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State of Misconsin 1995 - 1996 LEGISLATURE

LRBa0367/1 GMM:skg:km

ASSEMBLY AMENDMENT 33, TO 1995 ASSEMBLY BILL 130

May 24, 1995 – Offered by Representatives R. Young, Albers, Wilder, Bell, Notestein, Wirch, Baldwin, Cullen, Krug, Bock, Morris-Tatum, Carpenter, Kunicki, L. Young, Coggs, Williams, Turner, Travis and R. Potter.

At the locations indicated, amend the bill as follows:

- 1. Page 226, line 19: after "court" insert "or jury".
- 3 **2.** Page 226, line 23: after that line insert:
 - "(g) The right to a jury trial, if the petition reserves the right under s. 938.255 (1) (d) to recommend a disposition under s. 938.34 (3) (d) or (f), (4g), (4m) or (6) (am).".
 - **3.** Page 235, line 19: delete "as well as" and substitute a comma.
 - **4.** Page 235, line 21: before the period insert: ", and a statement whether the petitioner is reserving the right to recommend a disposition under s. 938.34 (3) (d) or (f), (4g), (4m) or (6) (am)".
 - **5.** Page 254, line 22: before the period insert: ", except that if the child is before the court on a petition under s. 938.12 or 938.13 (12) in which the petitioner has reserved the right under s. 938.255 (1) (d) to recommend a disposition under s. 938.34 (3) (d) or (f), (4g), (4m) or (6) (am), the court shall inform the child and the parent, guardian or legal custodian that a request for a jury trial must be made before the end of the plea hearing or be waived".

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6. Page 254 line 24 after "for a" insert "jury trial or".

7. Page 260, line 23: before the period insert: "unless the child, parent, guardian or legal custodian has requested a jury trial under s. 938.30 (2). Chapters 756 and 805 shall govern the selection of jurors in cases in which the juvenile is alleged to be in need of protection or services under s. 938.13 (12) and ss. 972.03 and 972.04 shall apply in cases in which the juvenile is alleged to be delinquent under s. 938.12.".

8. Page 261, line 6: after "938.13" insert: ", except that in cases alleging a juvenile to be delinquent or in need of protection or services in which the petitioner has reserved the right under s. 938.255 (1) (d) to recommend a disposition under s. 938.34 (3) (d) or (f), (4g), (4m) or (6) (am), the court or jury shall make findings of fact and the court shall make conclusions of law relating to the allegations of the petition".

4 (END)