FIRST ENGROSSMENT

Fifty-fifth Legislative Assembly of North Dakota

ENGROSSED SENATE BILL NO. 2148

Introduced by

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Senators Nalewaja, LaFountain, Schobinger

Representative Sandvig

- 1 A BILL for an Act to amend and reenact subsections 3 and 4 of section 27-20-36 of the North
- 2 Dakota Century Code, relating to time limitations on court orders for children in foster care.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- SECTION 1. AMENDMENT. Subsections 3 and 4 of section 27-20-36 of the 1995

 Supplement to the North Dakota Century Code are amended and reenacted as follows:
 - An order of disposition pursuant to which a child is placed in foster care continues
 may not continue in force for not more than eighteen months. Any other order of
 disposition continues may not continue in force for not more than two years.
 - 4. Except as provided in subsection 1, the court may sooner terminate an order of disposition before the expiration of the order or extend its duration for further periods. An order of extension may be made if:
 - A hearing is held prior to before the expiration of the order upon motion of a party or on the court's own motion;
 - Reasonable notice of the hearing and opportunity to be heard are given to the parties affected;
 - The court finds that the extension is necessary to accomplish the purposes of the order extended; and
 - d. The extension does not exceed eighteen twelve months from the expiration of an order limited by subsection 3 or two years from the expiration of any other limited order. However, the court may order that the child permanently remain in foster care with a specified caregiver and that the duration of the order be left to the determination of the court if the court determines that:
 - All reasonable efforts have been made to reunite the child with the child's family;

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1	(2)	The deprivation is likely to continue;
2	(3)	With respect to a child under the age of ten, termination of parental
3		rights and subsequent adoption would not be in the best interests of the
4		child; and
5	(4)	The placement of the child in permanent foster care is in the best
6		interests of the child.