

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 5: JUVENILE JUSTICE

§ 5136. Adjudication Hearing.

(a) If the juvenile denies the allegations in the petition, the court shall conduct a full evidentiary adjudication hearing, in the manner prescribed by the Commonwealth Rules of Evidence. The juvenile shall have the same constitutional rights afforded to criminal defendants. A record shall be made in all proceedings connected with the case and shall be preserved in the event of appeal. If at the conclusion of the evidentiary hearing the court finds that the juvenile comes within the purview of this chapter, the court shall so rule, and then shall set the matter down for disposition, or may, in the interest of time, hold a disposition hearing at the conclusion of the evidentiary hearing if all information necessary to the disposition of the case is available at the time.

(b) When a juvenile, other than the juvenile against whom the petition has been filed, is summoned as a witness in any hearing under this chapter, notwithstanding any other statutory provision, parents, a counselor, a friend or other person having a supportive relationship with the juvenile shall, if available, be permitted to remain in the courtroom unless, in written findings made and entered, the court finds that the juvenile's constitutional right to a fair trial will be unduly prejudiced.

(c) Nothing in this section shall preclude the court from accepting an alternate disposition of any petition.

Source: PL 16-47, § 17, modified.

Commission Comment: The Commission changed the order of this section from its original placement in PL 16-47 and replaced all occurrences of “this Act” with “this chapter” pursuant to 1 CMC § 3806(b) and (d).