

### 3.4 Venue

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Venue is the judicial district within the state in which a juvenile case is properly heard. A juvenile proceeding may be bifurcated, with adjudication entered in one judicial district and the case transferred to another judicial district for disposition. G.S. 7B-1800.

**Adjudication.** A juvenile petition must be filed and the matter adjudicated in the judicial district where the offense is alleged to have occurred. G.S. 7B-1800(a).

**Disposition.** Disposition is typically held in the judicial district in which the juvenile legally resides. If the adjudication occurs in a district where the juvenile is in placement but does not have legal residence, the dispositional hearing is usually not transferred. The case is transferred for disposition only if the court “enters an order, supported by findings of fact, that a transfer would serve the ends of justice or is in the best interests of the juvenile.” G.S. 7B-1800(a).

Example: A juvenile who legally resides in Mecklenburg County is in a residential treatment facility in Wake County. If the juvenile is alleged to have committed an offense in Wake County, both the adjudicatory and dispositional hearings will usually be in Wake County. The court may transfer the dispositional hearing to Mecklenburg County only by order setting forth reasons that disposition should occur in the juvenile’s home county. Reasons for transfer might include availability of the juvenile’s treatment providers and records or a prior history with the juvenile court in Mecklenburg County.

If the juvenile does not legally reside in the district where the matter was adjudicated and is not in placement there, the juvenile has the right, upon motion, to have the matter transferred for disposition to the district of residence. Additionally, the chief district court judge in the district of residence must be given notice of the proceeding and may, by timely request, have venue transferred for disposition to that district. Otherwise, it is in the discretion of the adjudicating court whether to transfer venue to the district of residence. G.S. 7B-1800(b).

When the case is transferred for disposition, an attorney in the receiving district is ordinarily appointed to represent the juvenile at the dispositional hearing. The attorney for the dispositional hearing should confer with counsel who represented the juvenile at adjudication and should request information that could be presented in support of a favorable disposition.