

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS45140-SUz-5A* (03/26)

Short Title: Verification/Jurisdiction in Juvenile Cases. (Public)

Sponsors: Senators Randleman and Barringer (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION
3 HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT
4 THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC
5 COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 7B-800.1 reads as rewritten:

8 "**§ 7B-800.1. Pre-adjudication hearing.**

9 (a) Prior to the adjudicatory hearing, the court shall consider the following:

- 10 (1) Retention or release of provisional counsel.
11 (2) Identification of the parties to the proceeding.
12 (3) Whether paternity has been established or efforts made to establish paternity,
13 including the identity and location of any missing parent.
14 (4) Whether relatives have been identified and notified as potential resources for
15 placement or support.
16 (5) Whether all summons, service of process, and notice requirements have been
17 met.
18 (5a) Whether the petition has been properly verified and invokes jurisdiction.
19 (6) Any pretrial motions, including (i) appointment of a guardian ad litem in
20 accordance with G.S. 7B-602, (ii) discovery motions in accordance with
21 G.S. 7B-700, (iii) amendment of the petition in accordance with
22 G.S. 7B-800, or (iv) any motion for a continuance of the adjudicatory
23 hearing in accordance with G.S. 7B-803.
24 (7) Any other issue that can be properly addressed as a preliminary matter.

25 (b) The pre-adjudication hearing may be combined with a hearing on the need for
26 nonsecure custody or any pretrial hearing or conducted in accordance with local rules.

27 (c) The parties may enter stipulations in accordance with G.S. 7B-807 or enter a
28 consent order in accordance with G.S. 7B-801."

29 **SECTION 2.** This act becomes effective October 1, 2014.

