

Rule 14. Juvenile Court Proceedings

Note: References to "Rule" or "Rules" are to Rules of Procedure for Juvenile Courts.

14.01 Venue

Unless otherwise ordered by the court for good cause shown, a delinquency, petty matter or traffic trial and hearings pursuant to Rules 25 and 26 of the Rules of Procedure for Juvenile Courts, shall be held in the county where the offense is alleged to have occurred.

(Amended effective January 1, 1994.)

14.02 Discretionary Release by the Court With Conditions

Whenever the court releases a child with conditions pursuant to Rule 18.02, Subd. 2(C)(2), the conditions shall be stated on the record by the court or shall be reduced to writing and filed with the court the next court day after the conditions are imposed. [Supplementary to Rule 18.02, Subd. 2(C)(2).]

14.03 Photograph of a Line-up

Every line-up which includes a child in custody shall be photographed and the photograph shall be filed with the court with the report required pursuant to Rule 18.04, Subd. 2(D). [Supplementary to Rule 18.04, Subd. 2 (Line-up).]

14.04 Request for a Formal Review Hearing

A request for a formal review hearing pursuant to Rule 18.09, Subd. 2(B) and Rule 62.07, Subd. 2 shall be in writing and state the reasons for the request. To find a substantial basis or good cause to hold a review hearing, the court must find that the written request sets forth a showing of a significant change of circumstances so that there is good cause to believe that (a) there appears to be a change of circumstances sufficient to indicate that a change of disposition is necessary or (b) it appears that the disposition is inappropriate. [Supplementary to Rule 18.09, Subd. 2(B) and Rule 62.07, Subd. 2.]

14.05 Denial of Petition Without Personal Appearance

A denial of a petition without personal appearance pursuant to Rule 21.02, Subd. 1 (delinquency or petty matter) or Rule 36.02, Subd. 15 (traffic) may be entered by counsel with the consent of the court only after counsel has consulted with the child on the matter. In entering a denial, either on the record or in writing, counsel will assert that counsel has consulted with the child on the matter and that counsel will accept responsibility to have the child present at the next hearing at which the child's attendance is required.

A denial of a petition without personal appearance pursuant to Rule 55.02, Subd. 1 (child protection matter) may be entered by counsel with the consent of the court, only after counsel has consulted with his/her client(s) in the matter, unless counsel's client is a child under the age of 12, in which case counsel will consult with the child's guardian ad litem if there is one. In entering a denial, either on the record or in writing, counsel will assert that counsel has consulted with his/her client(s) if consultation is required by this special rule and that counsel will accept responsibility to have his/her client(s) present at the next hearing at which the attendance of the client(s) is required. [Supplementary to Rule 21.02, Subd. 1, Rule 36.02, Subd. 15 and Rule 55.02, Subd. 1.]

14.06 Counsel For Child in a Traffic Matter

For any child charged with a traffic offense which would be a misdemeanor or gross misdemeanor if committed by an adult, Rule 4.01 is adopted in lieu of Rule 36.01, Subd. 3. [Supplementary to Rule 36.01, Subd. 3 (Counsel for Child).]

14.07 Sequestration of Witnesses

Except for counsel, the child and the child's parent or guardian, the court may in its discretion sequester any witness during any hearing. In deciding whether to sequester a parent when he or she is also a witness, the court should consider whether a custodial parent will remain with the child after sequestration of a parent who is a witness. The court should also consider whether the parent is alleged to be the victim of the delinquency or is alleged to have neglected the child or to have done acts to make the child dependent. No parent shall be sequestered when he or she is a witness in an action to terminate that parent's parental rights. [Supplementary to Rule 7, Rule 36.02, Subd. 6 and Rule 42.]

14.08 Discovery of Police Reports

In addition to any court order or rule in any traffic matter, the county attorney shall make available to the child's counsel copies of any police reports concerning the alleged traffic offense, within five days after receipt of a request or as soon thereafter as the information becomes known to the county attorney. [Supplementary to Rule 36.02, Subd. 17 (Discovery).]