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HOUSE BILL NO. 667**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee for Courts of Justice
on February 25, 2026)

(Patron Prior to Substitute—Delegate Maldonado)

*A BILL to amend and reenact § 16.1-241 of the Code of Virginia, relating to juvenile and domestic relations district courts; jurisdiction; petition by unmarried noncitizen age 18 to 21 years for legal custody.***Be it enacted by the General Assembly of Virginia:****1. That § 16.1-241 of the Code of Virginia is amended and reenacted as follows:****§ 16.1-241. Jurisdiction; consent for abortion.**

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

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

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

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

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

3. Whose custody, visitation, or support is a subject of controversy or requires determination. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided in § 16.1-244;

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

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

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

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

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

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

The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control, or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father, or legal guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party with a legitimate interest shall be broadly construed and shall include, ~~but not be limited to,~~ grandparents, step-grandparents, stepparents, former stepparents, blood relatives, and family members. A party with a legitimate interest shall not include any person (i) whose parental rights have been terminated by court order,

60 either voluntarily or involuntarily, except for purposes of this title, as otherwise provided by this paragraph;
 61 (ii) whose interest in the child derives from or through a person whose parental rights have been terminated
 62 by court order, either voluntarily or involuntarily, or whose interest in the child derives from or through a
 63 person pursuant to clause (iii), including, ~~but not limited to,~~ grandparents, stepparents, former stepparents,
 64 blood relatives, and family members, if the child subsequently has been legally adopted, except where a final
 65 order of adoption is entered pursuant to § 63.2-1241; or (iii) who has been convicted of a violation of
 66 subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state,
 67 the United States, or any foreign jurisdiction, or who has been found by clear and convincing evidence to
 68 have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of
 69 § 18.2-366, whether or not the person has been charged with or convicted of the alleged violation, when the
 70 child who is the subject of the petition was conceived as a result of such violation or conduct. The authority
 71 of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited
 72 where the child has previously been awarded to the custody of a local board of social services. For purposes
 73 of this title, a party with a legitimate interest shall also include a parent whose rights previously had been
 74 terminated, provided that the child whose custody or visitation is at issue (a) is at least 14 years of age; (b)
 75 has had a permanency goal previously achieved by adoption; (c) has had his adoptive parents die or, pursuant
 76 to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such
 77 child and each adoptive parent has had his parental rights terminated; and (d) is in the custody of a local
 78 board of social services, and provided that the parent whose rights had previously been terminated has (1)
 79 complied with the terms of any written post-adoption contact and communication agreement entered into
 80 pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (2) maintained a positive,
 81 continuous relationship with the child since termination.

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

88 A2. *For the purposes of this subsection only, any person who is an unmarried noncitizen between the ages*
 89 *of 18 and 21 who, at any time prior to filing a petition in accordance with the provisions of this section, has*
 90 *been abused, abandoned, or neglected may petition a court in either the jurisdiction in which the petitioning*
 91 *person resides or the jurisdiction in which the proposed custodian resides to be placed in the physical*
 92 *custody of a proposed custodian named in the petition. Notice of the petition and any hearing on such petition*
 93 *shall be served on such proposed custodian and an opportunity to be heard shall be afforded to such*
 94 *proposed custodian.*

95 *If the proposed custodian named in the petition is any individual other than the individual who had legal*
 96 *custody of such person prior to such person's eighteenth birthday, notice of the petition and any hearing on*
 97 *such petition shall be served on such person's parent or legal custodian and an opportunity to be heard shall*
 98 *be afforded to such parent or legal custodian. Such person may, concurrently with a petition pursuant to this*
 99 *subsection or at a later time, petition the court for findings consistent with the provisions of subsection A1.*
 100 *Any person who files a petition in accordance with this subsection may subsequently petition the court to*
 101 *terminate the physical custody arrangement at any time. No order issued pursuant to this subsection shall be*
 102 *construed to abrogate any other rights that a person 18 years of age or older may have under state law.*

103 *For purposes of this subsection, "physical custody" has the same meaning as defined in § 20-146.1.*

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

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

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

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

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

121 1. Who has been abused or neglected;

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

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

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

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

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

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

140 In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to
141 determining whether or not there is probable cause. Any objection based on jurisdiction under this subsection
142 shall be made before a jury is impaneled and sworn in a jury trial or, in a nonjury trial, before the earlier of
143 when the court begins to hear or receive evidence or the first witness is sworn, or it shall be conclusively
144 waived for all purposes. Any such objection shall not affect or be grounds for challenging directly or
145 collaterally the jurisdiction of the court in which the case is tried.

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

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

152 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4,
153 or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to
154 § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

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

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

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

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

165 R. [Repealed.]

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

167 T. Petitions to enforce any request for information or subpoena that is not complied with or to review any
168 refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to
169 § 63.2-1526.

170 U. Petitions filed in connection with parental placement adoption consent hearings pursuant to
171 § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days
172 of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

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

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

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

183 If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state

184 that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion;
185 however, no such notice shall be required if the judge finds that such notice would not be in the best interest
186 of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the
187 totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he
188 finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is
189 abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has
190 refused to accept responsibility as parent, legal guardian, custodian, or person standing in loco parentis.

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

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

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

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

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

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

211 A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent has
212 been obtained or the minor delivers to the physician a court order entered pursuant to this section and the
213 physician or his agent provides such notice as such order may require. However, neither consent nor judicial
214 authorization nor notice shall be required if the minor declares that she is abused or neglected and the
215 attending physician has reason to suspect that the minor may be an abused or neglected child as defined in
216 § 63.2-100 and reports the suspected abuse or neglect in accordance with § 63.2-1509; or if there is a medical
217 emergency, in which case the attending physician shall certify the facts justifying the exception in the minor's
218 medical record.

219 For purposes of this subsection:

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

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

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

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

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

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

245 "Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid marriage

246 entered into prior to July 1, 2024, or lawfully entered into in another state or country prior to being domiciled
247 in the Commonwealth, even though the marriage may have been terminated by dissolution; (ii) active duty
248 with any of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her
249 parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an order of
250 emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

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

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

255 Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of services
256 and support for persons who meet the eligibility criteria for the Fostering Futures program set forth in
257 § 63.2-919.

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

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

263 Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of
264 subsection W ~~shall be~~ *is* guilty of a Class 3 misdemeanor.

265 Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary
266 misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency
267 of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall
268 vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or
269 decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has
270 been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.