

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 901

Short Title: Appointment of Juvenile Counsel.

(Public)

Sponsors: Senator Wellons.

Referred to: Judiciary I.

April 14, 1999

A BILL TO BE ENTITLED

AN ACT TO REVISE THE LAW GOVERNING THE TIME OF APPOINTMENT OF
COUNSEL FOR JUVENILES CHARGED WITH CERTAIN OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7B-2000, as enacted by S.L. 1998-202, reads as rewritten:

"§ 7B-2000. **Juvenile's right to counsel; presumption of indigence.**

(a) A juvenile alleged to be within the jurisdiction of the court has the right to be represented by counsel in all proceedings. The court shall appoint counsel for the juvenile, unless counsel is retained for the juvenile, in any proceeding in which the juvenile is alleged to be (i) delinquent or (ii) in contempt of court when alleged or adjudicated to be undisciplined.

(a1) Prior to the intake evaluation performed by the intake counselor pursuant to G.S. 7B-1702, the court shall appoint counsel for a juvenile who has allegedly committed either a nondivertible offense as defined in G.S. 7B-1701 or an offense that would be a felony if committed by an adult.

(b) All juveniles shall be conclusively presumed to be indigent, and it shall not be necessary for the court to receive from any juvenile an affidavit of indigency."

Section 2. This act becomes effective October 1, 1999.