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1 **HOUSE BILL NO. 667**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 16.1-228 and 16.1-241 of the Code of Virginia, relating to juvenile and*  
5 *domestic relations district courts; jurisdiction; definitions; petition by noncitizen aged 18 to 21 years for*  
6 *legal custody and other relief.*

7 Patron—Maldonado

8 Committee Referral Pending

9 **Be it enacted by the General Assembly of Virginia:**10 **1. That §§ 16.1-228 and 16.1-241 of the Code of Virginia are amended and reenacted as follows:**11 **§ 16.1-228. Definitions.**

12 As used in this chapter, unless the context requires a different meaning:

13 "Abused or neglected child" means any child:

14 1. Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248;

15 2. Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child. Further, a decision by parents who have legal authority for the child or, in the absence of parents with legal authority for the child, any person with legal authority for the child who refuses a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if (i) such decision is made jointly by the parents or other person with legal authority and the child; (ii) the child has reached 14 years of age and is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person with legal authority and the child have considered alternative treatment options; and (iv) the parents or other person with legal authority and the child believe in good faith that such decision is in the child's best interest. No child whose parent or other person responsible for his care allows the child to engage in independent activities without adult supervision shall for that reason alone be considered to be an abused or neglected child, provided that (a) such independent activities are appropriate based on the child's age, maturity, and physical and mental abilities and (b) such lack of supervision does not constitute conduct that is so grossly negligent as to endanger the health or safety of the child. Such independent activities include traveling to or from school or nearby locations by bicycle or on foot, playing outdoors, or remaining at home for a reasonable period of time. Nothing in this subdivision shall be construed to limit the provisions of § 16.1-278.4;

16 3. Whose parents or other person responsible for his care abandons such child;

17 4. Whose parents or other person responsible for his care, or an intimate partner of such parent or person, commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law;

18 5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person standing in loco parentis;

19 6. Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55.1-2000, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a Tier III offender pursuant to § 9.1-902; or

20 7. Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7102 et seq., and in the federal Justice for Victims of Trafficking Act of 2015, 42 U.S.C. § 5101 et seq.

21 If a civil proceeding under this chapter is based solely on the parent having left the child at a hospital or emergency medical services agency, it shall be an affirmative defense that such parent safely delivered the child within 30 days of the child's birth to (i) a hospital that provides 24-hour emergency services, (ii) an

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59 attended emergency medical services agency that employs emergency medical services personnel, or (iii) a  
60 newborn safety device located at and operated by such hospital or emergency medical services agency. For  
61 purposes of terminating parental rights pursuant to § 16.1-283 and placement for adoption, the court may find  
62 such a child is a neglected child upon the ground of abandonment.

63 "Adoptive home" means the place of residence of any natural person in which a child resides as a member  
64 of the household and in which he has been placed for the purposes of adoption or in which he has been  
65 legally adopted by another member of the household.

66 "Adult" means a person 18 years of age or older.

67 "Ancillary crime" or "ancillary charge" means any delinquent act committed by a juvenile as a part of the  
68 same act or transaction as, or that constitutes a part of a common scheme or plan with, a delinquent act that  
69 would be a felony if committed by an adult.

70 "Child," "juvenile," or "minor" means a person who is (i) younger than 18 years of age ~~or~~; (ii) for  
71 purposes of the Fostering Futures program set forth in Article 2 (§ 63.2-917 et seq.) of Chapter 9 of Title  
72 63.2, younger than 21 years of age and meets the eligibility criteria set forth in § 63.2-919; or (iii) an  
73 *unmarried noncitizen between the ages of 18 and 21 for whom custody or other court-ordered services or*  
74 *relief is sought under subsection A2 of § 16.1-241.*

75 "Child in need of services" means (i) a child whose behavior, conduct, or condition presents or results in a  
76 serious threat to the well-being and physical safety of the child; (ii) a child who remains away from or deserts  
77 or abandons his family or lawful custodian during one occasion and is demonstratively at risk of coercion,  
78 exploitation, abuse, or manipulation or has been lured from his parent or lawful custodian by means of  
79 trickery or misrepresentation or under false pretenses; or (iii) a child under the age of 14 whose behavior,  
80 conduct, or condition presents or results in a serious threat to the well-being and physical safety of another  
81 person; however, no child who in good faith is under treatment solely by spiritual means through prayer in  
82 accordance with the tenets and practices of a recognized church or religious denomination shall for that  
83 reason alone be considered to be a child in need of services, nor shall any child who habitually remains away  
84 from or habitually deserts or abandons his family as a result of what the court or the local child protective  
85 services unit determines to be incidents of physical, emotional, or sexual abuse in the home be considered a  
86 child in need of services for that reason alone.

87 However, to find that a child falls within these provisions, (a) the conduct complained of must present a  
88 clear and substantial danger to the child's life or health or to the life or health of another person; (b) the child  
89 or his family is in need of treatment, rehabilitation, or services not presently being received; and (c) the  
90 intervention of the court is essential to provide the treatment, rehabilitation, or services needed by the child or  
91 his family.

92 "Child in need of supervision" means:

93 1. A child who, while subject to compulsory school attendance, is habitually and without justification  
94 absent from school, and (i) the child has been offered an adequate opportunity to receive the benefit of any  
95 and all educational services and programs that are required to be provided by law and which meet the child's  
96 particular educational needs, (ii) the school system from which the child is absent or other appropriate agency  
97 has made a reasonable effort to effect the child's regular attendance without success, and (iii) the school  
98 system has provided documentation that it has complied with the provisions of § 22.1-258; or

99 2. A child who, without reasonable cause and without the consent of his parent, lawful custodian or  
100 placement authority, remains away from or deserts or abandons his family or lawful custodian on more than  
101 one occasion or escapes or remains away without proper authority from a residential care facility in which he  
102 has been placed by the court, and (i) such conduct presents a clear and substantial danger to the child's life or  
103 health, (ii) the child or his family is in need of treatment, rehabilitation or services not presently being  
104 received, and (iii) the intervention of the court is essential to provide the treatment, rehabilitation or services  
105 needed by the child or his family.

106 "Child welfare agency" means a child-placing agency, child-caring institution or independent foster home  
107 as defined in § 63.2-100.

108 "The court" or the "juvenile court" or the "juvenile and domestic relations court" means the juvenile and  
109 domestic relations district court of each county or city.

110 "Delinquent act" means (i) an act designated a crime under the law of the Commonwealth, or an ordinance  
111 of any city, county, town, or service district, or under federal law, (ii) a violation of § 18.2-308.7, or (iii) a  
112 violation of a court order as provided for in § 16.1-292, but does not include an act other than a violation of  
113 § 18.2-308.7, which is otherwise lawful, but is designated a crime only if committed by a child.

114 "Delinquent child" means a child who has committed a delinquent act or an adult who has committed a  
115 delinquent act prior to his eighteenth birthday, except where the jurisdiction of the juvenile court has been  
116 terminated under the provisions of § 16.1-269.6.

117 "Department" means the Department of Juvenile Justice and "Director" means the administrative head in  
118 charge thereof or such of his assistants and subordinates as are designated by him to discharge the duties  
119 imposed upon him under this law.

120 "Driver's license" means any document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2, or the

comparable law of another jurisdiction, authorizing the operation of a motor vehicle upon the highways.

"Family abuse" means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

"Family or household member" means (i) the person's spouse, whether or not such spouse resides in the same home with the person; (ii) the person's former spouse, whether or not such person resides in the same home with the person; (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of whether such persons reside in the same home with the person; (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person; (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time; (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person; or (vii) an individual who is a legal custodian of a juvenile.

"Fictive kin" means persons who are not related to a child by blood or adoption but have an established relationship with the child or his family.

"Foster care services" means the provision of a full range of casework, treatment and community services for a planned period of time to a child who is abused or neglected as defined in § 63.2-100 or in need of services as defined in this section and his family when the child (i) has been identified as needing services to prevent or eliminate the need for foster care placement, (ii) has been placed through an agreement between the local board of social services or a public agency designated by the community policy and management team and the parents or guardians where legal custody remains with the parents or guardians, (iii) has been committed or entrusted to a local board of social services or child welfare agency, (iv) has been placed under the supervisory responsibility of the local board pursuant to § 16.1-293, or (v) is living with a relative participating in the Federal-Funded Kinship Guardianship Assistance program set forth in § 63.2-1305 and developed consistent with 42 U.S.C. § 673 or the State-Funded Kinship Guardianship Assistance program set forth in § 63.2-1306.

"Independent living arrangement" means placement of (i) a child at least 16 years of age who is in the custody of a local board or licensed child-placing agency by the local board or licensed child-placing agency or (ii) a child at least 16 years of age or a person between the ages of 18 and 21 who was committed to the Department of Juvenile Justice immediately prior to placement by the Department of Juvenile Justice, in a living arrangement in which such child or person does not have daily substitute parental supervision.

"Independent living services" means services and activities provided to a child in foster care 14 years of age or older and who has been committed or entrusted to a local board of social services, child welfare agency, or private child-placing agency. "Independent living services" may also mean services and activities provided to a person who (i) was in foster care on his eighteenth birthday and has not yet reached the age of 21 years; (ii) is between the ages of 18 and 21 and who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of a local board of social services; or (iii) is a child at least 16 years of age or a person between the ages of 18 and 21 who was committed to the Department of Juvenile Justice immediately prior to placement in an independent living arrangement. "Independent living services" includes counseling, education, housing, employment, and money management skills development and access to essential documents and other appropriate services to help children or persons prepare for self-sufficiency.

"Intake officer" means a juvenile probation officer appointed as such pursuant to the authority of this chapter.

"Jail" or "other facility designed for the detention of adults" means a local or regional correctional facility as defined in § 53.1-1, except those facilities utilized on a temporary basis as a court holding cell for a child incident to a court hearing or as a temporary lock-up room or ward incident to the transfer of a child to a juvenile facility.

"The judge" means the judge or the substitute judge of the juvenile and domestic relations district court of each county or city.

"This law" or "the law" means the Juvenile and Domestic Relations District Court Law embraced in this chapter.

"Legal custody" means (i) a legal status created by court order which vests in a custodian the right to have physical custody of the child, to determine and redetermine where and with whom he shall live, the right and duty to protect, train and discipline him and to provide him with food, shelter, education and ordinary medical care, all subject to any residual parental rights and responsibilities or (ii) the legal status created by court order of joint custody as defined in § 20-107.2.

"Permanent foster care placement" means the place of residence in which a child resides and in which he has been placed pursuant to the provisions of §§ 63.2-900 and 63.2-908 with the expectation and agreement

183 between the placing agency and the place of permanent foster care that the child shall remain in the  
184 placement until he reaches the age of majority unless modified by court order or unless removed pursuant to  
185 § 16.1-251 or 63.2-1517. A permanent foster care placement may be a place of residence of any natural  
186 person or persons deemed appropriate to meet a child's needs on a long-term basis.

187 "Qualified individual" means a trained professional or licensed clinician who is not an employee of the  
188 local board of social services or licensed child-placing agency that placed the child in a qualified residential  
189 treatment program and is not affiliated with any placement setting in which children are placed by such local  
190 board of social services or licensed child-placing agency.

191 "Qualified residential treatment program" means a program that (i) provides 24-hour residential placement  
192 services for children in foster care; (ii) has adopted a trauma-informed treatment model that meets the clinical  
193 and other needs of children with serious emotional or behavioral disorders, including any clinical or other  
194 needs identified through assessments conducted pursuant to clause (viii) of this definition; (iii) employs  
195 registered or licensed nursing and other clinical staff who provide care, on site and within the scope of their  
196 practice, and are available 24 hours a day, seven days a week; (iv) conducts outreach with the child's family  
197 members, including efforts to maintain connections between the child and his siblings and other family;  
198 documents and maintains records of such outreach efforts; and maintains contact information for any known  
199 biological family and fictive kin of the child; (v) whenever appropriate and in the best interest of the child,  
200 facilitates participation by family members in the child's treatment program before and after discharge and  
201 documents the manner in which such participation is facilitated; (vi) provides discharge planning and  
202 family-based aftercare support for at least six months after discharge; (vii) is licensed in accordance with 42  
203 U.S.C. § 671(a)(10) and accredited by an organization approved by the federal Secretary of Health and  
204 Human Services; and (viii) requires that any child placed in the program receive an assessment within 30  
205 days of such placement by a qualified individual that (a) assesses the strengths and needs of the child using an  
206 age-appropriate, evidence-based, validated, and functional assessment tool approved by the Commissioner of  
207 Social Services; (b) identifies whether the needs of the child can be met through placement with a family  
208 member or in a foster home or, if not, in a placement setting authorized by 42 U.S.C. § 672(k)(2), including a  
209 qualified residential treatment program, that would provide the most effective and appropriate level of care  
210 for the child in the least restrictive environment and be consistent with the short-term and long-term goals  
211 established for the child in his foster care or permanency plan; (c) establishes a list of short-term and  
212 long-term mental and behavioral health goals for the child; and (d) is documented in a written report to be  
213 filed with the court prior to any hearing on the child's placement pursuant to § 16.1-281, 16.1-282,  
214 16.1-282.1, or 16.1-282.2.

215 "Residual parental rights and responsibilities" means all rights and responsibilities remaining with the  
216 parent after the transfer of legal custody or guardianship of the person, including but not limited to the right  
217 of visitation, consent to adoption, the right to determine religious affiliation and the responsibility for support.

218 "Secure facility" or "detention home" means a local, regional or state public or private locked residential  
219 facility that has construction fixtures designed to prevent escape and to restrict the movement and activities of  
220 children held in lawful custody.

221 "Shelter care" means the temporary care of children in physically unrestricting facilities.

222 "State Board" means the State Board of Juvenile Justice.

223 "Status offender" means a child who commits an act prohibited by law which would not be criminal if  
224 committed by an adult.

225 "Status offense" means an act prohibited by law which would not be an offense if committed by an adult.

226 "Violent juvenile felony" means any of the delinquent acts enumerated in subsection B or C of  
227 § 16.1-269.1 when committed by a juvenile 14 years of age or older.

228 **§ 16.1-241. Jurisdiction; consent for abortion.**

229 The judges of the juvenile and domestic relations district court elected or appointed under this law shall be  
230 conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which  
231 they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as  
232 hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the  
233 territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said  
234 city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county, over  
235 all cases, matters, and proceedings involving:

236 A. The custody, visitation, support, control, or disposition of a child:

237 1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or  
238 delinquent except where the jurisdiction of the juvenile court has been terminated or divested;

239 2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or  
240 mental incapacity of his parents is without parental care and guardianship;

241 2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as  
242 having abused or neglected another child in the care of the parent or custodian;

243 3. Whose custody, visitation, or support is a subject of controversy or requires determination. In such  
244 cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as

245 provided in § 16.1-244;

246 4. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or  
247 whose parent or parents for good cause desire to be relieved of his care and custody;

248 5. Where the termination of residual parental rights and responsibilities is sought. In such cases  
249 jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in  
250 § 16.1-244;

251 6. Who is charged with a traffic infraction as defined in § 46.2-100; or

252 7. Who is alleged to have refused to take a blood test in violation of § 18.2-268.2.

253 In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in  
254 subsection B of § 16.1-269.1, and for any charges ancillary thereto, the jurisdiction of the juvenile court shall  
255 be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the  
256 juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the  
257 commission of the alleged offense, and any matters related thereto. In any case in which the juvenile is  
258 alleged to have committed a violent juvenile felony enumerated in subsection C of § 16.1-269.1, and for all  
259 charges ancillary thereto, if the attorney for the Commonwealth has given notice as provided in subsection C  
260 of § 16.1-269.1, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to  
261 determine if there is probable cause to believe that the juvenile committed the act alleged and that the  
262 juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters  
263 related thereto. A determination by the juvenile court following a preliminary hearing pursuant to subsection  
264 B or C of § 16.1-269.1 to certify a charge to the grand jury shall divest the juvenile court of jurisdiction over  
265 the charge and any ancillary charge. In any case in which a transfer hearing is held pursuant to subsection A  
266 of § 16.1-269.1, if the juvenile court determines to transfer the case, jurisdiction of the juvenile court over the  
267 case shall be divested as provided in § 16.1-269.6.

268 In all other cases involving delinquent acts, and in cases in which an ancillary charge remains after a  
269 violent juvenile felony charge has been dismissed or a violent juvenile felony has been reduced to a lesser  
270 offense not constituting a violent juvenile felony, the jurisdiction of the juvenile court shall not be divested  
271 unless there is a transfer pursuant to subsection A of § 16.1-269.1.

272 The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control,  
273 or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father, or legal  
274 guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party  
275 with a legitimate interest shall be broadly construed and shall include, ~~but not be limited to~~, grandparents,  
276 step-grandparents, stepparents, former stepparents, blood relatives, and family members. A party with a  
277 legitimate interest shall not include any person (i) whose parental rights have been terminated by court order,  
278 either voluntarily or involuntarily, except for purposes of this title, as otherwise provided by this paragraph;  
279 (ii) whose interest in the child derives from or through a person whose parental rights have been terminated  
280 by court order, either voluntarily or involuntarily, or whose interest in the child derives from or through a  
281 person pursuant to clause (iii), including, ~~but not limited to~~, grandparents, stepparents, former stepparents,  
282 blood relatives, and family members, if the child subsequently has been legally adopted, except where a final  
283 order of adoption is entered pursuant to § 63.2-1241; or (iii) who has been convicted of a violation of  
284 subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state,  
285 the United States, or any foreign jurisdiction, or who has been found by clear and convincing evidence to  
286 have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of  
287 § 18.2-366, whether or not the person has been charged with or convicted of the alleged violation, when the  
288 child who is the subject of the petition was conceived as a result of such violation or conduct. The authority  
289 of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited  
290 where the child has previously been awarded to the custody of a local board of social services. For purposes  
291 of this title, a party with a legitimate interest shall also include a parent whose rights previously had been  
292 terminated, provided that the child whose custody or visitation is at issue (a) is at least 14 years of age; (b)  
293 has had a permanency goal previously achieved by adoption; (c) has had his adoptive parents die or, pursuant  
294 to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such  
295 child and each adoptive parent has had his parental rights terminated; and (d) is in the custody of a local  
296 board of social services, and provided that the parent whose rights had previously been terminated has (1)  
297 complied with the terms of any written post-adoption contact and communication agreement entered into  
298 pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (2) maintained a positive,  
299 continuous relationship with the child since termination.

300 A1. Making specific findings of fact required by state or federal law to enable a child to apply for or  
301 receive a state or federal benefit. For the purposes of this subsection only, when the court has obtained  
302 jurisdiction over the case of any child, the court may continue to exercise its jurisdiction until such person  
303 reaches 21 years of age, for the purpose of entering findings of fact or amending past orders, to include  
304 findings of fact necessary for the person to petition the federal government for status as a special immigrant  
305 juvenile, as defined by 8 U.S.C. § 1101(a)(27)(J).

306 A2. *The custody of a child who is an unmarried noncitizen between the ages of 18 to 21 seeking relief*

307 *from the effects of prior abuse, neglect, or abandonment. For the purposes of this subsection only, a child*  
308 *who is an unmarried noncitizen between the ages of 18 to 21 may petition a court in either the jurisdiction in*  
309 *which the petitioning child resides or jurisdiction in which the proposed custodian resides to be placed in the*  
310 *legal custody of a proposed custodian named in the petition and to be granted other court-ordered services*  
311 *or relief for the purpose of receiving support to address the impacts of such prior abuse, neglect, or*  
312 *abandonment. Such services or relief shall include (i) assistance with obtaining food and housing; (ii) access*  
313 *to psychiatric, psychological, medical, dental, educational, occupational, or other services; (iii) protective*  
314 *and rehabilitative services, including addressing any immediate safety needs, for any such child that has been*  
315 *the victim of human trafficking or the victim of domestic or sexual violence; or (iv) any other financial or*  
316 *other support service that may be necessary to address such child's needs. No services or relief ordered by*  
317 *the court pursuant to this subsection shall subject such child to civil or criminal penalties.*

318 *If the proposed custodian named in the petition is any person other than the person who had legal custody*  
319 *of such child prior to such child's eighteenth birthday, notice of the petition and any hearing on such petition*  
320 *shall be served on such child's parent or former guardian or legal custodian. The court shall schedule a*  
321 *hearing on the petition and issue any order pursuant to such hearing as soon as possible after the filing of the*  
322 *petition but prior to the petitioning child's twenty-first birthday.*

323 *No petition filed pursuant to this subsection shall abridge or foreclose any provision of subsection A1 and*  
324 *such child may, concurrently with a petition pursuant to this subsection or at a later time, petition the court*  
325 *for findings consistent with the provisions of subsection A1. Any child who files a petition in accordance with*  
326 *this subsection may subsequently petition the court to terminate the court's jurisdiction at any time. No order*  
327 *issued pursuant to this subsection shall be construed to abrogate any other rights that a person 18 years of*  
328 *age or older may have under state law.*

329 B. The admission of minors for inpatient treatment in a mental health facility in accordance with the  
330 provisions of Article 16 (§ 16.1-335 et seq.) and the involuntary admission of a person with mental illness or  
331 judicial certification of eligibility for admission to a training center for persons with intellectual disability in  
332 accordance with the provisions of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2. Jurisdiction of the involuntary  
333 admission and certification of adults shall be concurrent with the general district court.

334 C. Except as provided in subsections D and H, judicial consent to such activities as may require parental  
335 consent may be given for a child who has been separated from his parents, guardian, legal custodian or other  
336 person standing in loco parentis and is in the custody of the court when such consent is required by law.

337 D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has  
338 ever been married, when the consent of his parent, guardian, legal custodian, or other person standing in loco  
339 parentis is unobtainable because such parent, guardian, legal custodian, or other person standing in loco  
340 parentis (i) is not a resident of the Commonwealth, (ii) has his whereabouts unknown, (iii) cannot be  
341 consulted with promptness, reasonable under the circumstances, or (iv) fails to give such consent or provide  
342 such treatment when requested by the judge to do so.

343 E. Any person charged with deserting, abandoning, or failing to provide support for any person in  
344 violation of law.

345 F. Any parent, guardian, legal custodian, or other person standing in loco parentis of a child:

346 1. Who has been abused or neglected;

347 2. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or is  
348 otherwise before the court pursuant to subdivision A 4; or

349 3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court finds  
350 that such person has by overt act or omission induced, caused, encouraged, or contributed to the conduct of  
351 the child complained of in the petition.

352 G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian, or other  
353 person standing in loco parentis for the purpose of obtaining treatment, rehabilitation, or other services that  
354 are required by law to be provided for that child or such child's parent, guardian, legal custodian, or other  
355 person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not exclusive of that  
356 of courts having equity jurisdiction as provided in § 16.1-244.

357 H. Judicial consent to apply for a work permit for a child when such child is separated from his parents,  
358 legal guardian or other person standing in loco parentis.

359 I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment, or neglect  
360 of children or with any violation of law that causes or tends to cause a child to come within the purview of  
361 this law, or with any other offense against the person of a child. In prosecution for felonies over which the  
362 court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause.

363 J. All offenses in which one family or household member is charged with an offense in which another  
364 family or household member is the victim and all offenses under § 18.2-49.1.

365 In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to  
366 determining whether or not there is probable cause. Any objection based on jurisdiction under this subsection  
367 shall be made before a jury is impaneled and sworn in a jury trial or, in a nonjury trial, before the earlier of  
368 when the court begins to hear or receive evidence or the first witness is sworn, or it shall be conclusively

369 waived for all purposes. Any such objection shall not affect or be grounds for challenging directly or  
 370 collaterally the jurisdiction of the court in which the case is tried.

371 K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished  
 372 pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such  
 373 petition shall be accepted, however, after the child has been placed in the home of adoptive parents.

374 L. Any person who seeks spousal support after having separated from his spouse. A decision under this  
 375 subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court. A circuit  
 376 court shall have concurrent original jurisdiction in all causes of action under this subdivision.

377 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4,  
 378 or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to  
 379 § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

380 N. Any person who escapes or remains away without proper authority from a residential care facility in  
 381 which he had been placed by the court or as a result of his commitment to the Virginia Department of  
 382 Juvenile Justice.

383 O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.).

384 P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 19 (§ 63.2-1900  
 385 et seq.) of Title 63.2, or by another state in the same manner as if the orders were entered by a juvenile and  
 386 domestic relations district court upon the filing of a certified copy of such order in the juvenile and domestic  
 387 relations district court.

388 Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20. A  
 389 circuit court shall have concurrent original jurisdiction to the extent provided for in § 20-49.2.

390 R. [Repealed.]

391 S. Petitions filed by school boards against parents pursuant to §§ 16.1-241.2 and 22.1-279.3.

392 T. Petitions to enforce any request for information or subpoena that is not complied with or to review any  
 393 refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to  
 394 § 63.2-1526.

395 U. Petitions filed in connection with parental placement adoption consent hearings pursuant to  
 396 § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days  
 397 of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

398 V. Petitions filed for the purpose of obtaining the court's assistance with the execution of consent to an  
 399 adoption when the consent to an adoption is executed pursuant to the laws of another state and the laws of  
 400 that state provide for the execution of consent to an adoption in the court of the Commonwealth.

401 W. Petitions filed by a juvenile seeking judicial authorization for a physician to perform an abortion if a  
 402 minor elects not to seek consent of an authorized person.

403 After a hearing, a judge shall issue an order authorizing a physician to perform an abortion, without the  
 404 consent of any authorized person, if he finds that (i) the minor is mature enough and well enough informed to  
 405 make her abortion decision, in consultation with her physician, independent of the wishes of any authorized  
 406 person, or (ii) the minor is not mature enough or well enough informed to make such decision, but the desired  
 407 abortion would be in her best interest.

408 If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state  
 409 that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion;  
 410 however, no such notice shall be required if the judge finds that such notice would not be in the best interest  
 411 of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the  
 412 totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he  
 413 finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is  
 414 abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has  
 415 refused to accept responsibility as parent, legal guardian, custodian, or person standing in loco parentis.

416 The minor may participate in the court proceedings on her own behalf, and the court may appoint a  
 417 guardian ad litem for the minor. The court shall advise the minor that she has a right to counsel and shall,  
 418 upon her request, appoint counsel for her.

419 Notwithstanding any other provision of law, the provisions of this subsection shall govern proceedings  
 420 relating to consent for a minor's abortion. Court proceedings under this subsection and records of such  
 421 proceedings shall be confidential. Such proceedings shall be given precedence over other pending matters so  
 422 that the court may reach a decision promptly and without delay in order to serve the best interests of the  
 423 minor. Court proceedings under this subsection shall be heard and decided as soon as practicable but in no  
 424 event later than four days after the petition is filed.

425 An expedited confidential appeal to the circuit court shall be available to any minor for whom the court  
 426 denies an order authorizing an abortion without consent or without notice. Any such appeal shall be heard  
 427 and decided no later than five days after the appeal is filed. The time periods required by this subsection shall  
 428 be subject to subsection B of § 1-210. An order authorizing an abortion without consent or without notice  
 429 shall not be subject to appeal.

430 No filing fees shall be required of the minor at trial or upon appeal.

431     If either the original court or the circuit court fails to act within the time periods required by this  
432     subsection, the court before which the proceeding is pending shall immediately authorize a physician to  
433     perform the abortion without consent of or notice to an authorized person.

434     Nothing contained in this subsection shall be construed to authorize a physician to perform an abortion on  
435     a minor in circumstances or in a manner that would be unlawful if performed on an adult woman.

436     A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent has  
437     been obtained or the minor delivers to the physician a court order entered pursuant to this section and the  
438     physician or his agent provides such notice as such order may require. However, neither consent nor judicial  
439     authorization nor notice shall be required if the minor declares that she is abused or neglected and the  
440     attending physician has reason to suspect that the minor may be an abused or neglected child as defined in  
441     § 63.2-100 and reports the suspected abuse or neglect in accordance with § 63.2-1509; or if there is a medical  
442     emergency, in which case the attending physician shall certify the facts justifying the exception in the minor's  
443     medical record.

444     For purposes of this subsection:

445     "Authorization" means the minor has delivered to the physician a notarized, written statement signed by  
446     an authorized person that the authorized person knows of the minor's intent to have an abortion and consents  
447     to such abortion being performed on the minor.

448     "Authorized person" means (i) a parent or duly appointed legal guardian or custodian of the minor or (ii) a  
449     person standing in loco parentis, including, ~~but not limited to~~, a grandparent or adult sibling with whom the  
450     minor regularly and customarily resides and who has care and control of the minor. Any person who knows  
451     he is not an authorized person and who knowingly and willfully signs an authorization statement consenting  
452     to an abortion for a minor is guilty of a Class 3 misdemeanor.

453     "Consent" means that (i) the physician has given notice of intent to perform the abortion and has received  
454     authorization from an authorized person; or (ii) at least one authorized person is present with the minor  
455     seeking the abortion and provides written authorization to the physician, which shall be witnessed by the  
456     physician or an agent thereof. In either case, the written authorization shall be incorporated into the minor's  
457     medical record and maintained as a part thereof.

458     "Medical emergency" means any condition which, on the basis of the physician's good faith clinical  
459     judgment, so complicates the medical condition of the pregnant minor as to necessitate the immediate  
460     abortion of her pregnancy to avert her death or for which a delay will create a serious risk of substantial and  
461     irreversible impairment of a major bodily function.

462     "Notice of intent to perform the abortion" means that (i) the physician or his agent has given actual notice  
463     of his intention to perform such abortion to an authorized person, either in person or by telephone, at least 24  
464     hours previous to the performance of the abortion or (ii) the physician or his agent, after a reasonable effort to  
465     notify an authorized person, has mailed notice to an authorized person by certified mail, addressed to such  
466     person at his usual place of abode, with return receipt requested, at least 72 hours prior to the performance of  
467     the abortion.

468     "Perform an abortion" means to interrupt or terminate a pregnancy by any surgical or nonsurgical  
469     procedure or to induce a miscarriage as provided in § 18.2-72, 18.2-73, or 18.2-74.

470     "Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid marriage  
471     entered into prior to July 1, 2024, or lawfully entered into in another state or country prior to being domiciled  
472     in the Commonwealth, even though the marriage may have been terminated by dissolution; (ii) active duty  
473     with any of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her  
474     parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an order of  
475     emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

476     X. Petitions filed pursuant to Article 17 (§ 16.1-349 et seq.) relating to standby guardians for minor  
477     children.

478     Y. Petitions involving minors filed pursuant to § 32.1-45.1 relating to obtaining a blood specimen or test  
479     results.

480     Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of services  
481     and support for persons who meet the eligibility criteria for the Fostering Futures program set forth in  
482     § 63.2-919.

483     The ages specified in this law refer to the age of the child at the time of the acts complained of in the  
484     petition.

485     Notwithstanding any other provision of law, no fees shall be charged by a sheriff for the service of any  
486     process in a proceeding pursuant to subdivision A 3, except as provided in subdivision A 6 of § 17.1-272, or  
487     subsection B, D, M, or R.

488     Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of  
489     subsection W shall be guilty of a Class 3 misdemeanor.

490     Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary  
491     misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency  
492     of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall

493 vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or  
494 decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has  
495 been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.  
496 **2. That the Office of the Executive Secretary of the Supreme Court of Virginia shall develop and**  
497 **publish a form for a petition consistent with the provisions of this act.**

INTRODUCED

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