

2009 BILL

1 **AN ACT** *to amend* 938.18 (6) of the statutes; **relating to:** creating a rebuttable
2 presumption of retaining juvenile court jurisdiction in waiver proceedings
3 involving a first offender.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

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

Under current law, the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) may waive its jurisdiction over a juvenile who is alleged to have violated one of several serious offenses on or after the juvenile's 14th birthday and over a juvenile who is alleged to have violated any criminal law on or after the juvenile's 15th birthday and transfer the case to a court of criminal jurisdiction (adult court).

The juvenile court must base its decision whether to waive jurisdiction on specified criteria, including the juvenile's personality and prior record.

