

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 950
Committee Substitute Favorable 4/29/03

Short Title: Juvenile Commitment to DJJDP.

(Public)

Sponsors:

Referred to:

April 8, 2003

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE AND
2 DELINQUENCY PREVENTION TO OBTAIN THE APPROVAL OF THE
3 COURT BEFORE PLACING A JUVENILE COMMITTED TO THE
4 DEPARTMENT IN A PROGRAM NOT LOCATED IN A YOUTH
5 DEVELOPMENT CENTER OR DETENTION FACILITY.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 7B-2513(e) reads as rewritten:

9 "(e) A commitment order accompanied by information requested by the
10 Department shall be forwarded to the Department. The Department shall place the
11 juvenile in the youth development center that would best provide for the juvenile's
12 needs and shall notify the committing court. The Department may assign a juvenile
13 committed for delinquency to any institution ~~or other program~~ of the Department or
14 licensed by the Department, which program is appropriate to the needs of the juvenile.

15 The Department, after assessment of the juvenile, may provide commitment services
16 to the juvenile in a program not located in a youth development center or detention
17 facility. If the Department recommends that commitment services for the juvenile are to
18 be provided in a setting that is not located in a youth development center or detention
19 facility, the Department shall file a motion, along with information about the
20 recommended services for the juvenile, with the committing court prior to placing the
21 juvenile in the identified commitment program. The Department shall send notice of the
22 motion to the District Attorney, the juvenile, and the juvenile's attorney. Upon receipt of
23 the motion filed by the Department, the court may enter an order without the appearance
24 of witnesses and without hearing if the court determines that the identified commitment
25 program is appropriate and a hearing is not necessary. The court must hold a hearing if
26 the juvenile or the juvenile's attorney requests a hearing. If the court notifies the
27 Department of its intent to hold a hearing, the date for that hearing shall be set by the
28 court and the Department shall place the juvenile in a youth development center or
29 detention facility until the determination of the court at that hearing."

1 **SECTION 2.** This act becomes effective October 1, 2003, and applies to
2 dispositions entered on or after that date.