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Act No. 72 (S.23). Judiciary; youthful offender; juvenile delinquency

An act relating to juvenile jurisdiction

This act:

- Prevents placement of a youthful offender on the Sex Offender Registry unless and until his or her youthful offender status is revoked by the Family Division and his or her case is transferred to and he or she is sentenced in the Criminal Division
- Creates a new chapter in Title 28 enumerating the duties of the Department of Corrections to supervise youthful offenders
- Makes technical corrections to the Juvenile Delinquency chapter to conform with the requirements of 2016 Acts and Resolves No. 153
- Moves the youthful offender statutes to a new chapter 52A in Title 33 and makes technical corrections to those statutes and changes to address the dual role of the Department for Children and Families and the Department of Corrections in supervising youthful offenders
- Provides that in the event a youthful offender violates the terms of his or her probation and the court makes the determination to revoke the youth's status as youthful offender, the case is transferred to the Criminal Division with a record of the adjudication in the Family Division
- Provides that in the pre-disposition phase when the Department for Children and Families recommends secure placement for a juvenile, only the court has the authority to make such a placement, and the court order must include findings that no other suitable placement is available and that the youth presents a risk of harm to others or property
- Directs the Vermont Supreme Court to adopt rules to ensure that it is clear to youth adjudicated as a youthful offender that if their youthful offender status is revoked and they are sentenced in the Criminal Division, they will have waived their right to a jury trial

Multiple effective dates, beginning on July 1, 2017