

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE DRS85147-LU-41* (02/16)

Short Title: End Ct. Orders/Est. Local Intake Procedures.

(Public)

Sponsors: Senator Jones.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT NO LONGER REQUIRING A COURT ORDER TO ESTABLISH LOCAL
3 INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED
4 COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND
5 DELINQUENT JUVENILES AND AUTHORIZING THE DEPARTMENT OF
6 JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO MONITOR COUNTY
7 DETENTION CENTERS.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 7B-1803(a) reads as rewritten:

10 "(a) All complaints concerning a juvenile alleged to be delinquent or undisciplined shall
11 be referred to the juvenile court counselor for screening and evaluation. Thereafter, if the
12 juvenile court counselor determines that a petition should be filed, the petition shall be drawn
13 by the juvenile court counselor or the clerk, signed by the complainant, and verified before an
14 official authorized to administer oaths. If the circumstances indicate a need for immediate
15 attachment of jurisdiction and if the juvenile court counselor is out of the county or otherwise
16 unavailable to receive a complaint and to draw a petition when it is needed, the clerk shall
17 assist the complainant in communicating the complaint to the juvenile court counselor by
18 telephone and, with the approval of the juvenile court counselor, shall draw a petition and file it
19 when signed and verified. A copy of the complaint and petition shall be transmitted to the
20 juvenile court counselor. ~~Procedures for receiving delinquency and undisciplined complaints
21 and drawing petitions thereon, consistent with this Article and Article 17 of this Chapter, shall
22 be established by administrative order of the chief judge in each judicial district."~~

23 **SECTION 2.** G.S. 153A-221.1 reads as rewritten:

24 "**§ 153A-221.1. Standards and inspections.**

25 The legal responsibility of the ~~Secretary of Health and Human Services and the Social~~
26 ~~Services Commission~~ Secretary of Juvenile Justice and Delinquency Prevention for State
27 services to county juvenile detention homes under this Article is hereby confirmed and shall
28 include the following: development of State standards under the prescribed procedures;
29 inspection; consultation; technical assistance; and training.

30 The ~~Secretary of Health and Human Services~~ Secretary of Juvenile Justice and Delinquency
31 Prevention shall also develop standards under which a local jail may be approved as a holdover
32 facility for not more than five calendar days pending placement in a juvenile detention home
33 which meets State standards, providing the local jail is so arranged that any child placed in the
34 holdover facility cannot converse with, see, or be seen by the adult population of the jail while
35 in the holdover facility. The personnel responsible for the administration of a jail with an



1 approved holdover facility shall provide close supervision of any child placed in the holdover
2 facility for the protection of the child."

3 **SECTION 3.** This act is effective when it becomes law.