

**TITLE 26 – FAMILY
CHAPTER 3 - JUVENILE DELINQUENCY**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

JUVENILE PROCEDURE ACT

Arrangement of Sections

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JUVENILE PROCEDURE ACT

AN ACT to provide for procedure in cases involving juveniles and for matters connected therewith.

<i>Commencement:</i>	<i>Not Specified</i>
<i>Source:</i>	TTC 1966
<i>Amended By:</i>	15 TTC1970 15 TTC 1980 P. L. 1993-68
	P. L. 1996-10 P. L. 2007-78 P.L 2018-74 P.L.2019-117

PART I - GENERAL PROVISIONS

§301. Short title.

This Chapter may be cited as the Juvenile Procedure Act.

§302. Adoption of flexible procedures by courts.

- (1) In cases involving offenders under the age of eighteen (18) years, courts shall adopt a flexible procedure, including insofar as possible the following measures:
 - (a) report by a welfare or probation officer in advance of trial;
 - (b) detention, where necessary, apart from adult offenders; and
 - (c) hearing informally in closed session, (d) interrogation of parents or guardians and release in their custody if appropriate.

- (2) An offender sixteen (16) years of age or over may, however, be treated in all respects as an adult if in the opinion of the court his physical and mental maturity so justifies. [TTC 1966, §495, 15 TTC 1970, §1, 15 TTC 1980, §1, modified]

§303. Definitions.

As used in this Chapter,(1) “**adult**” means any natural person eighteen (18) years of age;

- (2) “**child**” means any natural person under the age of eighteen (18) years; and

- (3) “**delinquent child**” includes any child:

- (a) who violates any law of the Republic, except that a child who violates any traffic law or regulation shall be designated as a “**juvenile traffic offender**” and shall not be designated as a delinquent unless it be so ordered by the court after hearing the evidence;
- (b) who does not subject himself to the reasonable control of his parents, teachers, guardian, or custodian, by reason of being wayward or habitually disobedient;
- (c) who is a habitual truant from home or school; or
- (d) who deports himself so as to injure or endanger the morals or health of himself or others.

- (4) “**Public Safety Department**” means the Department established under the Public Safety Act, 1988. [TTC 1966, §437, 15 TTC 1970, §2; 15 TTC 1980, §2, modified]; amended by P.L.1993-68. §2(1).][New subsection (4) added by P.L. 2007-78].

§304. Proceedings; conduct generally; delinquency not a crime.

Proceedings against a person under eighteen (18) years of age as a delinquent child shall be conducted in accordance with the provisions of this Chapter, and an adjudication that a person is a delinquent child shall not constitute a criminal conviction.[TTC 1966, §432; 15 TTC 1970, §3; 15 TTC 1980, §3, modified]

§305. Same; where brought.

Proceedings against a person as a delinquent child may be brought in the High Court, or in the District or Community Court having jurisdiction over