

UNIFIED JUDICIAL SYSTEM

Policy 409

January 22, 2003

JUVENILE COURT TIME STANDARDS

I. Authority

Under Administrative Rule 35, the Supreme Court has the authority to issue administrative policies relating to the juvenile court which are to be followed by all courts in the state. The authority to keep records confidential and to release information is found in N.D.C.C. §27-20-51.

II. Applicability

The timeframes established in this policy apply to all juvenile courts in this state. This policy sets out time standards for processing cases. A violation is not a cause for dismissal of any case.

III. Time Standards

Delinquent/Unruly Cases

EVENT	RETURNED PARENTAL HOME	PLACED IN SHELTER CARE	PLACED IN DETENTION
Detention/Shelter Care hearing	Within 96 hours of placement (N.D.C.C. §27-20-17)	Within 96 hours of placement	Within 24 hours, excluding holidays and weekends
Petition must be filed (promptly made & presented)	Within 30 days of being placed in detention or shelter care	Within 15 days of being placed in shelter care	Within 5 days of being placed in detention, excluding holidays and weekends
Initial hearing on petition or adjudication hearing	30 days after filing of petition (N.D.C.C. §27-20-22)	15 days after filing petition	14 days from first day of custody (N.D.C.C. §27-20-22)
Adjudication hearing (if initial hearing used)	30 days after initial hearing	30 days after initial hearing	16 days after initial hearing
SUBTOTAL	90 days	60 days	30 days
Disposition	60 days after adjudication is completed	60 days after adjudication is completed	30 days after adjudication is completed if held in detention
TOTAL	150 days	120 days	60 days

Deprivation Cases

EVENT	RETURNED TO PARENTAL HOME	PLACED IN SHELTER CARE
Shelter care hearing	Within 96 hours of initial placement (N.D.C.C. §27-20-17)	Within 96 hours (court order issued at hearing)
Petition must be filed (promptly made & presented)	Within 30 days of initial placement	Within 15 days of initial placement
Initial hearing on petition or adjudication hearing	30 days after filing petition (N.D.C.C. §27-20-22)	15 days after filing petition
Adjudication hearing (if initial hearing used)	30 days after initial appearance	30 days after initial appearance
SUBTOTAL	90 days	60 days
Disposition	60 days after adjudication completed	60 days after adjudication completed
TOTAL	150 days	120 days

A. Definitions.

1. Promptly.

For purposes of N.D.C.C. §27-20-22, promptly means:

- a. within 5 working days of a juvenile being placed and held in detention;
- b. within 15 working days of a child being placed and retained in shelter care;
- c. within 30 days of a child being placed in shelter care or detention if the child is returned home.

2. Detention.

For purposes of N.D.C.C. §27-20-22, N.D.C.C., detention means a physically secure facility with locked doors and does not include shelter care, attendant care, or home detention.