

In the beginning (1919)...

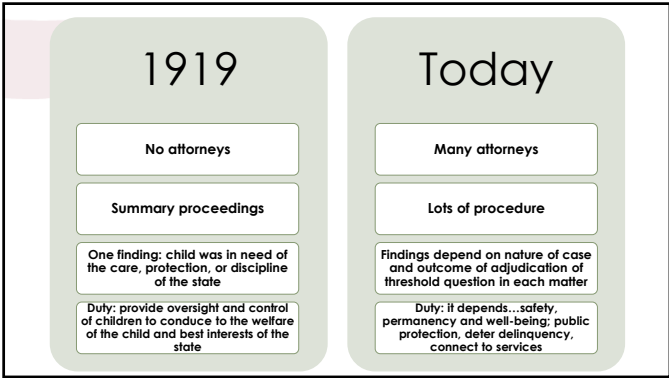
Included LOTS of kids to provide oversight and control over this wide range of children to "conduce to the welfare of such child and to the best interests of the state.'

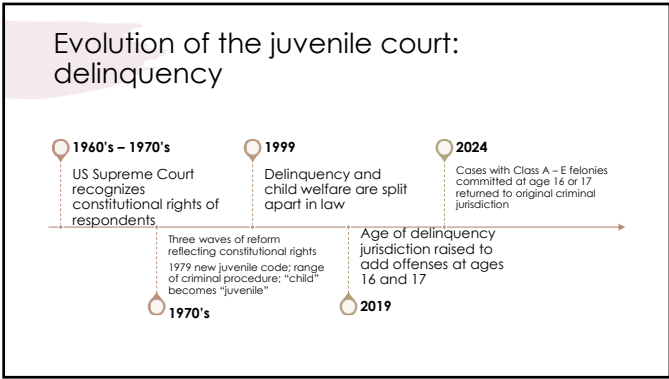
Jurisdiction included children under 16 who were:

delinquent or who violated any municipal or state law or ordinance or who was **truant, unruly, wayward, or misdirected, or was disobedient to parents or beyond their control, or was in danger of becoming so**

neglected, or who engaged in any occupation, calling, or exhibition, or was found in any place **where a child was forbidden by law to be** and for permitting which an adult may have been punished by law, or was in such **condition or surroundings** or was under such **improper or insufficient guardianship or control** as to endanger the morals, health, or general welfare of such child

dependent upon public support or was **destitute, homeless, or abandoned**, or whose **custody was subject to controversy**.







What do delinquency proceedings look like?



Delinquency

G.S. 7B-2412 Legal effect of adjudication of delinquency: NOT a conviction of a criminal offense

"Juvenile proceedings, however, stand in a different light. Whatever may be their proper classification, they certainly **are not 'criminal prosecutions'**" In re Burrus, 275 N.C. 517 (1969)

Delinquency: Civil Proceeding with Criminal Components

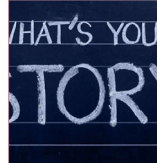
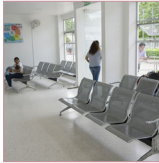


G.S. 1A-1, Rule 1: Rules of civil procedure govern **except when a differing procedure is prescribed by statute.**



Subchapter II of 7B prescribes **many** differing procedures

What do child welfare proceedings involve



Abuse,
Neglect,
Dependency

Government Intervention
in Family's Life and with
Parent's Constitutional
Rights

GS 7B-100 Purposes

- Fairness & Equity
- Protect Constitutional Rights
- Prevent unnecessary separation from families
- Provide Services
- Needs/Strengths of Juvenile and Family
- Safety, Continuity, Permanency for Juvenile
- Best Interests of the Child

Considerations

Is the child an abused, neglected, or dependent juvenile?

What steps must happen to correct those conditions?

Priority: Reunification

Safety, Constitutional Rights, Best Interests

Civil Proceeding Like No Other



Juvenile Code
(GS Chapter 7B)
Controls



Government
Involvement:
DSS and Court



Always Pending
