

_____ County

In The General Court Of Justice

District Superior Court Division

IN THE MATTER OF

**ORDER FOR SECURE CUSTODY/DETENTION
(UNDISCIPLINED/DELINQUENT)**

Name And Address Of Juvenile

- PRE-ADJUDICATION**
[G.S. 7B-1901(d), -1902, -1903(b),(e), -1904, -1905, -1906, -1907]
- PENDING DISPOSITION**
[G.S. 7B-1902, -1903(c),(d),(e), -1904, -1905, -1907]
- DISPOSITION**
[G.S. 7B-2506(12), (20), -2508, -2510(e)]
- ON REMAND OR REMOVAL FROM SUPERIOR COURT**
[G.S. 7A-271(g); 7B-1906(b2), -2200.5(d); 15A-960]
- INTERSTATE COMPACT FOR JUVENILES (ICJ)**
[G.S. Ch. 7B, Art. 40; Rules 6-103 and 6-103A of the Interstate Compact for Juveniles]

Juvenile's Date Of Birth

Age

Race

Sex

Name And Address

Name And Address

Parent

Guardian

Custodian

Parent

Guardian

Custodian

TO ANY LAW ENFORCEMENT OFFICER OR OTHER AUTHORIZED PERSON:

YOU ARE ORDERED to assume immediate physical custody of the above named juvenile and, in accordance with G.S. 7B-1903(e) and 7B-1904, take the juvenile to an approved detention facility designated by the Division of Juvenile Justice of the Department of Public Safety and make due return on this Order. You are also ordered to give a copy of this Order to the juvenile's parent, guardian or custodian named above. (only for persons 21 years of age or older [required by law], or persons more than 17 years of age but less than 21 years of age [when ordered by the court]) take the juvenile to the jail of the county where charges arose. (**NOTE:** This may be checked only if item 1 and one of the letters within item 1 are checked.)

As grounds for the issuance of this Order, the Court finds that:

- 1. There is a reasonable factual basis to believe that the juvenile committed the offense alleged in the petition, indictment, or information, and that one of the following circumstances exists:
 - a. The juvenile is alleged to be undisciplined by virtue of being a runaway and is inappropriate for nonsecure custody or refuses nonsecure custody, and the juvenile needs secure custody to evaluate the juvenile's need for medical or psychiatric treatment or to facilitate reunion with the juvenile's parents, guardian, or custodian.
 - b. The juvenile is alleged to be undisciplined and has willfully failed to appear in court after proper notice.
 - c. The juvenile is charged with a felony and has demonstrated that he or she is a danger to property or persons.
 - d. The juvenile has demonstrated that the juvenile is a danger to persons and is charged with a misdemeanor, at least one element of which is assault on a person.
 - e. The juvenile has demonstrated that the juvenile is a danger to persons and is charged with a misdemeanor in which the juvenile used, threatened to use, or displayed a firearm or other deadly weapon.
 - f. The juvenile has willfully failed to appear on a pending delinquency charge or on charges of a violation of probation or post-release supervision and the juvenile was properly notified.
 - g. A delinquency charge is pending against the juvenile and there is reasonable cause to believe the juvenile will not appear in court.
 - h. The juvenile is an absconder from a residential facility operated by the Division of Juvenile Justice of the Department of Public Safety or any detention facility in this state or a comparable facility in another state.
 - i. There is reasonable cause to believe the juvenile should be detained for his or her own protection because the juvenile has recently suffered or attempted self-inflicted physical injury, and the juvenile has been refused admission by at least one appropriate hospital.
 - j. The juvenile has demonstrated that the juvenile is a danger to persons and is charged with a violation of G.S. 20-138.1 (Impaired Driving) or 20-138.3 (Driving by person less than 21 years old after consuming alcohol or drugs).
- 2. The juvenile has been adjudicated delinquent and the juvenile should be in secure custody pending the dispositional hearing or pending placement pursuant to G.S. 7B-2506.
- 3. The juvenile is alleged to have violated the conditions of the juvenile's probation or post-release supervision, and is alleged to have committed acts that damaged property or injured persons.

(Over)

NOTE: Only one of the following may be checked.

- 4. A Level 1 Disposition has been entered ordering intermittent confinement of not more than five 24-hour periods.
- 5. A Level 2 Disposition has been entered ordering that the juvenile be confined for up to fourteen 24-hour periods.
- 6. The juvenile has been found by the Court to be in violation of a Level 1 probation and as part of a new disposition the Court orders intermittent confinement for up to 10 days, which is up to twice the time authorized by G.S. 7B-2506 and -2508. [G.S. 7B-2510(e)]
- 7. The juvenile has been found by the Court to be in violation of a Level 2 probation and as part of a new disposition the Court orders intermittent confinement for up to 28 days, which is up to twice the time authorized by G.S. 7B-2506 and -2508. [G.S. 7B-2510(e)]
- 8. The Court has entered an order based on direct contempt by the juvenile pursuant to G.S. 5A-32(e).
(NOTE: Detention may not exceed five (5) days.)
- 9. The juvenile is an out-of-state runaway absconder escapee accused delinquent and should be held in secure custody up to a maximum of 90 calendar days pending the safe return of the juvenile to the home/demanding state. [ICJ Rules 6-103 and 6-103A]
- 10. The juvenile's case is remanded from superior court to district court, the prosecutor requested issuance of a secure custody order, and the juvenile meets the G.S. 7B-1903 criteria for issuance of a secure custody order (item 1 above and one or more of the letters within item 1 must be checked).

OTHER FINDINGS

<i>Date</i>	<i>Signature Of Judge/District Court Judge's Designee</i>	<input type="checkbox"/> <i>District Court Judge</i> <input type="checkbox"/> <i>Superior Court Judge</i> <input type="checkbox"/> <i>District Court Judge's Designee</i>
<i>Maximum Duration Of Custody</i>	<i>Name Of Judge/District Court Judge's Designee (type or print)</i>	

If the person above gives telephonic approval:

<i>Time</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name And Title Of Person Receiving Telephonic Approval</i>	<i>Signature Of Person Receiving Telephonic Approval</i>
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RETURN ON ORDER

<i>Date Order Received</i>	<i>Date Order Returned</i>
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- 1. The juvenile named above was taken into custody at _____ AM PM, on _____, and released to (name detention facility or other) _____ at _____ AM PM, on (date) _____.
- 2. Though diligently sought, the juvenile named above could not be found in this county. (Add any comments or information about the juvenile's possible whereabouts.)

<i>Name Of Person To Whom Copy Given</i>	<i>Signature And Title Of Person Making Return</i>
<i>Relationship To Juvenile</i>	<i>Department Or Agency</i>