GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2007

H **D**

HOUSE DRH70331-LT-115 (3/22)

Short Title:	Courtroom Procedures/Juvenile Proceedings.	(Public)
Sponsors:	Representative Bryant.	
Referred to:		

A BILL TO BE ENTITLED

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-2405.1 Adjudication; restraint of juveniles in courtroom.**

A 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. 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 facts in support thereof."

SECTION 2. Article 25 of Chapter 7B of the General Statutes is amended by adding a new section to read:

"**§ 7B-2501.1 Disposition; restraint of juveniles in courtroom.**

A 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. 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 facts in support thereof."

SECTION 3. This act becomes effective October 1, 2007.