

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1192

S.P. 397

In Senate, March 6, 2003

### An Act To Enhance Juvenile Rehabilitation

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator EDMONDS of Cumberland.

Cosponsored by Senators: LaFOUNTAIN of York, MARTIN of Aroostook, PENDLETON of Cumberland.

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

**Sec. 1. 15 MRSA §3304, sub-§6-A,** as amended by PL 1987, c. 720, §2, is further amended to read:

**6-A. Attendance of parent, guardian or custodian; contempt.** The parent, guardian or custodian shall appear in response to the summons pursuant to subsection 5 and shall attend all proceedings concerning the juvenile. The failure of a parent, guardian or legal custodian to appear in response to the summons or for a later hearing, or the inability to serve such a party, shall not prevent bars the court from continuing with the proceedings against a juvenile who is before the court, except as required in section 3314, subsection 1, paragraphs C-1 and C-2.

A. The court may excuse the attendance of a parent, guardian or custodian at a particular proceeding or all proceedings for good cause or if appearing in court will result in undue hardship to the parent, guardian or custodian.

B. If the parent, guardian or custodian fails to appear with the juvenile and the court has not found good cause for not appearing, the court, after notice and hearing on the issue of contempt, may find the parent, guardian or custodian in contempt of court in accordance with the Maine Rules of Criminal Procedure, Rule 42(d).

C. This subsection does not create a right for the juvenile to have the juvenile's parent, guardian or custodian present at any proceeding or court-ordered program that the juvenile attends or is required to attend.

**Sec. 2. 15 MRSA §3314-B** is enacted to read:

**§3314-B. Counseling, treatment, education or supervision for juveniles and their parents, guardians and custodians**

**1. Counseling, treatment, education or supervision.** In conjunction with a disposition under section 3314, the court may require the juvenile and the juvenile's parent, guardian or custodian to participate in counseling, treatment, education or supervision as determined by the court. The counseling, treatment, education or supervision must be designed to create a favorable environment for sustained, noncriminal behavior and may be provided by the court, court personnel, probation officers, professional counselors or social workers, psychologists, physicians, qualified volunteers or appropriate public, private or volunteer agencies as directed by the court.

