

H.618

An act relating to delinquency proceedings

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. REPORT; PROTOCOLS FOR CHARGING ARRESTED MINORS

On or before January 1, 2015, the Department of Sheriffs and State's Attorneys shall report to the House and Senate Committees on Judiciary regarding the treatment of arrested minors under 18 years of age. The report shall include written protocols for use by the Vermont State's Attorneys describing under what circumstances, according to which criteria, and for what types of offenses minors under 18 years of age are:

(1) charged as juveniles in the Family Division or as adults in the Criminal Division;

(2) treated as youthful offenders; and

(3) transferred between the Family and Criminal Divisions.

Sec. 2. COURT ADMINISTRATOR; NOTICE OF RIGHT TO TRANSFER;

FORM

(a) The Court Administrator shall develop a form that informs a minor charged with a criminal offense in the Criminal Division that:

(1) there may be collateral consequences that result from pleading guilty to a criminal offense in the Criminal Division; and

(2) the minor has the right to request that the charges against him or her be transferred from the Criminal Division to the Family Division pursuant to 33 V.S.A. chapter 52 (Delinquency Proceedings).

(b) The Court Administrator shall ensure that the form developed pursuant to subsection (a) of this section is provided to all persons under 18 years of age who are charged with a criminal offense in the Criminal Division.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.