



# HOUSE BILL 362: Changes to the Juvenile Code.

2017-2018 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> June 26, 2017
<b>Introduced by:</b> Rep. Jordan	<b>Prepared by:</b> Tawanda N. Foster
<b>Analysis of:</b> Fourth Edition	Staff Attorney

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**OVERVIEW:** *House Bill 362 makes various changes to the juvenile laws. The act would become effective October 1, 2017.*

## BILL ANALYSIS:

**Section 1** expands the jurisdiction of the juvenile court to include review hearings for youth in foster care who enter into a voluntary placement agreement for care after the age of 18.

**Section 2** clarifies a magistrate must accept juvenile petitions for filing under G.S. 7B-404 when the clerk of court's office is closed.

**Section 3** clarifies an action commences when a petition is accepted by a magistrate when the clerk's office is closed.

**Section 4** amends G.S. 7B-407 to allow summons to be served under G.S. 1A-1, Rule 4. If service by publication or service in a foreign country is required, the cost of the service shall be advanced by the petitioner and may be charged as court costs.

**Section 5** amends the list of approved placements for juveniles in nonsecure custody to add the home of a parent, relative, nonrelative kin, or other persons with legal custody of a sibling of the juvenile.

**Section 6** makes a technical correction and clarifies when a juvenile is in nonsecure custody routine medical or dental treatment authorized by the director of the county department of social services may include common pediatric illnesses and injuries.

**Section 7** makes a clarifying change to only require testimony from the parties in a hearing under G.S. 7B-506.

**Section 8** amends G.S. 7B-906.1 to allow review hearings when a court has jurisdiction whether custody has been removed from a parent, guardian or custodian or not. This section also requires the court to schedule a permanency planning hearing within 30 days of a review hearing that finds reunification efforts would be unsuccessful or inconsistent when that determination is not made at a permanency planning hearing.

**Section 9** requires post-termination of parental rights review hearings when a termination of parental rights is granted and when the juvenile is free for adoption after a termination of parental rights or a relinquishment.

**Section 10** corrects a typographical error.

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**Section 11** amends G.S. 7B-1106 to allow the summons to be served under G.S. 1A-1, Rule 4 in a termination of parental rights matter. Prior to service by publication the court must make findings of fact that a respondent cannot otherwise be served despite diligent efforts. The court must also approve the form of the notice before it is published.

**Section 12** makes a technical correction to G.S. 7B-2503 to remove unnecessary language.

**Section 13** makes a technical correction to G.S. 7B-2506 to remove unnecessary language.

**Section 14** clarifies a juvenile may receive medical treatment with court authorization under G.S. 7B-3600, 7B-505.1, or 7B-903.1.

**EFFECTIVE DATE:** This bill would become effective October 1, 2017.