

## CHANGE NOTICE FOR MANUAL

**DATE:** March 10, 2010

**MANUAL:** FAMILY SERVICES MANUAL (VOLUME I): CHILDREN'S SERVICES;  
CHAPTER VIII – PROTECTIVE SERVICES; SECTION 1427 - EXPUNCTION

**CHANGE NO:** 01-2010

**TO:** COUNTY DIRECTORS OF SOCIAL SERVICES

**ATTENTION:** CHILD WELFARE PROGRAM MANAGERS & SUPERVISORS  
CHILD WELFARE SOCIAL WORKERS  
COUNTY LINKS LIAISONS

**RE:** NORTH CAROLINA COURT OF APPEALS RULING -  
CONSTITUTIONALITY OF THE RESPONSIBLE INDIVIDUALS LIST

**EFFECTIVE:** IMMEDIATELY

### I. BACKGROUND / CHANGE INTENT

In May of 2006, the Division implemented the Responsible Individuals List as a result of legislation that was passed directing the Division to establish policies and procedures for individuals determined to have abused or seriously neglect a juvenile, to request expunction from a list that was available to certain employers.

On March 2, 2010, the North Carolina Court of Appeals issued an opinion (<http://www.aoc.state.nc.us/www/public/coa/opinions/2010/pdf/090205-1.pdf>) that the Responsible Individuals List, as currently administered, is unconstitutional.

### II. SIGNIFICANT CHANGES

The Division is taking measures to comply with this ruling. Family Services Manual (Volume 1); Chapter VIII; Section 1427 (Expunction) and all of that section's attachments are now obsolete. This section is no longer available on the Division's manuals website <http://info.dhhs.state.nc.us/olm/manuals/manuals.aspx?dc=dss>).

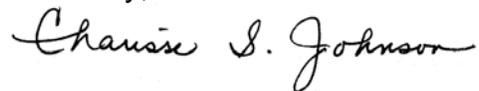
Please remove this section from any hardcopy manuals in your agency.

Additional information regarding the impact of the Court of Appeals ruling will be forthcoming. Should you have further questions please contact your agency's assigned Children's Program Representative or the Child Welfare Policy team at (919) 733-4622.

**III. INSTRUCTIONS:**

<b>OBSOLETE</b>	<b>UTILIZE</b>
Family Services Manual (Volume 1); Chapter VIII; Section 1427 (Expunction); All attachments in that Section	

Sincerely,



Charisse Johnson, Chief  
Child Welfare Services

cc: Sherry Bradsher  
Jack Rogers  
Hank Bowers  
Sarah Barham  
Family Support and Child Welfare Team Leaders  
Children's Programs Representatives  
Local Business Liaisons