

Subpart B. General Provisions.

§ 143B-805. Definitions.

In this Part, unless the context clearly requires otherwise, the following words have the listed meanings:

- (1) Chief court counselor. – The person responsible for administration and supervision of juvenile intake, probation, and post-release supervision in each judicial district, operating under the supervision of the Division of Juvenile Justice of the Department of Public Safety.
- (2) Community-based program. – A program providing nonresidential or residential treatment to a juvenile under the jurisdiction of the juvenile court in the community where the juvenile’s family lives. A community-based program may include specialized foster care, family counseling, shelter care, and other appropriate treatment.
- (3) County Councils. – Juvenile Crime Prevention Councils created under G.S. 143B-846.
- (4) Court. – The district court division of the General Court of Justice.
- (5) Custodian. – The person or agency that has been awarded legal custody of a juvenile by a court.
- (6) Delinquent juvenile. –
 - a. Any juvenile who, while less than 16 years of age but at least 10 years of age, commits a crime or infraction under State law or under an ordinance of local government, including violation of the motor vehicle laws, or who commits indirect contempt by a juvenile as defined in G.S. 5A-31.
 - b. Any juvenile who, while less than 18 years of age but at least 16 years of age, commits a crime or an infraction under State law or under an ordinance of local government, excluding all violations of the motor vehicle laws under Chapter 20 of the General Statutes, or who commits indirect contempt by a juvenile as defined in G.S. 5A-31.
 - c. Any juvenile who, while less than 10 years of age but at least 8 years of age, commits a Class A, B1, B2, C, D, E, F, or G felony under State law.
 - d. Any juvenile who, while less than 10 years of age but at least 8 years of age, commits a crime or an infraction under State law or under an ordinance of local government, including violation of the motor vehicle laws, and has been previously adjudicated delinquent.
- (7) Detention. – The secure confinement of a juvenile under a court order.
- (8) Detention facility. – A facility approved to provide secure confinement and care for juveniles. Detention facilities include both State and locally administered detention homes, centers, and facilities.
- (9) District. – Any district court district as established by G.S. 7A-133.
- (9a) Division. – The Division of Juvenile Justice of the Department of Public Safety.
- (10) Repealed by Session Laws 2017-186, s. 1(r), effective December 1, 2017.
- (11) Judge. – Any district court judge.
- (12) Judicial district. – Any district court district as established by G.S. 7A-133.
- (13) Juvenile. – Except as provided in subdivisions (6) and (20) of this section, any person who has not reached the person’s eighteenth birthday and is not married, emancipated, or a member of the Armed Forces of the United States.

Wherever the term “juvenile” is used with reference to rights and privileges, that term encompasses the attorney for the juvenile as well.

- (13a) Juvenile consultation. – The provision of services to a vulnerable juvenile and to the parent, guardian, or custodian of a vulnerable juvenile pursuant to G.S. 7B-1706.1. Juvenile consultation cases are subject to confidentiality laws provided in Subchapter III of Chapter 7B of the General Statutes.
- (14) Juvenile court. – Any district court exercising jurisdiction under this Chapter.
- (15) Juvenile court counselor. – A person responsible for intake services and court supervision services to juveniles under the supervision of the chief court counselor.
- (16) Post-release supervision. – The supervision of a juvenile who has been returned to the community after having been committed to the Division for placement in a training school.
- (17) Probation. – The status of a juvenile who has been adjudicated delinquent, is subject to specified conditions under the supervision of a juvenile court counselor, and may be returned to the court for violation of those conditions during the period of probation.
- (18) Protective supervision. – The status of a juvenile who has been adjudicated undisciplined and is under the supervision of a juvenile court counselor.
- (19) Secretary. – The Secretary of Public Safety.
- (19a) Repealed by Session Laws 2021-180, s. 19C.9(x), effective January 1, 2023.
- (20) Undisciplined juvenile. –
 - a. A juvenile who, while less than 16 years of age but at least 10 years of age, is unlawfully absent from school; or is regularly disobedient to and beyond the disciplinary control of the juvenile’s parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or has run away from home for a period of more than 24 hours; or
 - b. A juvenile who is 16 or 17 years of age and who is regularly disobedient to and beyond the disciplinary control of the juvenile’s parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or has run away from home for a period of more than 24 hours.
- (20a) Vulnerable juvenile. – Any juvenile who, while less than 10 years of age but at least 6 years of age, commits a crime or infraction under State law or under an ordinance of local government, including violation of the motor vehicle laws, and is not a delinquent juvenile.
- (21) Youth development center. – A secure residential facility authorized to provide long-term treatment, education, and rehabilitative services for delinquent juveniles committed by the court to the Division. (1998-202, ss. 1(b), 2(a); 2000-137, s. 1(b); 2001-95, ss. 3, 4; 2001-490, s. 2.39; 2008-118, s. 3.12(b); 2011-145, s. 19.1(l), (m), (t), (ccc); 2011-183, s. 105; 2017-57, s. 16D.4(r); 2017-186, s. 1(r); 2018-142, s. 23(b); 2019-186, s. 1(b); 2021-123, s. 6(a); 2021-180, s. 19C.9(x).)