MAINE STATE LEGISLATURE

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	FIRST RE	GULAR SES	SSION
ONE	HUNDRED AND	TWELFTH	LEGISLATURE
Legislative Docun	nent		No. 855
H.P. 585			resentatives, February 28, 1985
			ortland, referred to the ce and ordered printed.
			EDWIN H. PERT, Clerk
Presented by Repre Cosponsored b Warren of Scarbord	y Representative		of Portland and Representative
	STATE	OF MAINE	Σ
NIN	IN THE YE. ETEEN HUNDR		
	de for Diag		uvenile Code to Valuation for Ses.
Be it enacted follows:	by the Peo	ple of th	ne State of Maine as
15 MRSA Pt. A, §11, i its place:	§3309-A, a s repealed	s amended and the f	d by PL 1983, c. 480, following enacted in
§3309-A. Lim	itation on	diagnosti	ic evaluations
	valuation,	as defi	juvenile to undergo a ined in section 3003, 5:
bind-over. Which bind-over heation 4, or ceresults of	hen the p ring pursua rtifies in	rosecutor nt to sec writing t luation a	ist findings in has moved for a ction 3101, subsecto the court that the are required in order

1	2. Information needed to make a disposi-
2	tion. Following an order of adjudication pursuant to
3	section 3310, subsection 5, paragraph A, for the pur-
4	poses of making a disposition; and
5	3. By consent of the parties. When the juvenile
6	and the prosecuting attorney consent and the court
7	finds that such an evaluation may be of assistance to
8	it in carrying out the purposes of the Maine Juvenile
9	Code.
10	Nothing in this section may be construed to limit
11	court-ordered examinations pursuant to section 3318.
12	STATEMENT OF FACT

This bill makes it clear that a court must order a diagnostic evaluation when the State represents that it requires the information in order to make a decision as to bind-over. Under current law, the State must first move to bind over. This creates long delays, is unjust, costly and inefficient. This bill also allows for evaluations with the consent of

the juvenile.

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