



CHAPTER 7B

ARTICLE 24 - HEARING PROCEDURES

N.C.G.S. § 7B-2401.5.

Involuntary commitment; dismissal; seal records.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:40 UTC	1ecbe13e31778f5230e710ce - 64e3ad2da1d1f8d5817920a7 - 111ff918caed13c8

§ 7B-2401.5(a)

When the court finds that a juvenile is incapable to proceed and not likely to attain capacity in the foreseeable future, the court may conduct an additional hearing, as the court determines to be necessary, to determine whether there are reasonable grounds to believe the juvenile meets the criteria for involuntary commitment under Part 7 of Article 5 of Chapter 122C of the General Statutes. If the presiding judge finds reasonable grounds to believe that the juvenile meets the criteria, the judge shall make findings of fact and issue a custody order in the same manner upon the same grounds and with the same effect as an order issued by a clerk or magistrate pursuant to G.S. 122C-261. Proceedings thereafter are in accordance with Part 7 of Article 5 of Chapter 122C of the General Statutes. If the juvenile allegedly committed a violent crime, including a crime involving assault with a deadly weapon, the judge's custody order shall require a law enforcement officer to take the juvenile directly to a 24-hour facility as described in G.S. 122C-252. The order must also indicate that the juvenile allegedly committed a violent crime and that the juvenile was found incapable of proceeding. Evidence used at the hearing regarding capacity to proceed is admissible in the involuntary civil commitment proceedings. No juvenile committed under this section may be placed in a situation where the juvenile will for any purpose come in contact with adults.

§ 7B-2401.5(b)

When the court finds that a juvenile is incapable to proceed and not likely to attain capacity in the foreseeable future, the court shall dismiss the petition.

§ 7B-2401.5(c)

The prosecutor may voluntarily dismiss with leave any allegations stated in the petition, pursuant to G.S. 7B-2404, prior to the termination of the jurisdiction of the court as provided in G.S. 7B-1601.

§ 7B-2401.5(d)

After the completion of all capacity hearings or after a juvenile has been found not to be substantially likely to be restored to or to attain capacity in the foreseeable future, the court shall direct the clerk to seal all forensic evaluations, remediation reports, and any other records pertaining to the capacity of the juvenile, pursuant to G.S. 7B-3000(c). Any records sealed pursuant to this subsection may be opened or inspected only by order of the court or for appellate review. (2023-114, s. 5(b); 2024-17, s. 9(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
5 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	(a)	"a clerk or magistrate pursuant to"
G.S. 122C-252	(a)	"a 24-hour facility as described in"
G.S. 7B-2404	(c)	"stated in the petition, pursuant to"
G.S. 7B-1601	(c)	"of the court as provided in"
G.S. 7B-3000(c)	(d)	"capacity of the juvenile, pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-2401.5 (2026).

PINPOINT

N.C. Gen. Stat. § 7B-2401.5(a) (2026).

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.

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

