



HOUSE BILL 362: Changes to the Juvenile Code.

2017-2018 General Assembly

Committee:		Date:	September 11, 2017
Introduced by:		Prepared by:	Tawanda N. Foster Staff Attorney
Analysis of:	S.L. 2017-161		

OVERVIEW: *S.L. 2017-161 makes various changes to the juvenile code related to abuse, neglect, and dependency. The act becomes 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 the law related to the service of summons. If service by publication or service in a foreign country is required, the cost of the service must 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 to determine the need for continued nonsecure custody.

Section 8 amends the law related to review and permanency planning hearings 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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House Bill 362

Page 2

Section 11 amends the law related to issuance of summons 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 the law on dispositional alternatives for undisciplined juveniles to remove unnecessary language.

Section 13 makes a technical correction to the law on dispositional alternatives for delinquent juveniles to remove unnecessary language.

Section 14 clarifies a juvenile may receive medical treatment with court authorization in emergency circumstance and while in custody of a department of social services.

EFFECTIVE DATE: This act becomes effective October 1, 2017.