

Attachment 3: Personal Written Notice to the RI

Date

Name
Address
City, State, Zip

Dear _____;

On _____ (date), _____ (agency name) received a report stating that child(ren) you are caring for are being

We have completed our assessment and have found that

Now that we have found abuse/neglect your name will go on a list. North Carolina law (N.C.G.S. 7B-311) requires this. This list is called the Responsible Individuals List.

Some employers see the Responsible Individuals List, and when your name is on this list, you may not be allowed, or continue to be allowed, to work or volunteer around children.

Because your name is on this list and it may stop you from working or volunteering around children, North Carolina law (N.C.G.S. 7B-321) allows you to request that your name be removed from the Responsible Individuals List.

You can make the following 3 requests to have your name taken off the Responsible Individuals List, however, if you make such a request and move or change your address, please let us know so you can receive a response to your request:

1. The first step is to contact the Director of Social Services, who will review your case. This request must be in writing. You must deliver the request in person or by certified mail return receipt requested and be received by the Director no later than _____. Please send your written request to:

Instruction: provide the mailing address for the Director of the county that conducted the assessment. In cases where the assessment was conducted by another county, provide the mailing address for the Director of the county that conducted the assessment . In cases where there was a conflict add this sentence;

Remember that (county name) Department of Social Services conducted your assessment so you need to send your request there.

Within 15 working days the Director should let you know if he will take your name off the list.

If the Director does not take your name of the list or does not respond to your request to take your name off the list, you have two more options. You may then ask the District Attorney or the District Court to have your name removed from the list. These two options are explained below.

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2. To request the District Attorney to review your case, you must make that request no more than 30 days from the date the director should send you notice of his decision (no letter from the director is a refusal to take your name off the list), and in writing. You will need to provide the District Attorney your name, the name of the child, and both or your dates of birth and address. Please send the request to:

Provide the name and address for the District Attorney.

The District Attorney should let you know within 30 days if he will take your name off the list. If the District Attorney does not agree to take your name off the list, you have 30 days to file a petition with the District Court to have your name taken off the list.

3. If you chose to request that the District Court remove your name from the list you must file a petition with the Clerk of Court within 30 days from either the Director's refusal or the District Attorney's refusal to take your name off the list. A copy of a petition that can be completed and filed with the District Court is attached. To calculate the last day that the petition can be filed, count 90 days from the date that the director should have sent you his notice.

Provide a phone number and address for the Clerk of Courts.

It is important for you to know that you may skip a review by the District Attorney and file the petition requesting removal of your name from the list with the District Court.

During the review process (county name) continues to be responsible for providing services to you and your family. If you decide you are unwilling to accept services and the safety of your children becomes uncertain, that could make it necessary for a juvenile petition seeking custody of your children to be filed.

There is a situation that will stop the review of your request that your name be removed from the list. If you are involved in a juvenile court case because of the abuse or neglect, the review will stop until the court case is finished.

Should you have any further questions, please feel free to contact me at _____.

Sincerely,

Social Worker
Supervisor

Enclosure: AOC J 131 Petition for Expunction from the Responsible Individuals List.