

Chapter: 60

Session: 2017 Regular Session

Topic: Attorneys for youth in juvenile court cases; McKenna's Law

Analyst: Mary Mullen

Date: May 19, 2017

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This act changes the notice and waiver requirements for children over the age of ten in juvenile court proceedings related to access to counsel.

Section

- 1** **Appointment of counsel.** Allows a child who is ten or over to be appointed counsel in a juvenile proceeding at the public expense who is not a public defender and requires the parent, guardian, or custodian of the child to be appointed counsel when the parent meets certain income guidelines. This section also requires the court to notify a child over the age of ten of their rights to free counsel and requires the social service agency to notify the child of the right if they are the subject of a case and they turn ten during an on-going case and after consulting an attorney.
- 2** **Waiver.** Requires a child over the age of ten to waive the right to counsel in writing and does not allow a parent or another party to waive the child's right to counsel. The child must have a chance to talk to an attorney before waiving the right.
- 3** **Notice.** Requires the court to send notice of review hearings for juvenile court to the attorney appointed for a child in the case.
- 4** **Short title.** This law may be cited as "McKenna's Law."