

S.B. 167
JUVENILE OFFENDER AMENDMENTS

Representative V. Lowry Snow proposes the following amendments:

- 1. Page 16, Lines 470 through 475
Senate 2nd Reading Amendments
2-25-2015:

470 proceedings [and that if].

471 { ~~(i) A minor charged with a felony~~ ~~→~~ [or class A misdemeanor] ~~←~~ may not waive the

471a right to

472 counsel.

473 ~~—— (ii) In all other situations, the court shall~~ ~~→~~, taking into consideration the minor's

473a circumstances, ~~←~~ ~~→~~ determine that the minor ~~→~~ [knows] is knowingly and voluntarily

473b waiving, ~~←~~ ~~→~~ and

474 understands the consequences of waiving ~~→~~, ~~←~~ the right to counsel before allowing the minor

474a to

475 waive the right to counsel.} (i) In cases where a minor is facing a felony level offense, the court shall
appoint counsel, who shall appear until counsel is retained on the minor's behalf. The minor may not
waive counsel unless the minor has had a meaningful opportunity to consult with a defense attorney.
The court shall make findings on the record, taking into consideration the minor's unique circumstances
and attributes, that the waiver is knowing and voluntary and the minor understands the consequences of
waiving the right to counsel.

(ii) In all other situations the right to counsel may not be waived by a minor unless there has been
a finding on the record, taking into consideration the minor's unique circumstances and attributes, that
the waiver is knowing and voluntary, and the minor understands the consequences of waiving the right
to counsel.