

COURT OF APPEALS OF NORTH CAROLINA

In re R.D.L. & K.D.L.

No. COA25-958 · No. COA25-958 · Decided May 20, 2026

SUMMARY

The North Carolina Court of Appeals affirmed an order terminating the parental rights of the respondent-mother and respondent-father. The court held that, during the dispositional phase, the guardian ad litem fulfilled its duty by offering a report that the trial court received and intended to consider as evidence, even though the report was not formally admitted as an exhibit. The court concluded that the trial court did not abuse its discretion in determining that termination was in the children’s best interests.

CASE DETAILS

COURT	Court of Appeals of North Carolina
WRITING FOR THE COURT	Christopher Freeman; Zachary; Griffin
JURISDICTION	North Carolina Court of Appeals
DECIDED	May 20, 2026
DOCKET	COA25-958
DISPOSITION	affirmed
PROCEDURAL POSTURE	Respondent-mother and respondent-father appealed an order terminating their parental rights, arguing that the trial court lacked competent GAL evidence to make a best-interest determination during the dispositional phase because the GAL report was not formally admitted into evidence.
STANDARD OF REVIEW	At the adjudicatory phase, findings of fact are reviewed for clear and convincing evidentiary support, conclusions of law are reviewed de novo, and supported findings are conclusive even when contrary evidence exists. At the dispositional phase, the best-interest determination is reviewed for abuse of discretion, and dispositional findings of fact are reviewed for competent evidence.
PRECEDENTIAL VALUE	Published and precedential North Carolina Court of Appeals opinion
PARTIES	Respondent-mother, Respondent-father v. Catawba County Department of Social Services, Guardian ad Litem

TOPICS

termination of parental rights

family law procedure

evidence

hearsay

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PRACTICE AREAS

family law

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QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in making a best-interest determination during the dispositional phase when the GAL report was not formally admitted into evidence.
2. Whether a GAL satisfies its duty at the dispositional phase by offering a written report or other evidence recommending the course of action in the children's best interests.

HOLDINGS

1. A trial court may consider a GAL report during the dispositional phase without a formal proffer and admission of the report as an exhibit when the record shows that the GAL offered the report and the court received and intended to consider it as evidence.
2. The GAL fulfills its duty during the dispositional phase by offering evidence, through written reports, testimony, or both, recommending the course of action in the child's best interests.
3. The trial court did not abuse its discretion in making the dispositional ruling and terminating the parents' parental rights.

KEY QUOTATIONS

“These statutes make clear that during the adjudication stage of a termination proceeding, the trial court must apply the provisions of the North Carolina Rules of Evidence that apply in all civil cases. During the dispositional stage, conversely, the trial court retains significantly more discretion in its receipt of evidence and may admit any evidence that it considers to be relevant, reliable, and necessary in its inquiry into the child’s best interests—even if such evidence would be inadmissible under the Rules of Evidence.” (at 10-11)

“During the dispositional phase of a juvenile proceeding, the GAL “must offer evidence, either written reports, testimony, or both, recommending to the trial court which course of action is in the best interests of the child.”” (at 11)

“Because the GAL offered evidence to the trial court during the dispositional phase of the termination of parental rights proceeding, and the trial court received and intended to consider the GAL report as evidence at that stage of the proceeding, we affirm the trial court’s order terminating respondent-parent’s parental rights.” (at 12)

FACTUAL BACKGROUND

Catawba County Social Services received repeated reports concerning the children's medical care, school attendance, home conditions, and suspected substance abuse. In January 2024, the family was evicted, and three- or four-year-old Kevin was found restrained for extended periods in an unpadded infant car seat, covered in

feces, unable to walk or stand without assistance, and suffering bruises and other injuries. The children were adjudicated neglected and dependent, and the parents were later incarcerated and convicted of child-abuse offenses involving serious injury. After a termination hearing, the trial court terminated both parents' rights and determined that termination was in the children's best interests.

PROCEDURAL HISTORY

Catawba County Department of Social Services filed a petition alleging that the children were neglected and dependent, and the children were adjudicated neglected and dependent. After permanency-planning proceedings, DSS moved to terminate both parents' parental rights. Following a termination hearing with adjudicatory and dispositional phases, the trial court found statutory grounds for termination and concluded termination was in the children's best interests. The parents appealed, and the Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- In re J.A.P., 189 N.C. App. 683, 687 (2008)
- In re X.I.F., 297 N.C. App. 799, 805-06 (2025)
- In re S.R., 384 N.C. 516, 520 (2023)
- In re C.B., 375 N.C. 556, 560 (2020)
- In re R.D., 376 N.C. 244, 250-51 (2020)
- In re J.H., 244 N.C. App. 255, 269-70 (2015)
- In re S.D.H., 296 N.C. App. 392, 401 (2024)