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I.J.R. 27. Transfer to Juvenile Court.

Idaho Juvenile Rule 27. Transfer to Juvenile Court.

(a) In the court's discretion, a criminal charge or an infraction citation naming a defendant who was under 18 years of age at the time of the alleged violation, may be transferred to juvenile court and treated under the provisions of the J.C.A., except charges waived for criminal prosecution pursuant to section 20-508, Idaho Code, or criminal charges listed in section 20-509 Idaho Code. The transfer request may be made by the juvenile, the juvenile's attorney, the prosecutor or upon the court's own motion. A party may make the request orally upon the record or in writing. The party making the request shall provide the court, in writing, with the name and address of the juvenile's parent or guardian. Either party may request that the transfer request be set for a hearing. If the court grants the request to transfer the case, the court shall enter a written order transferring the case to the juvenile court.

(b) The clerk shall set the new juvenile case for an admit/deny hearing on the juvenile court calendar. The clerk shall cause a notice of admit/deny hearing to be mailed by certified mail to the juvenile and the juvenile's parent or guardian. The hearing shall be set not less than 14 days from the mailing of the notice.

(c) The admit/deny hearing shall be conducted pursuant to I.J.R. 6. All other hearings and proceedings shall be conducted in accordance with the Juvenile Corrections Act and the Idaho Juvenile Rules.

(ADOPTED April 26, 2007, effective July 1, 2007; amended March 15, 2022, effective July 1, 2022.)

Source URL: <https://isc.idaho.gov/ijr27>