

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 157
HOUSE BILL 212

AN ACT TO PROVIDE FOR THE ADOPTION OF ABANDONED CHILDREN EIGHTEEN
YEARS OF AGE OR MORE.

The General Assembly of North Carolina do enact:

Section 1. G.S. 48-2(3a) is amended to read as follows:

"(3a) For the purpose of this Chapter, an abandoned child shall be any child who has been willfully abandoned at least six consecutive months immediately preceding institution of an action or proceeding to declare the child to be an abandoned child. A child may be willfully abandoned by his or her legal or natural father, within the meaning of this section, if the mother of the child had been willfully abandoned by and was living separate and apart from the father at the time of the child's birth, although the father may not have known of such birth; but in any event said child must be over the age of three months at the time of institution of the action or proceeding to declare the child to be an abandoned child."

Sec. 2. G.S. 48-2(3b) is amended to read as follows:

"(3b) In addition to the definition of abandonment in (3a) above, an abandoned child, for purposes of this Chapter, shall be a child who has been placed in the care of a child caring institution or foster home, and whose parent, parents, or guardian of the person has failed substantially and continuously for a period of more than one year to maintain contact with such child, and has willfully failed for such period to contribute adequate support to such child, although physically and financially able to do so. In order to find an abandonment under this subdivision, the court must find the foregoing and the court must also find that diligent but unsuccessful efforts have been made on the part of the institution or a child placing agency to encourage the parent, parents, or guardian of the person of the child to strengthen the parental or custodial relationship to the child."

Sec. 3. This act shall become effective July 1, 1971.

In the General Assembly read three times and ratified, this the 5th day of April,

1971.