

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE DRS15008-LU-2 (12/09)

Short Title: Restraint/Juvenile in Custody/Ct's Discretion.

(Public)

Sponsors: Senator Tillman.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAWS RELATING TO THE RESTRAINT OF JUVENILES IN  
THE COURTROOM.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7B-2402.1 reads as rewritten:

**"§ 7B-2402.1. Restraint of juveniles in courtroom.**

At any hearing authorized or required by this Subchapter, the judge ~~may~~ may, in his or her discretion, subject a juvenile to physical restraint in the ~~courtroom only when the judge finds the restraint to be reasonably necessary to maintain order, prevent the juvenile's escape, or provide for the safety of the courtroom. Whenever practical, the judge shall provide the juvenile and the juvenile's attorney an opportunity to be heard to contest the use of restraints before the judge orders the use of restraints. If restraints are ordered, the judge shall make findings of fact in support of the order.~~ courtroom."

**SECTION 2.** This act becomes effective December 1, 2009, and applies to offenses committed on or after that date.



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