

# MAINE STATE LEGISLATURE

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## PART 5

## JUVENILE OFFENDERS

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## CHAPTER 401

## GENERAL PROVISIONS

Sec.

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**§ 2501. Purpose**

The purpose of chapters 401 to 409 is to provide that in proceedings pertaining to juveniles, as defined in section 2502, and as covered by chapters 401 to 409, the care, custody and discipline of said juveniles shall approximate as nearly as possible that which they should receive from their parents or custodians; and that as far as practicable, they shall be treated, not as criminals, but as young persons in need of aid, encouragement and guidance. It is further the purpose of chapters 401 to 409 that no juvenile shall be placed or detained in any prison or jail or detained or transported in association with any criminal, vicious or dissolute person, unless and until such juvenile becomes subject, as provided in chapters 401 to 409, to proceedings which are criminal in nature or unless otherwise specifically provided in chapters 401 to 409.

1959, c. 342, § 1.

**§ 2502. Definitions**

The following words as used in chapters 401 to 409 shall, except as otherwise specially provided, have the following meanings:

**1. Adjudication of a commission of a juvenile offense.** "Adjudication of a commission of a juvenile offense" is the adjudica-

tion or judgment which is made by an appropriate juvenile court, or by the Superior Court in appeal cases from juvenile courts, upon its finding that a juvenile has committed any of the offenses or acts specified in chapters 401 to 409. Such an adjudication shall not operate in any manner as, or to effect, a disqualification for public office nor shall it be deemed to constitute a conviction of crime. For the purpose of determining the guilt of any person over the age of 17 years charged as an accessory to any offense committed by a juvenile, such offense shall be deemed to be the same as if committed by a person who is not a juvenile.

**2. Habitual truancy.** "Habitual truancy" means habitual and willful absence from school without sufficient excuse; or failing to attend school for 5 day sessions or 10 half-day sessions within any period of 6 months without sufficient excuse; or failing to attend school, without regular and lawful occupation, and growing up in ignorance.

**3. Juvenile court.** "Juvenile court" shall be the designation for the District Court when it is exercising jurisdiction over juveniles in regard to any of the matters comprehended in chapters 401 to 409. Reference in any section of any other Title of any of the laws of Maine to "District Courts" shall not be interpreted as referring to juvenile courts, except that Title 4, chapter 5, insofar as relevant, shall apply to District Courts as juvenile courts.

1963, c. 402, § 258.

**4. Juvenile offender.** "Juvenile offender" means any child under 17 years of age who has been found by an appropriate juvenile court to have committed any of the acts or offenses specified in chapters 401 to 409.

1961, c. 293, § 1.

**5. Minority.** "Minority" means being under the age of 21.

1959, c. 342, § 1; 1961, c. 293, § 1; 1963, c. 402, § 258.

### § 2503. Mentally retarded and mentally ill juveniles

If, in any proceeding before a juvenile court, the court has cause to believe that the juvenile is mentally retarded or mentally ill, the court may require such juvenile to be examined by any qualified psychiatrist and the result of said examination shall be reported to the court for its guidance.

The expenses of any examination authorized by this section shall be paid by the county in which the juvenile court ordering such examination is sitting.

1959, c. 342, § 1.