



CHAPTER 122C

ARTICLE 5 - PROCEDURES FOR ADMISSION AND DISCHARGE OF CLIENTS

N.C.G.S. § 122C-267.

Outpatient commitment; district court hearing.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2018-33, s. 28 — fifteenth act in the lineage	21 September 2026, 05:37 UTC	caff6e87a4392d8684dc6386 - cebd80507dcaf6239f6e1f6f - b373259c7dcca2b

- § 122C-267(a)** A hearing shall be held in district court within 10 days of the day the respondent is taken into custody pursuant to G.S. 122C-261(e). Upon its own motion or upon motion of the proposed outpatient treatment physician or the respondent, the court may grant a continuance of not more than five days.
- § 122C-267(b)** The respondent shall be present at the hearing. A subpoena may be issued to compel the respondent's presence at a hearing. The petitioner and the proposed outpatient treatment physician or his designee may be present and may provide testimony.
- § 122C-267(c)** Certified copies of reports and findings of commitment examiners and medical records of previous and current treatment are admissible in evidence.
- § 122C-267(d)** At the hearing to determine the necessity and appropriateness of outpatient commitment, the respondent need not, but may, be represented by counsel. However, if the court determines that the legal or factual issues raised are of such complexity that the assistance of counsel is necessary for an adequate presentation of the merits or that the respondent is unable to speak for himself, the court may continue the case for not more than five days and order the appointment of counsel for an indigent respondent. Appointment of counsel shall be in accordance with rules adopted by the Office of Indigent Defense Services.
- § 122C-267(e)**

Hearings may be held at the area facility in which the respondent is being treated, if it is located within the judge's district court district as defined in G.S. 7A-133, or in the judge's chambers. A hearing may not be held in a regular courtroom, over objection of the respondent, if in the discretion of a judge a more suitable place is available.

§ 122C-267(f) The hearing shall be closed to the public unless the respondent requests otherwise.

§ 122C-267(g) A copy of all documents admitted into evidence and a transcript of the proceedings shall be furnished to the respondent on request by the clerk upon the direction of a district court judge. If the client is indigent, the copies shall be provided at State expense.

§ 122C-267(h) To support an outpatient commitment order, the court is required to find by clear, cogent, and convincing evidence that the respondent meets the criteria specified in G.S. 122C-263(d)(1). The court shall record the facts which support its findings and shall show on the order the center or physician who is responsible for the management and supervision of the respondent's outpatient commitment.

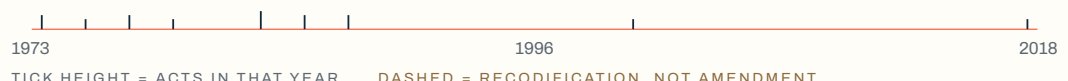
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
15 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1973	c. 726, s. 1	ENACTED
02	1973	c. 1408, s. 1	AMENDED
03	1975	cc. 322, 459	AMENDED
04	1977	c. 400, s. 7	AMENDED
05	1977	c. 1126, s. 1	AMENDED
06	1979	c. 915, ss. 7, 13	AMENDED
07	1983	c. 380, s. 6	AMENDED

08	1983	c. 638, ss. 12, 13	AMENDED
09	1983	c. 864, s. 4	AMENDED
10	1985	c. 589, s. 2	AMENDED
11	1985	c. 695, s. 8	AMENDED
12	1987	c. 282, s. 18	AMENDED
13	1987	1987 (Reg. Sess., 1988), c. 1037, s. 113.1	AMENDED
14	2000	S.L. 2000-144, s. 38	AMENDED
15	2018	S.L. 2018-33, s. 28	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 122C-261(e)	(a)	<i>"is taken into custody pursuant to"</i>
G.S. 7A-133	(e)	<i>"district court district as defined in"</i>
G.S. 122C-263(d)(1)	(h)	<i>"respondent meets the criteria specified in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 122C-267 (2018).

PINPOINT

N.C. Gen. Stat. § 122C-267(a) (2018).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 726, s. 1; c. 1408, s. 1; 1975, cc. 322, 459; 1977, c. 400, s. 7; c. 1126, s. 1; 1979, c. 915, ss. 7, 13; 1983, c. 380, s. 6; c. 638, ss. 12, 13; c. 864, s. 4; 1985, c. 589, s. 2; c. 695, s. 8; 1987, c. 282, s. 18; 1987 (Reg. Sess., 1988), c. 1037, s. 113.1; 2000-144, s. 38; 2018-33, s. 28.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

