

12.7 Collateral Effects of Adjudication

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An adjudication of delinquency is not a conviction of a criminal offense. A juvenile who has been found to be delinquent does not forfeit any citizenship rights. G.S. 7B-2412. There may be adverse consequences, however, for a noncitizen.

Because it is not considered a conviction, an adjudication of delinquency generally does not have the adverse immigration consequences that result from convictions. However, certain adverse immigration consequences do not require a conviction; mere bad acts can trigger a penalty. Examples include being a drug addict or abuser, engaging in prostitution, using false documents, smuggling aliens, or drug trafficking. *See* IMMIGRATION CONSEQUENCES OF A CRIMINAL CONVICTION IN NORTH CAROLINA § 4.2F, Juvenile Delinquency Adjudication (Sept. 2017). A juvenile adjudication involving offenses of this nature may be grounds for deportation or bar admission to the country as a legal immigrant. Adjudications involving these offenses can also be used to deny an application for Special Immigrant Juvenile Status, which helps certain undocumented children in the state juvenile/foster care system obtain lawful immigration status. *See id.* A delinquency adjudication may be considered an adverse factor if the juvenile applies for a discretionary benefit under the immigration laws, such as citizenship or a green card. *See id.* Counsel should contact an immigration lawyer for additional information when representing a juvenile who is not a citizen.

An adjudication may be used to impeach a juvenile witness in a juvenile delinquency proceeding and in some instances in subsequent criminal proceedings. *See supra* § 12.5C, Rules of Evidence; “Statutory exceptions for use in limited criminal court proceedings” in § 2.8A, Juvenile Court Records. An adjudication for a Class A, B1, B2, C, D, or E felony can be used to impose an aggravated sentence for a conviction in adult court or to impose a death sentence in a capital case if the felony involved the use or threat of violence. G.S. 15A-1340.16(d)(18a), 15A-2000(e)(3).

Adjudication of an offense that would be a felony if committed by an adult bars participation in high school sports for as long as the juvenile is in school. This is by rule of the North Carolina High School Athletic Association, which governs high school sports. The policy is available on the Association’s [website](#). Counsel should inform the juvenile of this consequence if the juvenile is admitting a felony offense or might be adjudicated for such an offense.

The court also might require registration as a sex offender for certain offenses, discussed *infra* in § 13.9, Registration of Juvenile Adjudicated for Certain Sex Crimes.