



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 907

S.P. 326

In Senate, March 21, 1995

An Act to Extend the Time Period for a District Attorney to File a Petition in Order to Allow Time for Juveniles to Fulfill All Conditions of Informal Adjustment.

Submitted by the Department of Corrections pursuant to Joint Rule 24. Reference to the Committee on Criminal Justice suggested and ordered printed.

May Th

MAY M. ROSS Secretary of the Senate

Presented by Senator AMERO of Cumberland. Cosponsored by Senator: CAREY of Kennebec, Representative: DiPIETRO of South Portland.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §3303, as amended by PL 1985, c. 439, §12, is further amended to read:

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§3303. Dismissal of petition with prejudice

On motion made by or on behalf of a juvenile, or by the 8 court itself, a petition shall must be dismissed with prejudice 10 if it was not filed within 6 9 months from the date the juvenile was referred to the juvenile caseworker for an intake assessment, 12 unless the prosecuting attorney either before or after the expiration of the 6-menth 9-month period files a motion for an extension of time for the filing of a petition, accompanied by 14 the reasons for this extension. The court may for good cause extend the time for bringing a petition for any period of time 16 that is less than the limitation established in section 3195 18 3105-A.

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STATEMENT OF FACT

The purpose of this bill is to extend the time available for a juvenile to fulfill conditions of informal adjustment, thus allowing the juvenile to avoid formal prosecution for a matter that may be handled more appropriately through informal adjustment. This bill extends from 6 to 9 months the time period for a district attorney to file a petition against a juvenile in order to allow time for that juvenile to fulfill all conditions of informal adjustment.

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