

April 12, 2007

H 1479. JUVENILE CONTEMPT/PROCEDURES AND SANCTIONS. Filed 4/12/07. *TO PROVIDE PROCEDURES AND SANCTIONS TO ADDRESS CONTEMPT BY JUVENILES.*

Enacts new Article 3 of GS Chapter 5A concerning contempt by unemancipated minors at least six years old and not yet 16 years old who have not been convicted of a crime in superior court. Lists actions that are considered contempt of court. Provides for when contempt is considered direct contempt and indirect contempt. Establishes procedures that must be followed by judicial officials when they impose measures in response to direct contempt summarily and procedures when they decide not to proceed summarily. Juveniles determined to have committed direct contempt may be ordered by the court to be held in a juvenile detention facility for up to five days, or to perform up to 30 hours of supervised community service, which may be terminated or reduced by the judicial official. Appeals from a finding of direct contempt are to the Court of Appeals. Provides that no act by a child under six years old constitutes contempt and that Article 1 (criminal contempt) and Article 2 (civil contempt) of GS Chapter 5A apply to emancipated minors 16 years old or older who have been convicted of a criminal offense in superior court. Amends GS 7B-2507(b) to provide that no points are to be awarded for a prior adjudication that a juvenile is in direct or indirect contempt of court. Amends GS 7B-2508(a) to provide that an adjudication of indirect contempt by a juvenile is classified as a minor offense. Amends GS 143B-536 to add to the duties of juvenile court counselors assisting in the implementation of orders issued concerning direct contempt by a juvenile. Makes conforming changes to GS 7B-1501 and GS 7B-1603 and enacts conforming GS 7B-1707. Effective December 1, 2007.

Intro. by Glazier. GS 5A, 7B, 143B

May 22, 2007

H 1479. JUVENILE CONTEMPT/PROCEDURES AND SANCTIONS. Filed 4/12/07. House committee substitute makes the following changes to 1st edition. Modifies the proposed amendment to the definition of *delinquent juvenile* in GS 7B-1501 to include a juvenile who commits direct, rather than indirect, contempt. Modifies the proposed amendment to GS 7B-2508(a) to provide that the minor offense classification includes adjudication of direct, rather than indirect, contempt by a juvenile.

May 23, 2007

H 1479. JUVENILE CONTEMPT/PROCEDURES AND SANCTIONS. Filed 4/12/07. House amendments make the following changes to 2nd edition. Amendment #1 (1) modifies the proposed amendment to the definition of *delinquent juvenile* in GS 7B-1501 to include a juvenile who commits indirect, rather than direct, contempt and (2) modifies the proposed amendment to GS 7B-2508(a) to provide that the minor offense classification includes adjudication of indirect, rather than direct, contempt by a juvenile. Amendment #2 modifies proposed new GS 5A-32 to allow the court, after a determination has been made that a juvenile has committed direct contempt, to order that the juvenile be required to undergo any evaluation necessary for the court to determine the needs of the juvenile. Makes a conforming change.

July 9, 2007

SL 2007-168 (H 1479). JUVENILE CONTEMPT/PROCEDURES AND SANCTIONS. AN ACT TO PROVIDE PROCEDURES AND SANCTIONS TO ADDRESS CONTEMPT BY JUVENILES. Summarized in *Daily Bulletin* 4/12/07, 5/22/07, and 5/23/07. Enacted July 4, 2007. Effective December 1, 2007.