



CHAPTER 7B
ARTICLE 21 - LAW ENFORCEMENT PROCEDURES IN DELINQUENCY PROCEEDINGS

N.C.G.S. § 7B-2101.

Interrogation procedures.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-114, s. 3(a) — fourth act in the lineage	21 September 2026, 04:11 UTC	ab2da057863c4d55a03360b1 - ab3a8b99841f2d804431f119 - 9c42a82549571c76

§ 7B-2101(a) Any juvenile, who is less than 16 years of age, in custody must be advised of all of the following prior to questioning:

- (1) That the juvenile has a right to remain silent.
- (2) That any statement the juvenile does make can be and may be used against the juvenile.
- (3) That the juvenile has a right to have a parent, guardian, or custodian present during questioning.
- (4) That the juvenile has a right to consult with an attorney and that one will be appointed for the juvenile if the juvenile is not represented and wants representation.

§ 7B-2101(a1) Any juvenile, who is 16 years of age or older, in custody must be advised of all of the following prior to questioning:

- (1) That the juvenile has a right to remain silent.
- (2) That any statement the juvenile does make can be and may be used against the juvenile.
- (3) That the juvenile has a right to have a parent, guardian, custodian, or caretaker present during questioning.
- (4) That the juvenile has a right to consult with an attorney and that one will be appointed for the juvenile if the juvenile is not represented and wants representation.

- § 7B-2101(a2)** If a juvenile, who is 16 years of age or older, requests that a parent, guardian, or custodian be present during questioning, law enforcement shall make a reasonable effort to contact the parent, guardian, or custodian. If the parent, guardian, or custodian is not available, a caretaker can be present during questioning.
- § 7B-2101(b)** When the juvenile is less than 16 years of age, no in-custody admission or confession resulting from interrogation may be admitted into evidence unless the confession or admission was made in the presence of the juvenile's parent, guardian, custodian, or attorney. If an attorney is not present, the parent, guardian, or custodian as well as the juvenile must be advised of the juvenile's rights as set out in subsection (a) of this section; however, a parent, guardian, or custodian may not waive any right on behalf of the juvenile.
- § 7B-2101(c)** If the juvenile indicates in any manner and at any stage of questioning pursuant to this section that the juvenile does not wish to be questioned further, the officer shall cease questioning.
- § 7B-2101(d)** Before admitting into evidence any statement resulting from custodial interrogation, the court shall find that the juvenile knowingly, willingly, and understandingly waived the juvenile's rights.
- § 7B-2101(e)** For the purposes of this section, "caretaker" means any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of a juvenile in a residential setting. A person responsible for a juvenile's health and welfare means a stepparent, a foster parent, an adult member of the juvenile's household, an adult entrusted with the juvenile's care, a potential adoptive parent during a visit or trial placement with a juvenile in the custody of a department, any person such as a house parent or cottage parent who has primary responsibility for supervising a juvenile's health and welfare in a residential child care facility or residential educational facility, or any employee or volunteer of a division, institution, or school operated by the Department of Health and Human Services.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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.

	1979		2001		2023
	TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT			CHARACTER
01	1979	c. 815, s. 1			ENACTED
02	1998	S.L. 1998-202, s. 6			AMENDED
03	2015	S.L. 2015-58, s. 1.1			AMENDED
04	2023	S.L. 2023-114, s. 3(a)			AMENDED

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 7B-2101 (2023).

PINPOINT
N.C. Gen. Stat. § 7B-2101(a) (2023).

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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1979, c. 815, s. 1; 1998-202, s. 6; 2015-58, s. 1.1; 2023-114, s. 3(a).)

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