

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 369
HOUSE BILL 1092

AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY SCHOOL OFFICIALS IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-649(8) reads as rewritten:

"(8) Place the juvenile on probation under the supervision of a court counselor. In any case where a juvenile is placed on probation, the court counselor shall have the authority to visit the juvenile where ~~he~~ the juvenile resides. The judge shall specify conditions of probation that are related to the needs of the juvenile including any of the following which apply:

- a. That the juvenile shall remain on good behavior and not violate any ~~laws;~~ laws.
- b. That the juvenile attend school ~~regularly;~~ regularly. If the adjudication of delinquency was for an offense involving a threat to the safety of the juvenile or others and school attendance is a condition of probation, the judge shall make a finding of whether or not the principal of the juvenile's school should be notified. If the judge orders that the principal be notified, the juvenile court counselor shall within five days or before the juvenile begins to attend school, whichever occurs first, notify the principal of the juvenile's school in writing of the nature of the offense and the probation requirements related to school attendance. A principal notified by a juvenile court counselor shall handle the report according to the guidelines and rules adopted by the State Board of Education.
- c. That the juvenile not associate with specified persons or be in specified ~~places;~~ places.
- d. That the juvenile report to a court counselor as often as required by a court ~~counselor;~~ counselor.
- e. That the juvenile make specified financial restitution or pay a fine in accordance with subdivisions (2) and ~~(3);~~ (3).
- f. That the juvenile be employed regularly if not attending school.

An order of probation shall remain in force for a period not to exceed one year from the date entered. Prior to expiration of an order of probation, the judge may extend it for an additional period of one year after a hearing if ~~he~~ the judge finds that the extension is necessary to protect the community or to safeguard the welfare of the juvenile;"

Sec. 2. The Administrative Office of the Courts shall report to the Joint Legislative Education Oversight Committee on the number of juveniles reported to principals in accordance with this act no later than January 1, 1995.

Sec. 3. This act becomes effective October 1, 1993, and applies to delinquent acts committed on or after that date. This act expires October 1, 1995.

In the General Assembly read three times and ratified this the 17th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives