

MAINE JUDICIAL BRANCH

STATE OF MAINE

DISTRICT COURT

Location (Town): \_\_\_\_\_

V.

Docket No.: \_\_\_\_\_

\_\_\_\_\_ Juvenile

PETITION FOR REVIEW OF DETENTION OF JUVENILE AND ORDER

15 M.R.S. § 3203-A

Juvenile's Name: \_\_\_\_\_ Date of Birth (mm/dd/yyyy): \_\_\_\_\_

Name of arresting law enforcement agency: \_\_\_\_\_

Date and time of arrest: (mm/dd/yyyy) \_\_\_\_\_ at \_\_\_\_\_  am  pm

Name of juvenile's parent, guardian, or legal custodian: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Name of juvenile's parent, guardian, or legal custodian: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Juvenile is emancipated.

I ordered the above-named juvenile detained for the reason set forth below and I request judicial review of my decision to detain.

The juvenile is presently in the custody of \_\_\_\_\_

charged with:  a probation violation  a violation of conditions of release or refusal of conditions of release  the offense(s) of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I assert that the criteria set forth below in the checked boxes demonstrate probable cause to believe that detention of the juvenile is warranted and necessary:

1  2  3  4  5  6  7  8  9  10  11

Date (mm/dd/yyyy): \_\_\_\_\_



Juvenile Community Corrections Officer

Attorney for the State

\_\_\_\_\_  
Printed Name and Bar No. (if applicable)

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

MAINE JUDICIAL BRANCH

ORDER OF COURT

After hearing, at which the juvenile and the juvenile's  retained  assigned attorney \_\_\_\_\_ appeared,  it is ordered that the juvenile be released upon the following conditions:  (See Conditions of Release)

---

---

---

---

**PARENT(S), GUARDIAN, OR LEGAL CUSTODIAN NOTICE**

The parent(s), guardian, or legal custodian  did attend  did not attend this court hearing. If not in attendance (*select one*):

- The Court **was** provided contact information for the juvenile's parent(s), guardian, or legal custodian and notification was attempted but unsuccessful;
- The Court **was not** provided contact information for the juvenile's parent(s), guardian, or legal custodian and therefore was unable to attempt notification; **OR**
- Juvenile is emancipated therefore no parent(s), guardian, or legal custodian notification was required.

**PLEASE NOTE: The court may conduct the detention hearing in the absence of the parent(s), guardian or legal custodian if the court is unable to provide such notice or the parent(s), guardian or legal custodian fails to appear after receiving notice.**

- The Court finds probable cause to believe the juvenile:
  - 1. Has committed an act that would be murder or a Class A, B, or C crime if committed by an adult;
  - 2. Has refused to participate voluntarily in a conditional release placement or is incapacitated to the extent of being incapable of participating in a conditional release placement;
  - 3. Has intentionally or knowingly violated a condition imposed as part of conditional release on a pending offense or has committed an offense after that release that would be a crime if committed by an adult;
  - 4. Has committed the juvenile crime that would be escape if the juvenile was an adult;
  - 5. Has escaped from a facility to which the juvenile had been committed pursuant to an order of adjudication or is absent without authorization from a prior placement by a juvenile community corrections officer or the Juvenile Court;
  - 6. Has a prior record of failure to appear in court when so ordered or summonsed by a law enforcement officer, juvenile community corrections officer, or the court, or has stated the intent not to appear;
  - 7. Has violated a condition of probation.

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

MAINE JUDICIAL BRANCH

Further, the Court finds that continued detention is necessary in order:

- 8. To ensure the presence of the juvenile at later court proceedings;
- 9. To prevent the juvenile from harming or intimidating any witness or otherwise threatening the orderly progress of the court proceedings;
- 10. To prevent the juvenile from inflicting bodily harm on others; or
- 11. To protect the juvenile from an immediate threat of bodily harm.

The above-named juvenile has not attained 12 years of age and therefore cannot be detained for more than 7 days, except by agreement of both parties. Therefore:

Because the juvenile was originally detained on (mm/dd/yyyy) \_\_\_\_\_, the juvenile must be released no later than (mm/dd/yyyy) \_\_\_\_\_.

**OR**

Both parties agree that the juvenile may be detained for longer than 7 days.

Therefore, it is ORDERED that the juvenile is remanded to the County Sheriff to be detained at an approved juvenile correctional facility to appear in the District Court at \_\_\_\_\_ on (mm/dd/yyyy) \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m., or until otherwise discharged by due course of law, and that a certified copy of this order serve as the detention order of the juvenile. Reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile’s home or no reasonable efforts are necessary because of the existence of an aggravating factor and continuation in the juvenile’s home would be contrary to the welfare of the juvenile.

Notwithstanding this Order, the Juvenile may be released to the community upon the request of the Juvenile Community Corrections Officer pursuant to whatever conditions of release the JCCO may require. The Department of Corrections shall notify the Office of the District Attorney and the Court of any release pursuant to this provision.

Date (mm/dd/yyyy): \_\_\_\_\_



\_\_\_\_\_  
Judge, Maine District Court

A TRUE COPY, ATTEST: 

\_\_\_\_\_  
Clerk

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).