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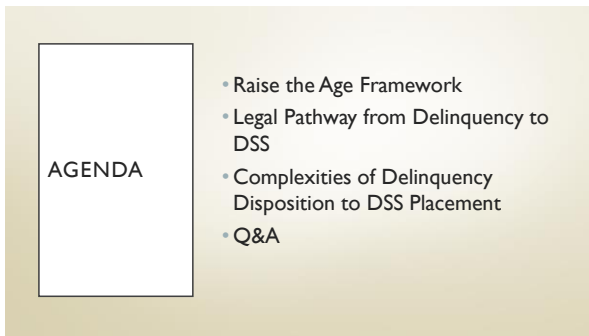
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### EXPANDED JUVENILE JURISDICTION

**New Juvenile Jurisdiction**  
**All crimes and infractions, and indirect contempt, committed at ages 16 and 17 (G.S. 7B-1501(7)b.)**

- Except For:**
- 1. Motor vehicle offenses under G.S. Chapter 20
  - 2. Youth falls under once an adult, always an adult

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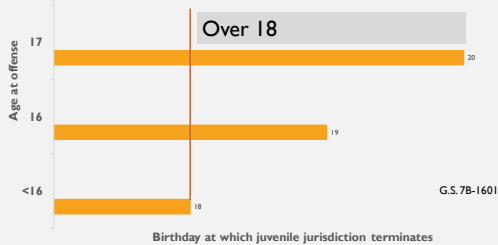
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**Maximum Length of Juvenile Jurisdiction by Age at Offense**  
 (for community-based dispositions)



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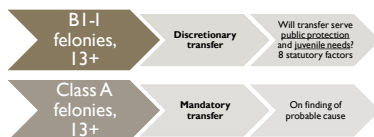
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### TRANSFER TO SUPERIOR COURT AGE 13 – 15 FELONY G.S. 7B-2200, 7B-2203



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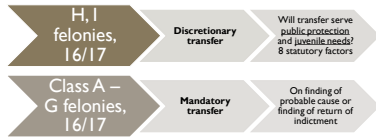
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**TRANSFER TO SUPERIOR COURT**  
**AGE 16 – 17 FELONY**  
 G.S. 7B-2200.5, 7B-2203



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**Reverse  
Waiver**



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**LEGAL PATHWAY  
 FROM DELINQUENCY  
 TO DSS**

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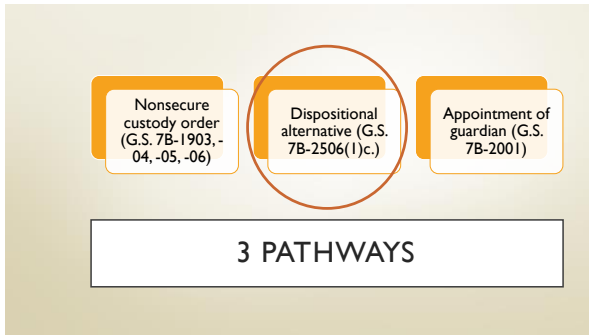
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MORE INFORMATION

<https://www.sog.unc.edu/publications/bulletins/delinquency-and-dss-custody-without-abuse-neglect-or-dependency-how-does-work-0>

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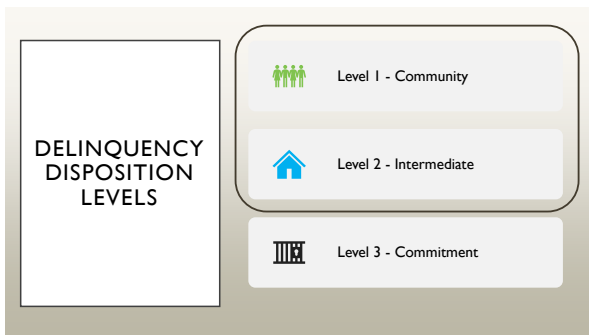
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DISPOSITION CHART			
Delinquency History			
Offense	Low	Medium	High
<b>Violent</b>	Level 2 or 3	Level 3	Level 3
<b>Serious</b>	Level 1 or 2	Level 2	Level 2 or 3
<b>Minor</b>	Level 1	Level 1 or 2	Level 2

G.S. 7B-2508(f)

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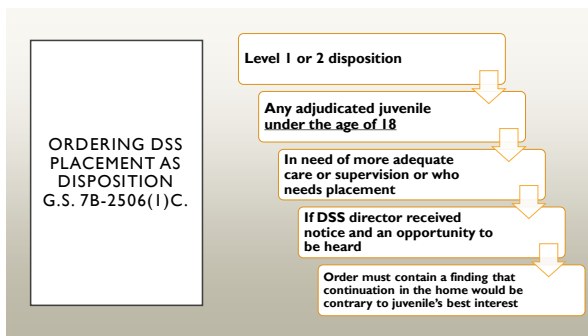
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**MODIFYING DISPOSITIONS**



Orders of disposition can be reviewed at any time to determine whether the order is in the juvenile's best interests; can be modified in light of a change in circumstances (G.S. 7B-2600(a))



**BUT** – G.S. 7B-2600(c) says authority to modify lasts only during minority of juvenile or during an extended commitment to YDC

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## 906.1 HEARINGS ARE REQUIRED

Delinquency dispositional DSS placements must be reviewed in accordance with G.S. 906.1, Review and permanency planning hearings (G.S. 7B-2506(1)c.)

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## COMPLEXITIES OF DELINQUENCY DISPOSITION TO DSS PLACEMENT

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## WHICH LAW GOVERNS THESE PLACEMENTS?

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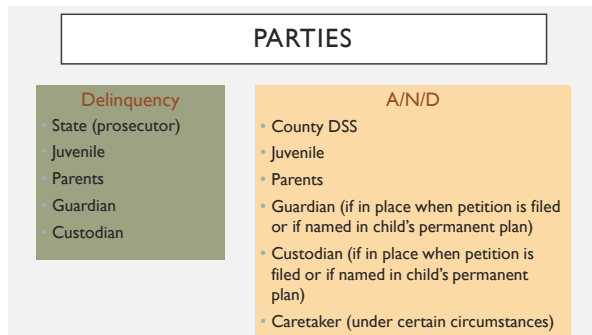
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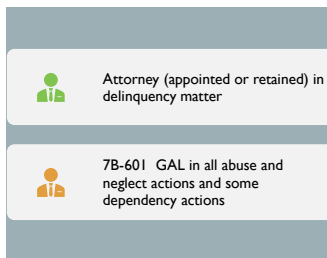
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**JUVENILE  
REPRESENTATION**

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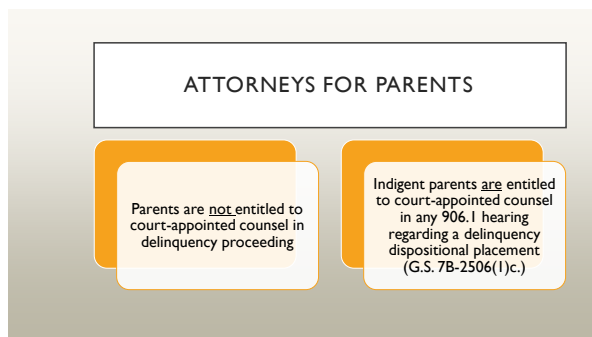
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## DISPOSITIONAL ALTERNATIVES

Governed by G.S. 7B-2506

Table 2. Dispositional Alternatives Available in Both Abuse, Neglect, Dependency and Delinquency Actions, with Differences Identified (in Italics)

G.S. 7B-903 (A/N/D)	G.S. 7B-2506 (Delinquency)
Require that the juvenile be supervised in his or her home by DSS or another individual, subject to court-specified conditions placed on the parent, guardian, custodian, or caretaker	Require that a juvenile be supervised in his or her own home by DSS, a juvenile court counselor, or other personnel as may be available to the court, subject to court-specified conditions placed on the parent, guardian, custodian, or the juvenile
Place the juvenile in the custody of a parent, relative, other suitable person, or private agency; <i>the court must also consider whether jurisdiction should be terminated and whether a G.S. Chapter 50 custody order should be entered pursuant to G.S. 7B-911<sup>(m)</sup></i>	Place the juvenile in the custody of a parent, relative, other suitable person, or private agency
Place the juvenile in DSS custody	Place the juvenile in DSS custody

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## WHAT ABOUT JUVENILES WHO TURN 18 WHILE IN DSS PLACEMENT?

- Delinquency orders of disposition last until the youth ages out of juvenile jurisdiction (18, 19, or 20) unless the court terminates jurisdiction earlier or the disposition is modified
- Delinquent children are eligible for foster care (G.S. 131D-10.2(9))
- G.S. 131D-10.2(3) defines child as any unemancipated individual under the age of 21
- North Carolina Supreme Court – “[t]he age of emancipation is precisely fixed—18.” *Shoaf v. Shoaf*, 282 N.C. 287, 291 (1972)



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## PRACTICE IDEAS

Calendar	Calendar 906.1 hearings and disposition reviews at the same time
Include	Always include the juvenile's delinquency attorney in review hearings
Suggest	Suggest adding a review hearing timeline to the delinquency dispositional order or adding a set maximum length of time for the DSS placement
Explore	If time allows, explore possible alternate custodians prior to the dispositional hearing

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IF YOU ONLY REMEMBER 1  
THING:

The delinquency  
case provides the  
legal basis for this  
DSS placement



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Q&A

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### Contact Information

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