

Article - Courts and Judicial Proceedings

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§3-8A-11.

(a) An intake officer shall use the following form to inform persons, in accordance with § 3-8A-10 of this subtitle, of his decision to deny authorization to file a petition for the alleged commission of a delinquent act:

Date: (Date form is mailed)

Re:

Offense No.:

Date of Offense:

Nature of Offense:

.....
.....
.....

Dear :

I have reviewed the facts concerning the offense referred to above and have decided not to authorize juvenile court action. This decision included consideration of the facts of the case and the juvenile's involvement. Home, school, and community adjustment along with parental concern and control were examined. Past history with the police and court was also considered.

The reasons for this decision are as follows:

..... The juvenile was issued a reprimand and warned against future involvement in delinquent activities.

..... The juvenile is currently under supervision of the juvenile court.

..... The juvenile will receive informal supervision by this intake officer. This will include counseling, and possibly referral to a program or agency to further work with problems seen as important to the juvenile's future adjustment.

..... The juvenile has successfully completed a pretrial program of intensive counseling and supervision of 45 to 90 days, and has shown a satisfactory adjustment during this time.

..... This case is not legally sufficient.

Additional Comments:
.....
.....

If you disagree with this decision and desire to appeal, you must fill in the form provided below and send it to the State's Attorney's office so that it is received in that office by (Date)

If you have any questions or want to talk about this case with me before making a decision on whether to appeal, please call me at..... (Phone Number)

However, if you do this, it will not extend the 30-day period within which you are allowed to appeal.

Sincerely,

.....
Intake Officer
.....
.....

If you disagree with the above decision of the intake officer, fill out the form below and send it to:

..... (To be filled in by intake officer prior to mailing
..... to person being informed of intake decision)
.....

(Name and address of appropriate
State's Attorney authority)

Re: (To be filled in by intake officer prior to mailing
Offense: to person being informed of intake decision)
Date of Offense:.....
Nature of Offense:.....

I have been informed by the juvenile intake officer of his decision not to forward this case for action in the juvenile court.

I disagree with this decision and ask that the State's Attorney's office review it and decide whether court proceedings should be carried out.

.....
Signed

(b) The use of the form prescribed by subsection (a) of this section does not preclude the Department of Juvenile Services from sending other information, in addition to this form, to explain the intake officer's decision and advise persons of their right to appeal the decision of the intake officer.

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