

**10A NCAC 70H .0408 LEGAL PROCESS**

(a) The agency shall instruct the adoptive parents in procedures regarding the legal process for adoption and shall instruct them to file their adoption petition pursuant to G.S. 48-2-302(a) within 30 days of placement of the child for adoption unless that time is extended by the clerk.

(b) The agency shall prepare and file the required consents and other documents and reports with the court at the appropriate times once the adoption petition has been filed.

(c) During the process of preparing court reports, the petitioner, and each member of the petitioner's home shall be interviewed by the agency social worker in the petitioner's home. An additional interview shall be conducted in the presence of the petitioner and the adoptee to observe interactions between them. The report to the court shall be in writing and contain the information required by G.S. 48-2-502(b).

(d) The agency shall give the petitioner a copy of each report filed with the court and retain a copy. In an agency adoption, pursuant to G.S. 48-2-502(b), the agency shall not release to the petitioner a copy of any court order, judgment, decree, or pending legal proceeding containing identifying information that could reasonably be expected to lead directly to the identify of the adoptee at birth or any former parent or family member of the adoptee.

*History Note:* Authority G.S. 48-2-302; 48-2-502; 48-10-105; 131D-10.5; 143B-153;  
Eff. October 1, 2008;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.