

April 10, 2003

H 1033. CHILD CUSTODY/GUARDIANSHIP JURISDICTION. *TO ESTABLISH A PROCEDURE TO RESOLVE THE ISSUE OF CONFLICTING CHILD CUSTODY ORDERS; TO CLARIFY THE EFFECT OF TERMINATING JURISDICTION IN CERTAIN JUVENILE CASES; TO GIVE THE COURT AUTHORITY TO CONVERT A JUVENILE COURT CUSTODY ORDER INTO A PERMANENT CUSTODY ORDER UNDER CHAPTER 50 OF THE GENERAL STATUTES; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE LAW.* Adds new GS 7B-200(c) to provide that upon the juvenile court's assumption of jurisdiction over a juvenile abuse petition, any civil action concerning the juvenile's custody is automatically stayed, unless the actions are consolidated as provided in new GS 7B-200(d), and that any order entered in the juvenile proceeding controls. GS 7B-200(d) establishes the procedures and grounds for consolidating custody proceedings with juvenile court proceedings, including those pending in different districts. New GS 7B-201 prohibits the juvenile court from modifying its orders upon termination of jurisdiction, except for certain listed orders and actions. Adds new GS 7B-402 requiring that juvenile abuse petitions contain information required by GS 50A-209. Amends GS 7B-600(a) to provide that the juvenile court retains jurisdiction until a guardianship is terminated or jurisdiction terminates as a matter of law. Adds new GS 7B-911 authorizing the juvenile court to issue a custody order and to file that order in any pending custody action, including joining any necessary parties to that action. Specifies the findings that the juvenile court must make prior to entry of a custody order. Makes technical and conforming changes. Applicable to petitions and actions filed on or after Oct. 1, 2003.

Intro. by Glazier.

Ref. to Judiciary IV	GS 7B, 50
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