

LD3985324

HOUSE BILL NO. 1112

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding in Chapter 11 of Title 16.1 an article numbered 9.1, consisting of sections numbered 16.1-290.1 through 16.1-290.3, relating to establishment of a teen court.

Patrons—Marshall, Albo, Harris, Ingram, McDonnell, O'Brien, Parrish and Wilkins; Senator: Calhoun

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 11 of Title 16.1 an article numbered 9.1, consisting of sections numbered 16.1-290.1 through 16.1-290.3, as follows:

Article 9.1.

Teen Court Program.

§ 16.1-290.1. Definition.

As used in this article, "teen court program" means an established youth program, monitored by adult volunteers and approved by the courts, which uses juveniles subject to the courts' jurisdiction as lawyers, judges, jurors and other court personnel to conduct peer trials of juveniles assigned to the program and impose a sentence of community service work or volunteer work in the program.

§ 16.1-290.2. Requirements for deferral of disposition; assignment to teen court program.

The disposition of a case involving a juvenile under the age of eighteen who is (i) charged with a traffic infraction or an offense which would be punishable as a Class 3 or 4 misdemeanor, petit larceny or shoplifting in violation of §18.2-103 if committed by an adult and (ii) enrolled full time in an accredited secondary school or institute of higher education or a program leading toward a high school diploma may be deferred for a period of ninety days if:

1. The juvenile has not successfully completed a teen court program during the two-year period immediately preceding the date of the offense; and

2. The juvenile pleads not innocent to the offense charged before the court in the presence of his or her parents, guardian or other person standing in loco parentis and requests, orally or in writing, admittance to a teen court program approved by the court.

If, at the end of the ninety-day period, the juvenile presents satisfactory evidence of his successful completion of the program, the court shall dismiss the charge against him. A charge dismissed under this article may not become part of the juvenile's record or be used for any purpose, except that if the charge involved a traffic infraction, the court shall report to the Department of Motor Vehicles that the juvenile successfully completed the teen court program and the date of completion, and this information may be included in the juvenile's driving record.

§ 16.1-290.3. Fee.

The court may require a juvenile entering a program pursuant to this article to pay a nonrefundable fee, not to exceed ten dollars, prior to entering the program. The fee shall be paid directly to the program and shall be used only to defray the costs of administering the program.

INTRODUCED

HB1112