

§ 15A-960. Removal of juveniles charged with committing Class A, B1, B2, C, D, or E felony offenses at age 16 and 17.

(a) Any time after an indictment has been returned or a criminal information has been issued for a Class A, B1, B2, C, D, or E felony, excluding offenses constituting violations of the motor vehicle laws under Chapter 20 of the General Statutes, and before the jury is sworn and impaneled, the superior court shall order the removal of the action to juvenile court upon joint motion of the prosecutor and the defendant's attorney. The order shall be in writing and shall require the chief court counselor or his or her designee to file a juvenile petition in the case within 10 calendar days after removal is ordered. The prosecutor shall provide the chief court counselor or his or her designee with a copy of the joint motion prior to submitting the motion to the court.

(b) The superior court shall expunge the criminal charges and superior court record in accordance with G.S. 15A-145.8 at the time of removal and, if the defendant meets the criteria established in G.S. 7B-1903, may issue an order for secure custody upon the request of a prosecutor. The prosecutor shall provide a copy of any issued secure custody order to the chief court counselor or his or her designee, as soon as possible and no more than 24 hours after the order is issued. (2024-17, s. 3(b).)