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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA26-442

Filed 7 October 2026

Sampson County, Nos. 24JA000139-810, 24JA000140-810, 24JA000141-810,
24JA000142-810

IN THE MATTER OF: G.J.B., J.C.H., C.N.H., E.M.H.

Appeal by respondent-mother from orders entered 5 February 2026 by Judge Mario M. White in Sampson County District Court. Heard in the Court of Appeals 16 September 2026.

Jack T. Brock II for appellant-respondent-mother.

Mary McCullers Reece and Warrick and Bradshaw, P.A., by Frank L. Bradshaw, for petitioner-appellee Sampson County Department of Social Services.

James N. Freeman, Jr. for the Guardian Ad Litem on behalf of J.C.H.

Michelle FormyDuval Lynch for the Guardian Ad Litem on behalf of G.J.B., C.N.H., and E.M.H.

ARROWOOD, Judge.

Respondent-mother (“Mother”) appeals from disposition orders denying

visitation with minor children Gill, Celia, and Emma.¹ For the following reasons, we vacate the disposition orders for Gill, Celia, and Emma, and remand for additional findings.

I. Background

The Sampson County Department of Social Services (“DSS”) received its first report concerning the juveniles Jake, Gill, Celia, and Emma in August 2024. The report alleged potential abuse, neglect, and dependency. During its assessment, DSS placed the children with a temporary safety provider. After Mother stopped responding to DSS about the children’s placement and mental health treatment, DSS filed petitions on 11 December 2024 alleging that the juveniles were neglected and dependent. DSS was granted nonsecure custody of the juveniles that same day.

In July 2025, DSS filed Motions for Review to cease Mother and the respondent-father’s² visitation with Gill, Celia, and Emma due to therapist recommendations. The trial court ceased visitation with Gill, Celia, and Emma in a pre-adjudication order on 15 September 2025.

Jake, Gill, Celia, and Emma were adjudicated neglected and dependent following a hearing on 20 November 2025. The trial court found that Mother had failed to adequately seek medical and dental care for the children, had physically

¹ Pseudonyms are used to protect the identities of the minor children.

² Respondent-father is not a party to this appeal.

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struck Celia and Emma in the head, called her children inappropriate names, and would threaten to kill herself if the children did not clean up.

Additionally, Mother was allegedly informed that Gill, Celia, and Emma had been sexually abused, and she failed to respond appropriately. For example, Celia was sexually abused by her babysitter's son and reported the abuse to her parents. However, Mother failed to seek any mental health treatment for Celia, even after Celia was having suicidal ideations, and Mother later allowed Gill to return to the babysitter's home. The trial court also found that Jake had touched his siblings in a sexual manner.

In its adjudication order, the trial court ordered for the juveniles to remain in custody of DSS. Jake was placed in a foster home, while Gill, Celia, and Emma were in a fictive kinship placement together. The trial court continued its existing visitation plan, which allowed Mother to write letters but did not allow any visitation with Gill, Celia, and Emma.

The trial court then held a disposition hearing on 17 December 2025. The initial disposition order found that Mother had recently been more cooperative with DSS but had stopped attending her recommended therapy. While Mother took parenting classes, she "continue[d] to display troubling behaviors such as treating the older daughters without support and harshly." Additionally, Mother attended medical appointments with the children but acted inappropriately and caused a negative reaction by the children.

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Throughout the proceedings, the therapist for Celia, Gill and Emma recommended no visitation with Mother. Celia and Emma had separately expressed to the trial court that they did not want visits with Mother. Additionally, the Guardian Ad Litem recommended that Celia, Gill, and Emma have no visitation with their parents. In its disposition orders, the trial court allowed visitation with Jake, but denied visitation with Gill, Celia, and Emma.

The adjudication orders were filed on 14 January 2026. The disposition orders were filed on 5 February 2026. Mother filed notices of appeal on 16 February 2026.

II. Discussion

Mother raises a single issue on appeal: whether the trial court abused its discretion by denying her visitation with Gill, Celia, and Emma without making findings supporting the denial of visitation. Mother does not challenge the trial court's disposition order regarding Jake.

A. Standard of Review

This Court reviews “ ‘the trial court’s dispositional findings of fact to determine whether they are supported by competent evidence.’ ” *In re A.J.L.H.*, 386 N.C. 305, 310 (2024) (quoting *In re T.A.M.*, 378 N.C. 64, 76 (2021)). “Unchallenged findings of fact are binding on appeal.” *Id.* at 312. The trial court’s assessment of a juvenile’s best interests concerning visitation is reviewed for abuse of discretion. *Id.* “ ‘An abuse of discretion results where the court’s ruling is manifestly unsupported by

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reason or is so arbitrary that it could not have been the result of a reasoned decision.’ ”
Id. at 310 (quoting *In re T.A.M.*, 378 N.C. at 76).

B. Visitation

Our Juvenile Code provides that “[a]n order that removes custody of a juvenile from a parent . . . or that continues the juvenile’s placement outside the home shall provide for visitation that is in the best interests of the juvenile consistent with the juvenile’s health and safety, including no visitation.” N.C.G.S. § 7B-905.1 (2025). Accordingly, this Court has held that “[a] disposition order must establish a visitation plan for parents unless the trial court finds ‘that the parent has forfeited their right to visitation or that it is in the child’s best interest to deny visitation.’ ” *In re N.L.M.*, 283 N.C. App. 356, 374 (2022).

Even if the trial court does determine that a parent has forfeited their right to visitation or denial is in the child’s best interest, “it must still address that issue in its dispositional order and either adopt a visitation plan or specifically determine that such a plan would be inappropriate in light of the specific facts under consideration.” *In re K.C.*, 199 N.C. App. 557, 562 (2009); *see also In re B.L.M.-S.*, 294 N.C. App, 44, 51 (2024) (remanding where the trial court did not provide a visitation plan and made no finding that the respondent-parent had forfeited their right to visitation or that denial of visitation was in the juvenile’s best interest).

Here, the trial court specifically denied visitation in its disposition orders for Gill, Celia, and Emma. However, it made no finding that Mother forfeited her rights

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to visitation or that visitation was not in the best interests of the juveniles. While the trial court may have made these considerations, and there may be evidence in the record which could support the denial of visitation, the order does not contain the necessary findings to deny visitation under N.C.G.S. § 7B-905.1. This Court may not imply any such findings into the disposition order. Additionally, the record does not indicate that Mother invited the error. *Cf. In re K.C.*, 199 N.C. App. at 563–64 (affirming disposition order despite lack of visitation plan because the respondent-mother had expressly refused visitation).

Accordingly, we vacate the disposition orders concerning Gill, Celia, and Emma and remand to the trial court to make findings for each child as to whether Mother forfeited her right to visitation or whether visitation is in the best interest of the juveniles. If the evidence does not support or the trial court declines to find that Mother forfeited her right to visitation or that denial of visitation is in the juveniles' best interest, then the trial court shall provide a visitation schedule.

III. Conclusion

For the foregoing reasons, we vacate the trial court's disposition orders for Gill, Celia, and Emma, and remand for additional findings.

VACATED AND REMANDED.

Chief Judge DILLON and Judge TYSON concur.

Report per Rule 30(e).