

NORTH CAROLINA GENERAL ASSEMBLY  
1963 SESSION

CHAPTER 1259  
HOUSE BILL 890

1 AN ACT TO PROTECT CHILDREN BORN OUT OF WEDLOCK.

2  
3 The General Assembly of North Carolina do enact:  
4

5 **Section 1.** There is hereby created a new Section of the General Statutes to be  
6 known and designated as G.S. 110-25.1 and to read as follows:

7 "**G.S. 110-25.1. Petition in Certain Cases Involving Illegitimate Children.** When it appears  
8 from the birth certificates filed with the Bureau of Vital Statistics that a child has been born to  
9 an unwed mother who had previously given birth to two or more children out of wedlock, said  
10 Bureau shall forward copies of such birth certificates to the local health director of the county  
11 of such mother's residence; and whenever it shall come to the attention of any local official that  
12 a child has been born to a woman by a father other than her husband, which woman had  
13 previously given birth to two or more children out of wedlock, such local official shall furnish  
14 such information to the local health director of the county of residence of such woman. The  
15 local health director to whom such information may come, shall thereupon, by registered or  
16 certified mail, notify such mother that she is, or may be, subject to the provisions of this  
17 Section, and shall instruct her to report to the county director of public welfare in the county of  
18 her residence for consultation and advice within fifteen (15) days after receipt of such letter. A  
19 copy of such letter shall be mailed to the county director of public welfare in the county of such  
20 mother's residence. If the mother fails to report to the county director of public welfare within  
21 fifteen (15) days following receipt of the letter, then the county director shall thereupon begin  
22 the investigation hereinafter required.

23 "In the course of the consultation and advice hereinabove provided for, the county director  
24 of public welfare shall make, or cause to be made through his own staff or through the staff of a  
25 private social agency, an investigation for the purpose of determining if such child, and any  
26 other children living with such mother, are living under such conditions, or are under such  
27 improper or insufficient guardianship or control, as to endanger the health or general welfare of  
28 any such child or children, within the meaning of subsection (2) of G.S. 110-21. If, upon such  
29 investigation, the county welfare director is of the opinion that such living conditions or  
30 surroundings, or such improper or insufficient guardianship or control of such child or children,  
31 are such as to endanger the health or general welfare of any such child or children, then said  
32 director or some person under his supervision, or the personnel of the private social agency  
33 hereinabove referred to, shall consult and advise with the mother of such child or children for  
34 the purpose and to the end that such conditions and surroundings be improved, and proper and  
35 sufficient guardianship and control be established. If, after such consultation and advice with  
36 said mother, such director is of the opinion that the health or general welfare of any such child  
37 or children is and will continue to be in danger, then such director shall thereupon file with the  
38 court a verified petition stating the alleged facts which bring such child or children within the  
39 provisions of the Section, which said petition shall also contain all other information required  
40 by the provisions of G.S. 110-25. Upon the filing of such petition, the issuance and service of  
41 summons and the making of any interlocutory orders shall be made in accordance with the  
42 provisions of G.S. 110-26, G.S. 110-27, and G.S. 110-28.

1 "After having given due notice, as provided by G.S. 110-26, the court shall conduct a  
2 hearing in accordance with the provisions of G.S. 110-29, and if, upon said hearing, the court is  
3 satisfied that the health or general welfare of any such child or children is in danger, and that  
4 such child or children are in need of more suitable guardianship, then the court may thereupon  
5 take such action as, in its discretion, it deems proper and suitable, and as provided in G.S.  
6 110-29, subsections 2, 3, 4 or 5."

7 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

8 **Sec. 3.** This Act shall be in full force and effect from and after July 1, 1963.

9 In the General Assembly read three times and ratified, this the 26th day of June,  
10 1963.