

Article 10.

Modification and Enforcement of Dispositional Orders; Appeals.

§ 7B-1000. Authority to modify.

(a) Upon motion in the cause or petition, and after notice, the court may conduct a modification hearing to determine whether the order of the court is in the best interests of the juvenile. The court may modify the order in light of changes in circumstances or the needs of the juvenile and address the issues raised in the motion that do not require a review or permanency planning hearing pursuant to G.S. 7B-906.1.

(b) In any case where the court finds the juvenile to be abused, neglected, or dependent, the jurisdiction of the court to modify any order or disposition made in the case shall continue during the minority of the juvenile, until terminated by order of the court, or until the juvenile is otherwise emancipated.

(c) When a motion is filed to conduct a modification hearing under this section and the guardian ad litem appointed through G.S. 7B-601 has been previously released, the court shall reappoint a guardian ad litem and an attorney advocate. The clerk shall provide the motion and any notice of hearing to the guardian ad litem and the attorney advocate. The hearing on the motion shall not take place until the guardian ad litem and the attorney advocate have been reappointed.

(d) When a motion is filed to conduct a modification hearing under this section and counsel for respondent parents appointed through G.S. 7B-602 has been released, the court shall appoint provisional counsel in accordance with G.S. 7B-602.

(e) The order shall be reduced to writing, signed, and entered no later than 30 days following the completion of the hearing. If the order is not entered within 30 days following completion of the hearing, the clerk of court for juvenile matters shall schedule a subsequent hearing at the first session of court scheduled for the hearing of juvenile matters following the 30-day period to determine and explain the reason for the delay and to obtain any needed clarification as to the contents of the order. The order shall be entered within 10 days of the subsequent hearing required by this subsection. (1979, c. 815, s. 1; 1998-202, s. 6; 1999-456, s. 60; 2000-124, s. 3; 2013-129, s. 30; 2021-100, s. 16.)