

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-118)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT 'E' to H.P. 18, L.D. 35, Bill,
"AN ACT to Permit the Publication of the Names of Juveniles
in Connection with Arrests and Court Appearances."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'15 MRSA §3308, sub-§4, as enacted by PL 1977, c. 520,
§1, is amended to read:

4. Other persons. With the consent of the court, records
of court proceedings ~~excluding the names of the juvenile, his
parents, guardian, legal custodian, his attorney or any
other parties~~ may be inspected by persons having a legitimate
interest in the proceedings or by persons conducting pertinent
research studies. The court may order the exclusion of the
names of the juvenile, his parents, guardian, legal custodian,
his attorney or any other party, if the court finds the exclusion
to be in the best interests of the juvenile, having regard
to the nature and circumstances of the crime and the history,
character and condition of the juvenile. The court may not
order this exclusion after a second or subsequent adjudication
of commission of a juvenile crime. This subsection shall
not prohibit the release of these names, nor their publication
in any media, if they have not been excluded by the court.'

Statement of Fact

This amendment removes the provision of the bill that would open to the public juvenile proceedings that involve misdemeanors. Proceedings that involve felonies or other major offenses remain open to the public. The amendment also gives the court permission to exclude the names of juveniles and others from the public record if the court finds the exclusion to be in the best interests of the juvenile. The amendment also provides that the court cannot exclude the name after a second or subsequent adjudication of guilt.

Reported by Report "B" of the Committee on Judiciary;
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