



North Carolina Department of Health and Human Services  
Division of Social Services

325 North Salisbury Street • MSC 2408 • Raleigh, North Carolina 27699-2408  
Courier # 56-20-25

Beverly Eaves Perdue, Governor  
Lanier M. Cansler, Secretary

Sherry S. Bradsher, Director  
(919) 733-3055

April 30, 2010

**DEAR COUNTY DIRECTOR OF SOCIAL SERVICES AND COMMUNITY PARTNERS**

Child Caring Association  
Post Office Box 901  
Chapel Hill, NC 27514  
Attention: Teresa Derrick

Division of Facility Services  
2701 Mail Service Center  
Raleigh, NC 27699-2701  
Attention: Bob Fitzgerald

NC Administrative Office of the Court  
901 Corporate Center Dr.  
Raleigh, NC 27607  
Attention: Jo B. McCants

Another Choice for Black Children  
2340 Beatties Ford Road  
Charlotte, NC 28216  
Attention: Ruth Amerson

Methodist Home for Children  
Post Office Box 10917  
Raleigh, NC 27605-0917  
Attention: Mike Safley

NC Association of County Directors of Social Services  
323 West Jones Street, Suite 502  
Raleigh, NC 27603  
Attention: Teresa D. Turner

NC Guardian Ad Litem Program  
901 Corporate Center Drive  
Raleigh, NC 27607  
Attention: Jane E. Volland

Division of Child Development  
2201 Mail Service Center  
Raleigh, NC 27699-2201  
Attention: Deborah Cassidy

Children and Family Services Association  
2609 Atlantic Avenue, Suite 105  
Raleigh, NC 27604  
Attention: Karen McLeod

The Children's Home Society of NC  
Post Office Box 14608  
Greensboro, NC 27415  
Attention: Sandy Cook

Caring For Children  
Appalachian Family Innovations  
38 Garfield Street, Suite B  
Asheville, NC 28803-2327  
Attention: Bonnie Judkins

**SUBJECT: RESPONSIBLE INDIVIDUALS LIST**

In May 2006, the Responsible Individuals List was created in response to federal requirements under the Child Abuse and Treatment Act to develop a child abuse registry that was accessible by employers, including foster and adoptive applicants, to assess the fitness of those individuals to provide care to children. Providers of child care/foster care were identified as authorized users of the Responsible Individuals List.

However, on March 2, 2010 the North Carolina Court of Appeals issued an opinion (<http://www.aoc.state.nc.us/www/public/coa/opinions/2010/pdf/090205-1.pdf>) finding that the statutes governing the procedures used to place an individual's name on the Responsible Individuals List (RIL) violates the North Carolina Constitution. After consulting with the Division's child welfare attorneys regarding the implication of the Court's opinion, the Division of Social Services is suspending access to the Responsible Individual's List until such times as appropriate changes to the expunction process can be implemented. The Division is, therefore, unable to comply with any request for information from the Responsible Individual's List. Additionally, agencies requesting information will be notified of the ruling and apprised that information from the Central Registry is confidential and is not accessible for determining the fitness of an individual to care for children or to approve foster or adoptive applications.

We are aware of the concerns that this action raises for the safety of children in North Carolina. Agencies are encouraged to ensure that information gathered regarding a prospective employee/volunteer or a foster or adoptive applicant is thorough and that all available resources are utilized to determine the fitness of the individual to provide care to a child.

The Division will continue to consult with its child welfare attorneys regarding the ruling and any next steps. Should you have further questions, please feel free to contact the Child Welfare Policy Section at (919) 733-4622.

Sincerely,



Charisse S. Johnson, Chief  
Child Welfare Services

cc: Sherry Bradsher  
Sarah Barham  
Hank Bowers  
Children's Program Representatives  
Family Support and Child Welfare Services Team Leaders  
Local Business Liaisons  
Work First Representatives  
Jack Rogers

**CWS-12-10**