

15.7 Placement by Division

- A. Youth Development Centers
 - B. Assessment by the Division and Plan of Care
 - C. Provision of Commitment Services in Non-YDC Facility
 - D. No Effect on Jurisdiction of Court or Legal Custody
-

15.7 Placement by Division

A. Youth Development Centers

A juvenile may be placed in a particular youth development center in the discretion of the Division. Placement is to be made based on best serving the juvenile's needs and may be in a Division institution or one licensed by the Division. G.S. 7B-2513(e).

There are currently four youth development centers operated by the Division: Chatham Youth Development Center in Siler City; Lenoir Youth Development Center located near Kinston; Edgecombe Youth Development Center in Rocky Mount; and Stonewall Jackson Youth Development Center in Concord. Chatham Youth Development Center is the only facility that serves females. For more information on the facilities, see *infra* Appendix 15-1: Youth Development Centers in North Carolina.

B. Assessment by the Division and Plan of Care

Upon commitment to a youth development center, a juvenile undergoes a screening and assessment of developmental, educational, medical, neurocognitive, mental health, psychosocial, and relationship strengths and needs. Results from these assessments, in combination with other current and historical data, are used by staff, parents or other caregivers, community providers, and stakeholders to develop a service plan for the juvenile involving treatment and educational, medical, and mental health services. These assessments also provide a framework for post-release supervision services. For more information on these assessments, see the Division's [webpage](#) on youth development centers.

This plan for care and treatment of the juvenile must be prepared by the Division within 30 days of assuming physical custody of the juvenile. G.S. 7B-2513(f). The chief court counselor is charged with providing the Division with all required records of the juvenile. The records are to be sent with the juvenile when the juvenile is transported to the youth development center, or if not obtainable at the time of admission, within 15 days of admission. G.S. 7B-2513(d).

Any confidential records that are provided to the Division pursuant to this section must remain confidential. The statute provides that these records may only be "used in a manner consistent with the best interests of the juvenile." G.S. 7B-2513(d).

Each juvenile committed to the Division for placement in a youth development center must be tested for controlled substances and alcohol. These initial test results must be incorporated into the plan of care but may be used for evaluation and treatment purposes only. G.S. 7B-2513(i). Subsequent testing may presumably be used to monitor compliance with rules and restrictions and could be used for other purposes.

The Division must evaluate the juvenile's progress at least once every six months as long as the juvenile remains in placement with the Division. G.S. 7B-2514(a).

C. Provision of Commitment Services in Non-YDC Facility

The Division may provide services in a placement that is not a youth development center or detention facility, sometimes referred to as a "community commitment," after assessing the needs of the juvenile. Before doing so, it must file a motion with the committing court outlining services to be provided and give notice of the motion to the prosecutor, the juvenile, and the juvenile's attorney. The court may enter an order approving the placement without a hearing unless the juvenile or the juvenile's attorney requests a hearing. If the court determines that it will hold a hearing, it must notify the Division of the hearing, and the Division must place the juvenile in a youth development center or detention facility pending the hearing. G.S. 7B-2513(e).

Counsel should be prepared to argue for a community commitment if that is an acceptable alternative for the juvenile. Examples of community placements are Eckerd Wilderness Camp, which is a structured outdoor living program, and psychiatric residential treatment facilities, or PRTFs, which are non-hospital facilities that provide psychiatric treatment, such as a secure group home with a trained staff.

D. No Effect on Jurisdiction of Court or Legal Custody

Commitment to the Division for placement does not terminate the court's jurisdiction over the juvenile and the juvenile's parent, guardian, or custodian. It also has no effect on legal custody, which remains with the parent or other person or agency previously having custody, although physical custody is placed with the Division. G.S. 7B-2513(g).