

1999 SENATE JUDICIARY

SB 2300

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2300

Senate Judiciary Committee

Conference Committee

Hearing Date February 3, 1999

Tape Number	Side A	Side B	Meter #
1	x		3420 - end
1		x	0 - 733
<i>2-8-99</i> 1		x	6000 - end
Committee Clerk Signature <i>Jackie Follman</i>			

Minutes:

SB2300 relates to juvenile court hearings and records.

SENATOR STENEHJEM opened the hearing on SB2300 at 9:40 a. m.

All were present.

SENATOR STENEHJEM testified in support of SB2300. Greg Wallace asked me to introduce this bill. I think things have changed with our juveniles where we are seeing a greater number of our juveniles committing more and more serious offenses. The State of Minnesota have opened all the juvenile court proceedings and records. The abuse and neglect records are also open. The records in this bill to be opened are juveniles over the age of 14 which could be moved to adult court with the more serious crimes. I believe the juvenile court system does work.

REPRESENTATIVE MAHONEY testified in support of SB2300. I believe this could make juveniles more accountable for the more serious crimes.

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Senate Judiciary Committee
Bill/Resolution Number SB2300
Hearing Date February 3, 1999

GREG WALLACE, Assistant State Court Administrator for Trial Courts, testified in support of SB2300. Testimony attached.

JACK MCDONALD, North Dakota Newspapers Association, testified in support of SB2300.

The problems that arise in these serious offenses, the public knows what is going on anyway. It would be a benefit to the public if you could get some accurate information.

LINDA ISAAKSON, Children's Caucus, testified in opposition to SB2300. The Children's Caucus is divided on this bill. We feel this may open the door to opening all juvenile records.

SENATOR STENEHJEM CLOSED the hearing on SB2300.

February 8, 1999 - Tape 1, Side B

Discussion.

SENATOR WATNE made a motion for DO PASS, SENATOR TRAYNOR seconded. Motion carried. 6 - 0 - 0

SENATOR STENEHJEM will carry the bill.

Date: 2-8-99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2300

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Watne Seconded By Traynor

Senators	Yes	No	Senators	Yes	No
Senator Wayne Stenehjem	X				
Senator Darlene Watne	X				
Senator Stanley Lyson	X				
Senator John Traynor	X				
Senator Dennis Bercier	X				
Senator Carolynn Nelson	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Stenehjem

REPORT OF STANDING COMMITTEE (410)
February 8, 1999 1:19 p.m.

Module No: SR-25-2173
Carrier: W. Stenehjem
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2300: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2300 was placed on the
Eleventh order on the calendar.

1999 HOUSE JUDICIARY

SB 2300

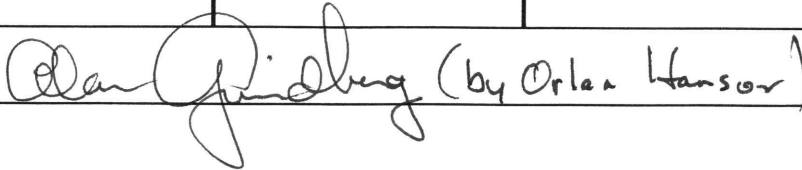
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2300

House Judiciary Committee

Conference Committee

Hearing Date 3-16-99

Tape Number	Side A	Side B	Meter #
One SB 2300	x		0.0 to 7.5
Committee Clerk Signature			

Minutes:

Summary of bill: A bill which would remove the cloak of confidentiality in juvenile court proceedings evolving all issues of juvenile crimes under the age of 14 years old.

Senator Wayne Stenehjem: Dist 42 (Testimony attached)

The crimes that would become open to the public are those of which a juvenile could be transferred into the adult court. These offenses include murder, or attempted murder, gross sexual imposition, or attempted gross sexual imposition, or by force, kidnapping, manufacturing or delivery of controlled substance except for small amounts of marijuana. Mr Chairman, a juvenile court passage adopted in 1969 is a theory at that time was that any child capable of rehabilitation therefore it was harmful to the child if all proceedings were open to the public. Since then we've seen a rising number of juveniles committing more and more serious crimes. Two sessions ago those of you who were here will recall that topic of Juvenile Justice reforms called for a transfer

of some of the more serious crimes committed by juveniles into the adult court where proceedings are open to the public. There is a growing belief that everyone, including minors, need to held accountable and responsible for the acts that they commit and this bill would call for that for these serious offenses. Rumors abound and the information that becomes public very often is in accurate information and is more useful to have the true and correct facts known to the public. Some surrounding states have taken the kind of steps this bill asks us to take. I would point to Minnesota which has opened all of its juvenile records. I'm very opposed to opening all juvenile records for minor crimes. Our Juvenile court system works well and don't want to change it to much. This is the reason behind the bill.

Rep Gorder: What is the age you mentioned?

Sen Stenehjem: Over 14 years old.

Greg Wallace: Assistant Trail court administrator for the ND Supreme Court. Handed out some testimony. Senator Stenehjem entered this bill by request of the Supreme Court. He did a good job of presenting the facts of the bill so won't repeat it.

Rep Cleary: Would it be a good idea to put the emergency clause back in?

Greg Wallace: I guess I'm not really sure if we need that as it would have to go back over again to the Senate and not sure that's good. Truly there are not a lot of kids affected by this bill, somewheres in the neighbor hood of 20 involuntary transfers to the adult court systems last year.

Sen Stenehjem: No objections to the emergency clause being attached. No problem in the Senate.

Jack McDonald: ND News Paper Assoc. ND Broadcasters Assoc. (Testimony Attached) Felt if there was a little more open hearing so as accurate facts would get out it would be benefit to the Juveniles.

Page 3

House Agriculture Committee

Bill/Resolution Number JUDSB2300

Hearing Date *Click here to type Hearing Date*

Closed the hearing.. Motion by Rep Sveen for a Do Pas on the emergency clause, second by Rep

Kawkins, no further discussion, Chm DeKrey called the question on a voice vote, Unanimous.

Rep Delmore moved a DO PASS as amended second by Rep Gorder

Vote total YES 13 NO 0 ABSENT 2 Motion carried

Carrier of the bill: Rep Sveen

Late testimony on SB 2300

Anne Summers: ACLU (Testimony attached)

VR
3/17/99

HOUSE AMENDMENTS TO SENATE BILL NO. 2300 6/17/99

Page 1, line 3, after "records" insert "; and to declare an emergency"

Page 2, after line 5, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency
measure."

Renumber accordingly

Date: 3-16
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2300

House JUDICIARY Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass with the Emergency Clause

Motion Made By Rep Delmore Seconded By Rep Gorder

Representatives	Yes	No	Representatives	Yes	No
REP. DEKREY	✓		REP. KELSH		
REP. CLEARY	✓		REP. KLEMIN	✓	
REP. DELMORE	✓		REP. KOPPELMAN		
REP. DISRUD	✓		REP. MAHONEY	✓	
REP. FAIRFIELD			REP. MARAGOS	✓	
REP. GORDER	✓		REP. MEYER	✓	
REP. GUNTER	✓		REP. SVEEN	✓	
REP. HAWKEN	✓				

Total Yes 13 No 0

Absent 0

Floor Assignment Rep Sween

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2300: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2300 was placed on the Sixth order on the calendar.

Page 1, line 3, after "records" insert "; and to declare an emergency"

Page 2, after line 5, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

1999 SENATE JUDICIARY

SB 2300

CONFERENCE COMMITTEE

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2300

Senate Judiciary Committee

Conference Committee

Hearing Date March 31, 1999

Tape Number	Side A	Side B	Meter #
1	x		0 - 156
Committee Clerk Signature <i>Jackie Follmar</i>			

Minutes:

SB2300 relates to juvenile court hearings and records.

SENATOR STENEHJEM opened the Conference Committee hearing on SB2300.

Senator Stenehjem, Senator Watne, Senator Nelson, Representative DeKrey, Representative Sveen and Representative Delmore were present.

SENATOR STENEHJEM stated that this bill would open certain juvenile court hearings and records. The House put on an Emergency Clause and the only issue that came up is that it may take a little lead time for the Court to be aware that this is the new law and also to put juveniles on notice that if they commit any serious offenses, they will be in public hearings. My suggestion is that we consider a compromise between the two positions and that is we put a delayed effective date on the bill saying the law will take effect June 1, 1999.

Page 2

Senate Judiciary Committee

Bill/Resolution Number SB2300

Hearing Date March 31, 1999

REPRESENTATIVE DEKREY made a motion that the House recede from the House amendment and adopt amendments. SENATOR WATNE seconded. Discussion. Motion carried. 6 - 0 - 0

(Bill Number) SB2300 (, as (re)engrossed):

Your Conference Committee Judiciary

For the Senate:

For the House:

Senator Stenehjem Y
Senator Watne Y
Senator Nelson Y

Representative DeKrey Y
Representative Sreen Y
Representative Delmore Y

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
723/724 725/726 5724/H726 5723/H725
the (Senate/House) amendments on (SJ/HJ) page(s) _____ - _____

and place _____ on the Seventh order.
727

, adopt (further) amendments as follows, and place
SB2300 on the Seventh order:

having been unable to agree, recommends that the committee be discharged
and a new committee be appointed. 690/515

((Re)Engrossed) SB2300 was placed on the Seventh order of business on the
calendar.

DATE: 3/31/99
CARRIER: Senator Stenehjem
LC NO. _____ of amendment
LC NO. _____ of engrossment
Emergency clause added or deleted _____
Statement of purpose of amendment _____

REPORT OF CONFERENCE COMMITTEE

SB 2300: Your conference committee (Sens. W. Stenehjem, Watne, C. Nelson and Reps. DeKrey, Sveen, Delmore) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 797-798, adopt amendments as follows, and place SB 2300 on the Seventh order:

That the House recede from its amendments as printed on pages 797 and 798 of the Senate Journal and pages 876 and 877 of the House Journal and that Senate Bill No. 2300 be amended as follows:

Page 1, line 3, after "records" insert "; to provide an effective date; and to declare an emergency"

Page 2, after line 5, insert:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on June 1, 1999.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SB 2300 was placed on the Seventh order of business on the calendar.

1999 TESTIMONY

SB 2300



KEITHE E. NELSON
STATE COURT ADMINISTRATOR

State of North Dakota
OFFICE OF STATE COURT ADMINISTRATOR

SUPREME COURT
Judicial Wing, 1st Floor
600 East Boulevard Avenue
BISMARCK, ND 58505-0530
(701) 328-4216
(FAX) 701-328-4480

February 3, 1999

TO: Senate Judiciary Committee
FROM: Greg Wallace
SUBJECT: Senate Bill No. 2300

I am Greg Wallace, Assistant State Court Administrator for Trial Courts. I am appearing on behalf of the North Dakota judiciary.

Senate Bill No. 2300 was introduced on behalf of the Juvenile Policy Board, a board set up by the Supreme Court to oversee policy and practices of the North Dakota juvenile courts. The Members are: District Judge Norman Backes, Fargo; District Judge Benny Graff, Bismarck; Mary Hall, Director of Juvenile Court, Fargo; District Judge Donald Jorgensen, Bismarck; Supreme Court Justice William Neumann, Bismarck; District Judge Everett Nels Olson, Minot; and, Dale Thompson, Judicial Referee, Bottineau.

SB 2300 opens certain juvenile court proceedings and records relating to those proceedings to the public, including :

- Murder
- Attempted Murder
- Gross sexual imposition or attempted gross sexual imposition using force or threat of imminent death or serious bodily injury
- Felony A or B, manufacture, delivery, or possession with intent to deliver which is not a singular or isolated event
- Manslaughter
- Aggravated assault
- Robbery
- Arson, involving an inhabited structure
- Escape involving a firearm or other dangerous weapon

These are offense which have been identified by the legislature as automatically waived to the adult court system or for which the burden of proof is shifted to the defendant to prove amenability to treatment as a juvenile.

There are a number of reasons behind this bill. The Juvenile Policy Board is currently overseeing the implementation of the operating philosophy of "balanced and restorative justice". An important part of that philosophy is holding juveniles accountable to their victims and community.

Many states have opened their juvenile court records and have found no disastrous results. In discussing the concept of confidentiality, it is the belief among most juvenile court officers and the Juvenile Policy Board that all proceedings relating to delinquency could be open to the public.

Whether any juvenile record is really confidential is a serious question. When an individual applies to the military for admission to a facility, such as a law school for a professional license or for almost any job, they are usually asked if they have ever been arrested for a crime or admitted to any offense, including in the juvenile court. Our law indicates the individual may say that they have no such record. However, it is not uncommon for subsequent investigations to reveal that a record does, in deed, exist. In most cases, the individual would be better off originally reporting the juvenile court offense, rather than later being found not to have been truthful in their application process. While the law states that no court record exists, police, neighbors, and friends know of the juvenile's involvement with the court. The court cannot guarantee that offenses committed by juveniles are kept confidential.

Under the philosophy of balanced and restorative justice, the juvenile court is part of the community and should be held accountable to the community. Often, the public believes that the juveniles receive a "slap on the wrist" and that no real consequences result from being referred to the juvenile court. In fact, juveniles are often held more accountable than adults for the same offenses.

GW/cs

Referrals 1998 Statewide									
		EC	NE	NEC	NW	SC	SE	SW	Total
Deprivation	Abandonment	1	2	0	1	0	0	0	4
	Abuse/Neglect	5	26	29	13	32	42	0	147
	Deprived	191	76	54	24	59	51	19	474
	Total	197	104	83	38	91	93	19	625
Offenses Against Persons	Assault	81	54	43	71	122	65	29	465
	Homicide	0	0	2	0	0	0	0	2
	Other Offenses Against Persons	34	21	23	13	31	12	5	139
	Sex Offenses	25	11	9	12	15	10	0	82
	Total	140	86	77	96	168	87	34	688
Offenses Against Property	Arson	2	0	2	0	1	2	1	8
	Burglary	20	36	26	36	44	18	3	183
	Criminal Mischief/Vandalism	59	111	53	95	161	111	35	625
	Criminal Trespass	44	34	40	36	103	25	20	302
	Forgery	9	8	11	7	10	1	2	48
	Other Property Offenses	26	10	15	10	39	11	5	116
	Robbery	2	0	0	3	3	0	1	9
	Shoplifting	197	111	144	180	196	55	14	897
	Theft	180	132	143	162	187	99	66	969
	Total	539	442	434	529	744	322	147	3157
Other Offenses	Controlled Substance Violations	150	51	59	60	140	37	20	517
	Disorderly Conduct	68	72	92	78	149	54	32	545
	Firearms	11	4	4	7	7	8	1	42
	Game and Fish	3	24	5	12	24	16	1	85
	Obstruction	21	24	19	21	24	23	5	137
	Other Public Order	64	95	51	33	74	47	10	374
	Possession /Purchase Alcohol	357	437	261	417	675	428	206	2781
	Tobacco	72	46	130	179	0	75	23	525
	Total	746	753	621	807	1093	688	298	5006
Special Proceedings	Other Special Proceeding	11	2	3	0	76	0	0	92
	Termination Of Parental Rights (Involuntary)	36	2	0	5	6	0	0	49
	Termination Of Parental Rights (Voluntary)	26	8	3	5	16	1	1	60
	Total	73	12	6	10	98	1	1	201
Traffic Offenses	DUI/Physical Control	16	17	11	16	21	16	8	105
	Driving Without License	45	64	42	56	1	27	16	251
	Other Traffic	18	15	8	19	76	11	6	153
	Total	79	96	61	91	98	54	30	509
Unruly	Curfew	39	71	24	91	92	29	4	350
	Other Unruly	0	37	4	13	211	1	0	266
	Run-a-way -- (instate Resident)	84	35	176	255	180	44	6	780
	Run-a-way -- (out of state Resident)	0	3	3	1	0	0	2	9
	Truancy	115	29	41	19	69	38	6	317
	Ungovernable Behavior	69	48	35	59	187	100	69	567
	Violation Of Conditions For Conduct And Control	1	0	7	8	5	21	0	42
	Total	308	223	290	446	744	233	87	2331
TOTAL		2082	1716	1572	2017	3036	1478	616	12517



KEITHE E. NELSON
STATE COURT ADMINISTRATOR

State of North Dakota
OFFICE OF STATE COURT ADMINISTRATOR

March 15, 1999

SUPREME COURT
Judicial Wing, 1st Floor
600 E Boulevard Ave Dept 180
BISMARCK, ND 58505-0530
(701) 328-4216
(FAX) 701-328-4480

TO: House Judiciary Committee
FROM: Greg Wallace
SUBJECT: Senate Bill No. 2300

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There are a number of reasons behind this bill. The Juvenile Policy Board is currently overseeing the implementation of the operating philosophy of "balanced and restorative justice". An important part of that philosophy is holding juveniles accountable to their victims and community.

Many states have opened their juvenile court records and have found no disastrous results. In discussing the concept of confidentiality, it is the belief among most juvenile court officers and the Juvenile Policy Board that all proceedings relating to delinquency could be open to the public.

Whether any juvenile record is really confidential is a serious question. When an individual applies to the military for admission to a facility, such as a law school for a professional license or for almost any job, they are usually asked if they have ever been arrested for a crime or admitted to any

offense, including in the juvenile court. Our law indicates the individual may say that they have no such record. However, it is not uncommon for subsequent investigations to reveal that a record does, in deed, exist. In most cases, the individual would be better off originally reporting the juvenile court offense, rather than later being found not to have been truthful in their application process. While the law states that no court record exists, police, neighbors, and friends know of the juvenile's involvement with the court. The court cannot guarantee that offenses committed by juveniles are kept confidential.

Under the philosophy of balanced and restorative justice, the juvenile court is part of the community and should be held accountable to the community. Often, the public believes that the juveniles receive a "slap on the wrist" and that no real consequences result from being referred to the juvenile court. In fact, juveniles are often held more accountable than adults for the same offenses.

GW/cs

Referrals To The North Dakota Juvenile Courts In 1998

<u>Category Of Referral</u>	<u>Reason</u>	<u>Number</u>
Deprivation	Abandonment	4
	Abuse/Neglect	147
	Deprived	<u>474</u>
	Total	625
Offenses Against Persons	Assault	465
	Homicide (Attempted)	2
	Other Offenses Against Persons	139
	Sex Offenses	<u>82</u>
	Total	688
Offenses Against Property	Arson	8
	Burglary	183
	Criminal Mischief/Vandalism	625
	Criminal Trespass	302
	Forgery	48
	Other Property Offenses	116
	Robbery	9
	Shoplifting	897
	Theft	<u>969</u>
	Total	3157
Other Offenses	Controlled Substance Violations	517
	Disorderly Conduct	545
	Firearms	42
	Game and Fish	85
	Obstruction	137
	Other Public Order	374
	Possession /Purchase Alcohole	2781
	Tobacco	<u>525</u>
	Total	5006
Special Proceedings	Other Special Proceeding	92
	Termination Of Parental Rights (Involuntary)	49
	Termination Of Parental Rights (Voluntary)	<u>60</u>
	Total	201
Traffic Offenses	DUI/Physical Control	105
	Driving Without License	251
	Other Traffic	<u>153</u>
	Total	509
Unruly	Curfew	350
	Other Unruly	266
	Run-a-way -- (instate Resident)	780
	Run-a-way -- (out of state Resident)	9
	Truancy	317
	Ungovernable Behavior	567
	Violation Of Conditions For Conduct And Contro	<u>42</u>
Total	<u>2331</u>	
Total (cat_ref)		12517

March 16, 1999

2300

HOUSE JUDICIARY COMMITTEE
SB 2300

CHAIRMAN DEKREY AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing today on behalf of The North Dakota Newspaper Association and The North Dakota Broadcasters Association. We support **SB 2300** and urge that you give this a DO PASS.

This bill tracks a trend to allow greater coverage of serious juvenile offenses. It is also similar to a pilot project now underway in Minnesota. This will not result in coverage of ordinary or routine juvenile offenses, but only the most serious crimes. These include hearings to determine if the juvenile committed murder, attempted murder, gross sexual imposition or attempted gross sexual imposition; the manufacturing, delivery or possession of drugs; manslaughter; aggravated assault; robbery; arson involving an inhabited structure; or escape using a dangerous weapon or device.

We think this is a good bill that carefully balances the public's right to know with the traditional closure of juvenile proceedings. We respectfully urge a DO PASS.

If you have any questions, I'll be happy to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

TESTIMONY IN OPPOSITION TO SENATE BILL NO. 2300
in the House Judiciary Committee, March 16, 1999

I am Anne Summers of Bismarck. I have practiced law here for more than 16 years. My practice is concentrated mainly in the areas of juvenile and family law. I am here today on behalf of the ACLU of North Dakota, and as a concerned parent, grandparent, and attorney, to oppose this proposed legislation.

I know that the bill before the committee today is well-meant. It is felt that in situations where a minor child is accused of serious misconduct, criminal behavior, that that child should not be able to hide behind the closed doors of the juvenile courtroom. However, it is of grave concern to me as an attorney and advocate for children, that the purposes for which the juvenile court system was founded are being eroded, without a comprehensive and objective look at what purpose will now be served. Most of the juveniles charged with delinquency are children of North Dakota families, and not hardened criminals from out of state. Many of these children might still become productive citizens, if society does not give up hope for them.

The ACLU believes that due process must apply to children accused of crimes. But for children to receive due process, there are special needs which must be met which may not apply in the case of an adult. This bill, instead of addressing those needs, goes even farther in its disregard.

Historically, juvenile law has provided for informal court proceedings rather than criminal prosecution as a means of carrying out rehabilitation of the young offender. The context in which juvenile courts evolved was a departure from 19th century (and earlier) methods of punishing even very young offenders: prisons, work farms, and worse. Enlightened people felt that because juveniles are children, with proper treatment programs, they can be rehabilitated. In other words, because children are young, they can learn and grow.

The amendment under consideration would seemingly open to public and media view all hearings considering petitions alleging offenses delineated in the specified Century Code sections. Since it is not defined which hearings are included, one must conclude that it could mean all hearings. This could include, therefore, hearings in which it is found that transfer is NOT appropriate because of the needs or mentality of the child. In the meantime, however, apparently that child's file is open record, including family background studies, psychological evaluations of

child and his family, interviews with the child's parents, sexual histories, medical records, and the juvenile court record, which may include situations involving not just the child, but his entire family as well. In the case of sexual offenses, virtually all children charged with gross sexual imposition, a felony, are so charged due to consensual sexual contact with other children. Sometimes, both children are charged. In the arena of real life, the public identification of the alleged offender may virtually destroy his or her life... especially if, as in some cases, it involves sexual contact between two children of the same sex.

I believe that before any further steps are made in the direction of public exposure of juvenile alleged offenders, a better understanding of the related implications and effects is surely needed : for instance, it is rare that a juvenile offender has any legal advice before court proceedings are actually started. As a matter of fact, in our state, a juvenile really has a limited right to a lawyer, because the juvenile court acting in its remedial perspective, allows parents, legal custodians, or guardians to act as counsel for children. Thus as an attorney, I often am appointed to cases where the child was interviewed, confessed, named other offenders, and evidence against him was developed, all with the advice and counsel — and sometimes on the orders --- of a parent who had no idea whatsoever of the potential ramifications of all this. And juveniles not only have no absolute right to a lawyer in juvenile court, but they have no right whatsoever to trial by jury --- except in cases which are actually transferred into adult court. These are just a couple of examples of how we treat juveniles as children by conferring fewer rights than adults. The trade-off to the juvenile and society was that hope for treatment and rehabilitation.

In conclusion, I would ask that the committee reflect on what this bill will do: it will allow complete public exposure of the juvenile court proceedings, where a petition is filed alleging the identified sections. This exposure will be regardless of the family's mortification, the needs of the child, and the resulting fate of the child; and regardless of whether indeed that child is felt capable of rehabilitation; and regardless of whether, ultimately, the child is transferred for trial to adult court.

I ask you to vote "do not pass" on this bill. And thank you for listening.

Anne Summers Phone:223-2099