. 101; 2003-304, s. 2; 2005-398, s. 16; 2011-295, s. 15; 2013-129, s. 34; 2025-16, s. 1.14(b).)

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