JUVE: Cost of Waiver WLC: 0144/1

AS:ksm 10/10/2008

AN ACT to create 938.18 (5) (e) of the statutes; relating to: cost of juvenile court

2 jurisdiction as waiver factor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council's Special Committee on High–Risk Juvenile Offenders.

Under current law, juveniles who commit specified serious offenses on or after their 14th birthday may be waived to adult court. A juvenile may be waived to adult court for committing any criminal offense on or after his or her 15th birthday. Current statutes set forth the criteria the juvenile court must consider in determining whether to waive jurisdiction. These factors include the personality of the juvenile, the juvenile's prior record, and the seriousness of the offense.

The draft creates an additional criterion that the court must consider in determining whether to waive juvenile court jurisdiction. Under the draft, the court must consider the estimated costs to the county if juvenile court jurisdiction over the juvenile is retained.

- 3 **Section 1.** 938.18 (5) (e) of the statutes is created to read:
- 4 938.18 (5) (e) The estimated costs to the county if juvenile court jurisdiction over the
- 5 juvenile is retained.

Note: Adds the estimated costs to the county if juvenile court jurisdiction over the juvenile is retained as a factor the juvenile court must consider in determining whether to waive a juvenile to adult court.

6 (END)