

§ 7B-1904. Order for secure or nonsecure custody.

The custody order shall be in writing and shall direct a law enforcement officer or juvenile court counselor to assume custody of the juvenile and to make due return on the order. An initial order for secure custody may be issued following the filing of the petition and before the juvenile has been served with the petition pursuant to G.S. 7B-1806. The official executing the order shall give a copy of the order to the juvenile and the juvenile's parent, guardian, or custodian. If the juvenile has not been served with the petition upon being detained, the juvenile shall be served with the petition no more [than] 72 hours after the juvenile has been detained. If the order is for nonsecure custody, the official executing the order shall also give a copy of the petition and order to the person or agency with whom the juvenile is being placed. If the order is for secure custody, copies of the petition and custody order shall accompany the juvenile to the detention facility or holdover facility of the jail. A message of the Department of Public Safety stating that a juvenile petition and secure custody order relating to a specified juvenile are on file in a particular county shall be authority to detain the juvenile in secure custody until a copy of the juvenile petition and secure custody order can be forwarded to the juvenile detention facility. The copies of the juvenile petition and secure custody order shall be transmitted to the detention facility no later than 72 hours after the initial detention of the juvenile. (1979, c. 815, s. 1; 1989, c. 124; 1998-202, s. 6; 2009-311, s. 15; 2014-100, s. 17.1(t); 2023-114, s. 6(a).)