

§3306. Right to counsel

1. Notice and appointment. The provisions of this subsection address a juvenile's right to counsel.

A. At a juvenile's first appearance before the court, the juvenile and the juvenile's parent or parents, guardian or legal custodian must be fully advised by the court of their constitutional and legal rights, including the juvenile's right to be represented by counsel at every stage of the proceedings. At every subsequent appearance before the court, the juvenile must be advised of the juvenile's right to be represented by counsel. [PL 2019, c. 525, §15 (AMD).]

B. If the juvenile requests an attorney, the juvenile must be considered indigent and counsel must be appointed by the court. If, after counsel has been appointed, private counsel retained by the juvenile enters an appearance, appointed counsel must file a motion to withdraw. [PL 2023, c. 638, §21 (AMD).]

C. The court may appoint counsel without a request under paragraph B if the court determines representation by counsel necessary to protect the interests of the juvenile. [PL 2019, c. 525, §15 (AMD).]

D. The court shall appoint counsel to represent the juvenile upon the entry of a dispositional order that includes commitment to a Department of Corrections juvenile correctional facility. A juvenile's right to counsel under this paragraph continues until the juvenile is discharged from the disposition. Counsel appointed under this paragraph may be in addition to any other counsel representing the juvenile. [PL 2021, c. 326, §5 (NEW).]

This subsection does not limit the court's authority to appoint counsel for a juvenile at any time beginning with the detention of the juvenile under this Part.
[PL 2023, c. 638, §21 (AMD).]

2. State's attorney. The district attorney or the attorney general shall represent the State in all proceedings under this chapter.
[PL 1977, c. 520, §1 (NEW).]

SECTION HISTORY

PL 1977, c. 520, §1 (NEW). PL 1977, c. 664, §25 (AMD). PL 2019, c. 525, §15 (AMD). PL 2021, c. 326, §5 (AMD). PL 2023, c. 638, §21 (AMD).

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