



Juvenile Justice for Magistrates

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1. **Jurisdiction**
2. Place of confinement
3. Transfer and bond
4. Sight and sound separation
5. Juvenile petitions

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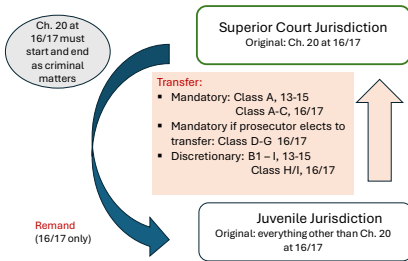
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Current Exclusions From Original Juvenile Jurisdiction for Offenses at 16/17

- Chapter 20 motor vehicle offenses
 - NOT including transactionally related offenses
- Once an adult, always an adult
- Emancipated
- Married
- Member of armed services

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Current Case Movement Pathways



5

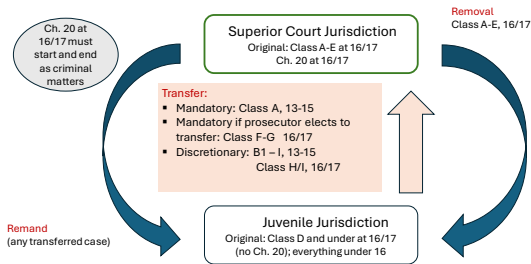
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Exclusions From Original Juvenile Jurisdiction for Offenses at 16/17 Offenses Committed on or after 12/1/24

- Class A – E felonies AND transactionally related offenses
- Chapter 20 motor vehicle offenses
 - NOT including transactionally related offenses
- Once an adult, always an adult
- Emancipated
- Married
- Member of armed services

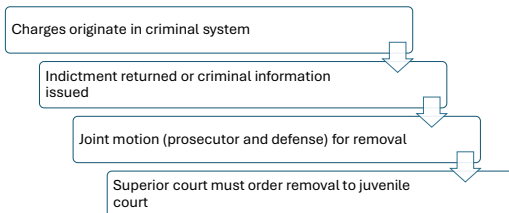
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Case Movement Pathways Offenses on or after 12/1/24



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Removal



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When Removal is Ordered

Order must be in writing and require DJJ to file a juvenile petition within 10 calendar days

Superior court record must be expunged (per G.S. 15A-145.8)

Superior court may issue a secure custody order if criteria in G.S. 7B-1903 are met

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Place of Confinement

Criminal jurisdiction and under 18
• Juvenile detention

Criminal jurisdiction and 18 or older
• Jail

Juvenile Jurisdiction
• Juvenile detention*

* with exceptions for rare cases that did not begin before aging out and the person is 18 or older




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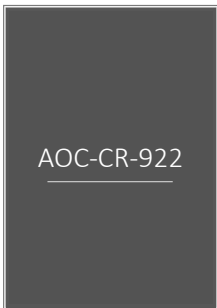


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If Transfer Ordered

 MUST SET BOND <small>G.S. 78-2204</small>	 IMMEDIATE APPEAL TO SUPERIOR COURT* <small>G.S. 78-2603 *only for discretionary transfers beginning with offenses on 12/1/24</small>	 FINGERPRINTING REQUIRED <small>G.S. 78-2201</small>
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STATE OF NORTH CAROLINA	
County: _____	
RELEASE ORDER FOR ASSEMBLY MEMBERSHIP TO SUPERIOR COURT FOR YEAR	
2024-2025	
<small>1. Defendant's Name: _____</small> <small>2. Defendant's Date of Birth: _____</small> <small>3. Defendant's Social Security Number: _____</small> <small>4. Defendant's Current Address: _____</small> <small>5. Defendant's Current Telephone Number: _____</small> <small>6. Defendant's Current Email Address: _____</small> <small>7. Defendant's Current State of Residence: _____</small> <small>8. Defendant's Current County of Residence: _____</small> <small>9. Defendant's Current City or Town of Residence: _____</small> <small>10. Defendant's Current Zip Code: _____</small> <small>11. Defendant's Current State of Residence: _____</small> <small>12. Defendant's Current County of Residence: _____</small> <small>13. Defendant's Current City or Town of Residence: _____</small> <small>14. Defendant's Current Zip Code: _____</small>	<small>15. Defendant's Current State of Residence: _____</small> <small>16. Defendant's Current County of Residence: _____</small> <small>17. Defendant's Current City or Town of Residence: _____</small> <small>18. Defendant's Current Zip Code: _____</small> <small>19. Defendant's Current State of Residence: _____</small> <small>20. Defendant's Current County of Residence: _____</small> <small>21. Defendant's Current City or Town of Residence: _____</small> <small>22. Defendant's Current Zip Code: _____</small>
<small>23. Defendant's Current State of Residence: _____</small> <small>24. Defendant's Current County of Residence: _____</small> <small>25. Defendant's Current City or Town of Residence: _____</small> <small>26. Defendant's Current Zip Code: _____</small>	
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10-Day Appeal Window
Dispelling Transfer Confusion: 10-Day Appeal Window, Orders for Arrest
<https://civil.sog.unc.edu/dispelling-transfer-confusion-10-day-appeal-window-orders-for-arrest/>

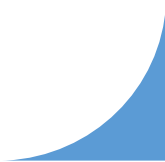
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Key Points

- _____ Criminal matter under jurisdiction of the superior court
- _____ CRS numbers can and should be manually generated
- _____ No orders for arrest based on returned indictment

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Sight and Sound Contact Prohibition 34 U.S.C. § 11133(a)(11)(B)



Seven horizontal lines for notes.

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Applies to Contact Between “Juveniles” and “Adult Inmates”

Juvenile juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility

Adult Inmate • has reached the age of 18; and • has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense. • does not include an individual who— • at the time of the offense, was younger than 21 or • was committed to the care and custody or supervision of DJJ

Seven horizontal lines for notes.

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Prohibition of Detention or Confinement in Adult Jail 34 U.S.C. §11133(a)(13)

Exception: Up to 6 hours for (i) for processing or release; (ii) while awaiting transfer to a juvenile facility; or (iii) in which period such juveniles make a court appearance.

Seven horizontal lines for notes.

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Still No Sight or Sound Contact

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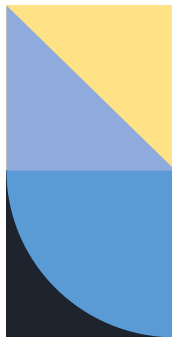


Juvenile Petitions

Authority for magistrate to draw and verify petition and accept it for filing when:

- 1. Office of the Clerk is closed
- 2. Court counselor requests a petition
- 3. Secure or nonsecure custody order sought

G.S.7B-1804(b)



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Secure Custody Orders

MUST be authorized by a district court judge or court counselor (if delegated by a local administrative order)

Magistrate is the person who receives telephonic approval

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Date	Signature Of Judge/District Court Judge's Designee	<input type="checkbox"/> District Court Judge	<input type="checkbox"/> Superior Court Judge
Maximum Duration Of Custody	Name Of Judge/District Court Judge's Designee (Type or print)		
If the person above gives telephonic approval:			
Time	Name And Title Of Person Receiving Telephonic Approval	Signature Of Person Receiving Telephonic Approval	
<input type="checkbox"/> AM	<input type="checkbox"/> PM		
RETURN ON ORDER			
Date Order Received			Date Order Returned

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Contact Information

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