Durham County Child Welfare Roles & Responsibilities Overview of DSS, District Court, and Board of County Commissioners

Child Welfare System Structure

- State-supervised, countyadministered system
- NCDHHS: policy and oversight
- Durham County DSS: service delivery
- District Court: legal authority
- BOCC: governance and funding

Role of Durham County DSS

 Receives and assesses reports of abuse, neglect, dependency



Conducts CPS assessments



• Implements court orders

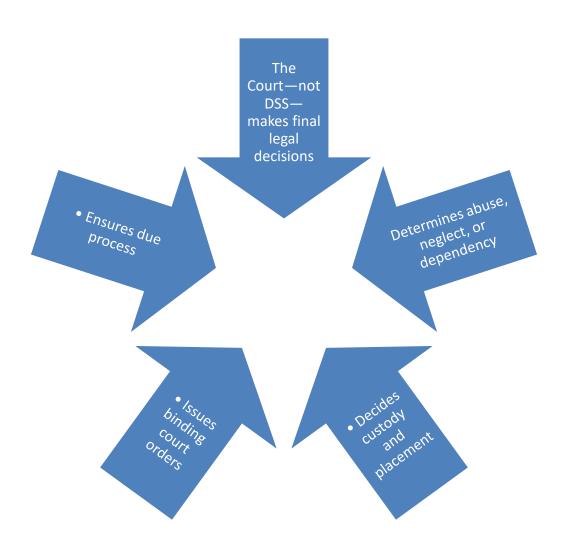


 Provides services and files court petitions



DSS makes recommendations but does not make legal decisions

Role of District Court (A/N/D)



Role of Board of County Commissioners

Approves and allocates budget

Ensures adequate staffing and infrastructure

Receives performance and compliance reports

Does not intervene in individual cases

How the Roles Work Together

 DSS assesses risk and delivers services

 Court issues binding legal decisions

 BOCC ensures system capacity and compliance Key
Takeaway
for BOCC
Members

Child welfare outcomes depend on governance, funding, and system capacity.

BOCC decisions are essential to protecting children and supporting families.

Why Child Welfare Governance Matters

- Child welfare is a legal mandate, not a discretionary program
- Outcomes depend on staffing, funding, and system design
 - BOCC decisions shape county compliance and risk exposure

What BOCC Members Are — and Are Not — Responsible For

BOCC Responsibilities:

- Governance and funding
- Organizational structure
- System capacity and accountability

Not BOCC Responsibilities:

- Individual case decisions
- Directing court outcomes
- Overriding judicial orders

Understanding Legal Boundaries

• DSS operates under state and federal law

 District Court has exclusive legal authority once a petition is filed

• Judicial independence is constitutionally protected

 County officials must avoid actions that could interfere with due process

Juvenile matters are confidential and DSS is prohibited from discussing case-specific matters absent a court order for disclosure

System Risks the BOCC Should Monitor

- Staffing shortages and caseload pressure
- Training and workforce turnover
- Delays in court proceedings

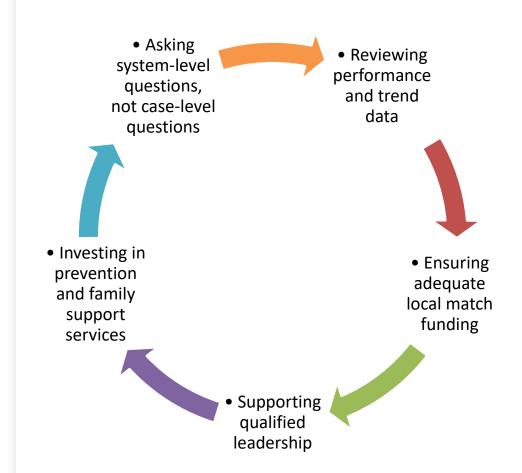
- Placement capacity constraints
- Compliance findings or litigation risk

Appendix: Key Statutory Authorities

Durham County DSS:

- NCGS § 108A-14 Duties of county
- NCGS § 7B-300 Duty to receive and assess reports
- NCGS § 7B-302 CPS assessments
- NCGS § 7B-403 Filing A/N/D petitions
- NCGS § 7B-502 Nonsecure custody
 Placement authority

What Effective Oversight Looks Like



Appendix: Key Statutory Authorities

District Court:

- NCGS Chapter 7B,
 Subchapter I
- NCGS § 7B-200 Jurisdiction

- NCGS § 7B-903 –
 Permanency planning
- NCGS § 7B-1101 –
 Termination of parental rights

Appendix: Key Statutory Authorities

Board of County Commissioners:

- NCGS § 108A-1 County responsibility for social services
- NCGS § 108A-9 DSS governance boards
- NCGS § 153A-76 / § 153A-77
- County organization
- NCGS § 159-7 County budget authority