

**LD 27. Proposed CLAC amendment replacing the bill.**

**§3402. Appeals to Supreme Judicial Court**

**1. Matters for appeal.** Appeals of the following matters may be taken from the juvenile court to the Supreme Judicial Court by a party specified in subsection 2:

- A. An adjudication, as long as the appeal is taken after an order of disposition;
- B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion; ~~and~~
- C. (REPEALED)
- D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, provided that the appeal must be handled expeditiously; ~~and~~
- E. (REPEALED)
- F. (REPEALED)
- G. (REPEALED)
- H. An order binding a juvenile over for prosecution as an adult, which may be taken following issuance of the bind-over order, or, at the election of the appellant, following a judgment of conviction as an adult, but not both.

**2. Who may appeal.** An appeal may be taken by the following parties:

- A. The juvenile; or
- B. The juvenile's parents, guardian or legal custodian on behalf of the juvenile, if the juvenile is not emancipated and the juvenile does not wish to appeal.
- C. (REPEALED)

~~**2-A. Appeal from a bind-over order of the juvenile court.** A bind-over order of the juvenile court by a party specified in subsection 2 may be reviewed only by the Supreme Judicial Court pursuant to an appeal of a judgment of conviction following bind-over.~~

**3. Appeals by the State.** The State may appeal from a decision or order of the juvenile court to the Supreme Judicial Court to the same extent and in the same manner as in criminal cases under section 2115-A. The State may appeal from the juvenile court to the Supreme Judicial Court for the failure of the juvenile court to order a bind-over.