

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 935

Short Title: Appointment of Juvenile Counsel.

(Public)

Sponsors: Senator Wellons.

Referred to: Judiciary I.

April 5, 2001

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 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. 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. In all other cases in which the juvenile is alleged to be delinquent or is in contempt of court and alleged or adjudicated to be undisciplined, counsel ~~Counsel~~ for the juvenile shall be appointed in accordance with rules adopted by the Office of Indigent Defense ~~Services, 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. Services.~~

(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, 2001.