

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

HOUSE BILL 1243
RATIFIED BILL

AN ACT TO CREATE A PROCEDURE BY WHICH DETERMINATION IS MADE
TO RESTRAIN JUVENILES IN THE COURTROOM.

The General Assembly of North Carolina enacts:

SECTION 1. Article 24 of Chapter 7B of the General Statutes is amended
by adding a new section to read:

"§ 7B-2402.1. Restraint of juveniles in courtroom.

At any hearing authorized or required by this Subchapter, the judge may subject a juvenile to physical restraint in the courtroom only when the judge finds the restraint to be reasonably necessary to maintain order, prevent the juvenile's escape, or provide for the safety of the courtroom. Whenever practical, the judge shall provide the juvenile and the juvenile's attorney an opportunity to be heard to contest the use of restraints before the judge orders the use of restraints. If restraints are ordered, the judge shall make findings of fact in support of the order."

SECTION 2. This act becomes effective October 1, 2007, and applies to all hearings conducted on or after that date.

In the General Assembly read three times and ratified this the 14th day of June, 2007.

Beverly E. Perdue
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2007