

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH50372-LT-152 (5/18)

Short Title: Venue for Juvenile Hearings.

(Public)

Sponsors: Representative Frye.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DISPOSITIONAL HEARING OF A JUVENILE WHO IS IN RESIDENTIAL TREATMENT BE HELD IN THE COUNTY IN WHICH THE JUVENILE IS RECEIVING TREATMENT AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-1800 reads as rewritten:

"§ 7B-1800. Venue.

(a) A proceeding in which a juvenile is alleged to be delinquent or undisciplined shall be commenced and adjudicated in the district in which the offense is alleged to have occurred. When a proceeding is commenced in a district other than that of the juvenile's residence, the court shall proceed to adjudication in that ~~district.~~ district and, if the juvenile is in residential treatment or foster care in that district, the court shall conduct the dispositional hearing in that district as well.

(b) ~~After~~ Except as provided in subsection (a) of this section, after adjudication, the following procedures shall be available to the court:

- (1) The court may transfer the proceeding to the court in the district where the juvenile resides for disposition.
- (2) Where the proceeding is not transferred under subdivision (1) of this section, the court shall immediately notify the chief district court judge in the district in which the juvenile resides. If the chief district court judge requests a transfer within five days after receipt of notification, the court shall transfer the proceeding.
- (3) Where the proceeding is not transferred under subdivision (1) or (2) of this section, the court, upon motion of the juvenile, shall transfer the proceeding to the court in the district where the juvenile resides for

1 disposition. The court shall advise the juvenile of the juvenile's right to
2 transfer under this section."

3 **SECTION 2.** The Department of Juvenile Justice and Delinquency
4 Prevention, in consultation with the Administrative Office of the Courts, shall develop
5 and implement a plan for juveniles who are in residential treatment or foster care in
6 counties or districts other than their counties of residence. The plan shall provide that
7 those juveniles receive supervision, services, and treatment, including services of
8 juvenile court counselors, in the counties or districts in which they are placed for
9 residential treatment or in foster care, effective October 1, 2004.

10 **SECTION 3.** There is appropriated from the General Fund to the
11 Department of Juvenile Justice and Delinquency Prevention the sum of ten thousand
12 dollars (\$10,000) for the 2004-2005 fiscal year to develop and implement the plan
13 required by Section 2 of this act.

14 **SECTION 4.** This act becomes effective July 1, 2004.