

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 618 entitled
3 “An act relating to exclusive jurisdiction over delinquency proceedings by the
4 Family Division of the Superior Court” respectfully reports that it has
5 considered the same and recommends that the bill be amended by striking out
6 all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. REPORT; PROTOCOLS FOR CHARGING ARRESTED MINORS

8 On or before January 1, 2015, the Department of Sheriffs and State’s
9 Attorneys shall report to the House and Senate Committees on Judiciary
10 regarding the treatment of arrested minors under18 years of age. The report
11 shall include written protocols for use by the Vermont State’s Attorneys
12 describing under what circumstances, according to which criteria, and for what
13 types of offenses minors under18 years of age are:

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

16 (2) treated as youthful offenders; and

17 (2) transferred between the Family and Criminal Divisions.

18 Sec. 2. COURT ADMINISTRATOR; NOTICE OF RIGHT TO TRANSFER;
19 FORM

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

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

3 (2) the minor has the right to request that the charges against him or her
4 be transferred from the Criminal Division to the Family Division pursuant to
5 Chapter 52 of Title 33.

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

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on passage.

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14 (Committee vote: _____)

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Representative [surname]

FOR THE COMMITTEE