

260B.143 PROCEDURE; JUVENILE PETTY AND MISDEMEANOR OFFENDERS.

Subdivision 1. **Notice.** When a peace officer has probable cause to believe that a child:

(1) is a juvenile petty offender; or

(2) has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult,

the officer may issue a notice to the child to appear in juvenile court in the county in which the child is alleged to have committed the offense. The officer shall file a copy of the notice to appear with the juvenile court of the appropriate county. If a child fails to appear in response to the notice, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260B.175 and 260B.176 shall apply.

Subd. 2. **Effect of notice.** Filing with the court a notice to appear containing the name and address of the child, specifying the offense alleged and the time and place it was committed, has the effect of a petition giving the juvenile court jurisdiction.

Subd. 3. **Notice to parent.** Whenever a notice to appear or petition is filed alleging that a child is a juvenile petty offender or has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult, the court shall summon and notify the person or persons having custody or control of the child of the nature of the offense alleged and the time and place of hearing. This summons and notice shall be served in the time and manner provided in section 260B.151, subdivision 1.

Subd. 4. **No right to counsel at public expense.** Except as otherwise provided in section 260B.163, subdivision 4, a child alleged to be a juvenile petty offender may be represented by counsel but does not have a right to appointment of a public defender or other counsel at public expense.

History: 1999 c 139 art 2 s 14; 1Sp2003 c 2 art 7 s 3