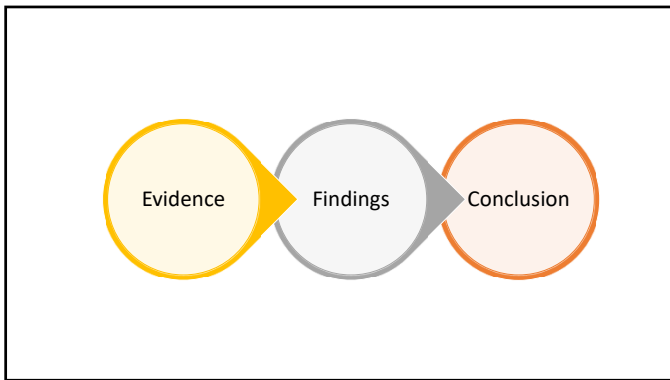
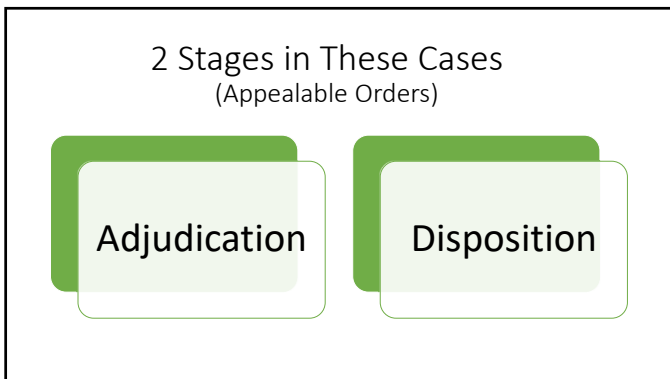


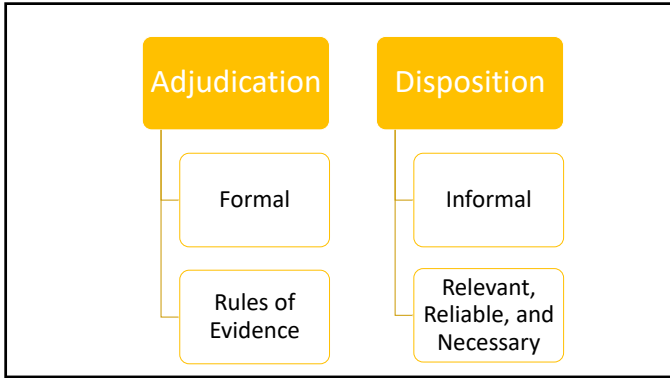
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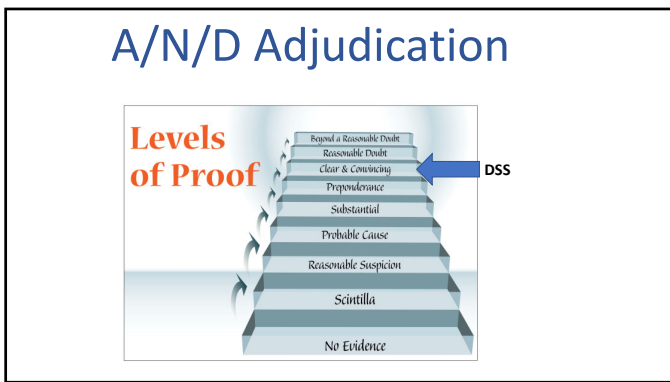
2



3



4




5

A/N/D Adjudication
= Status of the Child

- Abuse
- Neglect
- Dependency
- One, combination

Limited by the definitions in the Juvenile Code



6

Child's Status

- Does not require determination of fault by a parent, guardian, custodian, or caretaker
- Adjudication is not "as to" a particular respondent

7

2 Procedural Paths for Adjudication

Hearing

G.S. 7B-802

- A judicial process to adjudicate the existence or nonexistence of any of the conditions alleged in the petition
- G.S. 7B-807(a): Stipulations

Consent

G.S. 7B-801(b1)

8

Delinquency Adjudication

Levels of Proof

- Beyond a Reasonable Doubt
- Reasonable Doubt
- Clear & Convincing
- Preponderance
- Substantial
- Probable Cause
- Reasonable Suspicion
- Scintilla
- No Evidence

DA

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Delinquency Adjudication = Did the Juvenile Do It?



- Allegation in petition that the Juvenile is delinquent (committed a crime or infraction or indirect contempt) must be proved

Crimes as defined in the criminal law

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2 Procedural Paths for Adjudication

Hearing

G.S. 7B-2403 – 2406, 2408 - 2411

- A judicial process to adjudicate whether the youth committed any delinquent act alleged in the petition

Admission

G.S. 7B-2407

- Mandatory 6-part colloquy

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A/N/D Dispositional Stage: Hearing Types

Initial Dispositional Hearing


Review Hearing

Permanency Planning Hearing (PPH)

12

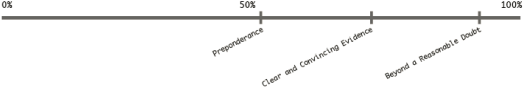
Dispositional Stage

Inquisitive



A slide with a white background. On the left, there is a small orange horizontal bar above the text "Dispositional Stage" and "Inquisitive". To the right of this text is a graphic of the words "important questions" in 3D block letters of various colors (red, green, blue, yellow, orange) stacked on top of each other.

13



Burden of proof = **Best Interests of the Child**

No Party Has the Burden
All have right to present evidence

A horizontal scale from 0% to 100% with three points marked: "Preponderance" at approximately 50%, "Clear and Convincing Evidence" at approximately 75%, and "Beyond a Reasonable Doubt" at 100%. Below the scale, there is a grey area with a wavy top edge. The text "Burden of proof = Best Interests of the Child" is on the left, and "No Party Has the Burden All have right to present evidence" is on the right.

14


Informal: No Rules of Evidence

May consider evidence or testimony from any person

- if relevant, reliable, & necessary
- to determine child's needs and most appropriate disposition

A slide with a white background. The title "Informal: No Rules of Evidence" is in blue. Below it, the text "May consider evidence or testimony from any person" is in black. Two bullet points follow, each starting with a blue arrowhead and containing text in black.

15







Evidence

- For Initial Disposition Only
 - Predisposition report (7B-808) of "sufficient social, medical, psychiatric, psychological, and educational information"
- All Dispositional Hearings
 - May consider reports
 - Sworn Testimony
 - Initial Dispo, only if new evidence
 - Review/PPH, always

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Delinquency Disposition Hearings

-  Informal
-  Any evidence, including hearsay
 - relevant, reliable, and necessary to determine the needs of the juvenile and the most appropriate disposition
-  May consider written reports
-  Juvenile and parent must have opportunity to present evidence
 - may advise court concerning disposition they believe to be in juvenile's best interests

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Predisposition Report

G.S. 7B-2413

- Risk and needs assessment must be attached to report
- Can proceed without a predisposition report if make written findings that a report is not needed
- Report cannot be submitted to or considered by court prior to adjudication
- Juvenile and parents must be allowed to offer rebuttal evidence at disposition hearing
- Parts can be withheld from juvenile or parents if disclosure would be harmful to juvenile or a promise of confidentiality was given to the information source

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