

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 144

Short Title: Parents Ordered into Treatment.

(Public)

Sponsors: Representatives Jones; Barnhill, Bowman, Brown, J. Crawford, DeVane, Diamont, Easterling, Foster, Gibson, Hasty, Hurley, Lilley, Lineberry, Locks, Privette, Warner, and Warren.

Referred to: Judiciary.

February 2, 1989

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE A PARENT IN A JUVENILE COURT CASE TO
2 PARTICIPATE IN MEDICAL, PSYCHOLOGICAL, OR OTHER TREATMENT
3 AS A CONDITION OF RETURN OF LEGAL OR PHYSICAL CUSTODY OF
4 THE CHILD.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 7A-650 reads as rewritten:

8 "**§ 7A-650. Authority over parents of juvenile adjudicated as delinquent,**
9 **undisciplined, abused, neglected, or dependent.**

10 (a) If the judge orders medical, surgical, psychiatric, psychological, or other
11 treatment pursuant to G.S. 7A-647(3), the judge may order the parent or other
12 responsible parties to pay the cost of the treatment or care ordered.

13 (b) The judge may order the parent to provide transportation for a juvenile to
14 keep an appointment with a court counselor.

15 (b1) In any case where a juvenile has been adjudicated as delinquent,
16 undisciplined, abused, neglected or dependent, the judge may conduct a special hearing
17 to determine if the court should order the parents to participate in medical, psychiatric,
18 psychological or other treatment and pay the costs thereof. The notice of this hearing
19 shall be by special petition and summons to be filed by the court and served upon the
20 parents at the conclusion of the adjudication hearing. If, at this hearing, the court finds it
21 in the best interest of the juvenile for the parent to be directly involved in treatment, the

1 judge may order the parent to participate in medical, psychiatric, psychological or other
2 treatment.

3 (b2) At any hearing conducted pursuant to subsection (b1) of this section or at a
4 separate hearing set for this purpose, the Court may consider whether the best interest of
5 the juvenile requires that legal custody or physical placement with the parent be
6 conditioned upon the parent's undergoing medical, psychiatric, psychological, or other
7 treatment directed toward remediating or remedying those behaviors or conditions that
8 led to or contributed to removal of the child, and paying the costs for the treatment. The
9 notice of hearing in such case shall be by special petition and summons to be filed with
10 the Court and served upon the parents at the conclusion of the adjudication hearing. The
11 notice may be combined with a notice given under subsection (b1) of this section. If, at
12 the hearing, the Court determines that the best interest of the juvenile requires that the
13 parent undergo such treatment, it may enter an order conditioning legal custody or
14 physical placement of the juvenile with the parent upon compliance with a plan of
15 treatment approved by the Court.

16 (c) Whenever legal custody of a juvenile is vested in someone other than his
17 parent, after due notice to the parent and after a hearing, the judge may order that the
18 parent pay a reasonable sum that will cover in whole or in part the support of the
19 juvenile after the order is entered. If the judge places a juvenile in the custody of a
20 county department of social services and if the judge finds that the parent is unable to
21 pay the cost of the support required by the juvenile, the cost shall be paid by the county
22 department of social services in whose custody the juvenile is placed, provided the
23 juvenile is not receiving care in an institution owned or operated by the State or federal
24 government or any subdivision thereof.

25 (d) Failure of a parent who is personally served to participate in or comply with
26 subsections (a) through (c) may result in a civil proceeding for contempt."

27 Sec. 2. This act is effective upon ratification.