§3309-A. Limitation on diagnostic evaluations

The court shall not order a juvenile to undergo a diagnostic evaluation, as defined in section 3003, subsection 4-A, except as follows: [PL 1985, c. 213 (RPR).]

1. Information to assist findings in bind-over. When the prosecutor has moved for a bind-over hearing pursuant to section 3101, subsection 4, or certifies in writing to the court that the results of such an evaluation are required in order to determine whether or not to so move;
[PL 1985, c. 213 (RPR).]

2. Information needed to make a disposition. Following an order of adjudication pursuant to section 3310, subsection 5, paragraph A, for the purposes of making a disposition;
[PL 1995, c. 690, §2 (AMD); PL 1995, c. 690, §7 (AFF).]

3. By consent of the parties. When the juvenile and the prosecuting attorney consent and the court finds that such an evaluation may be of assistance to it in carrying out the purposes of the Maine Juvenile Code; or
[PL 1995, c. 690, §3 (AMD); PL 1995, c. 690, §7 (AFF).]

4. Juvenile adjudicated of gross sexual assault. After adjudication and before disposition when a juvenile is adjudicated of a juvenile crime that if committed by an adult would be gross sexual assault under Title 17-A, section 253, subsection 1, the court shall order the juvenile to undergo a diagnostic evaluation and may order the evaluation to take place at a detention facility described in section 3203-A, subsection 7, paragraph B.
[PL 1999, c. 65, §1 (AMD).]

Nothing in this section may be construed to limit court-ordered examinations pursuant to sections 3318-A and 3318-B. [PL 2011, c. 282, §1 (AMD).]

SECTION HISTORY

PL 1981, c. 619, §4 (NEW). PL 1983, c. 480, §A11 (AMD). PL 1985, c. 213 (RPR). PL 1995, c. 690, §§2-4 (AMD). PL 1995, c. 690, §7 (AFF). PL 1997, c. 752, §16 (AMD). PL 1999, c. 65, §1 (AMD). PL 2011, c. 282, §1 (AMD).

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