



**SENATE AMENDMENT 15,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 130**

September 21, 1995 – Offered by Senator ADELMAN.

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 225, line 10: after that line insert:

3           “(6) COMMUNICATION TO A JURY. In jury trials under this chapter, the guardian  
4           ad litem or the court may tell the jury that the guardian ad litem represents the  
5           interests of the person for whom the guardian ad litem was appointed.”.

6           **2.** Page 230, line 14: after “court” insert “or jury”.

7           **3.** Page 230, line 18: after that line insert:

8           “(g) The right to a jury trial.”.

9           **4.** Page 248, line 4: delete lines 4 to 11 and substitute:

10           “(1g) The juvenile may not request the substitution of a judge in a proceeding  
11           under s. 938.12 or 938.13 (12) that is commenced within one year after the entry of  
12           a dispositional order in another proceeding under this chapter in which the juvenile  
13           requested the substitution of a judge.”.

1           **5. Page 259, line 23:** delete lines 23 to 25 and substitute: “as specified in s.  
938.243 and shall be informed that a request for a jury trial or for a substitution of  
judge under s. 938.29 must be made before the end of the plea hearing or be waived,  
except when the juvenile is before the court on a uniform municipal citation, issued  
under ch. 800, in which case the court shall inform the juvenile that a request for a  
jury trial may be made at any time before the fact-finding hearing and within 20  
days after the plea hearing. Nonpetitioning parties, including the”.

2           **6. Page 260, line 2:** after “for a” insert “jury trial or”.

3           **7. Page 265, line 23:** before the period insert: “unless the juvenile, parent,  
guardian or legal custodian exercises the right to a jury trial at any time before or  
during the plea hearing. Chapters 756 and 805 shall govern the selection of jurors  
except that ss. 972.03 and 972.04 shall apply in cases in which the juvenile is alleged  
to be delinquent under s. 938.12”.

4           **8. Page 266, line 1:** after “court” insert “or jury”.

5           **9. Page 266, line 3:** after “or the court” insert “or jury”.

6           **10. Page 266, line 6:** delete lines 6 and 7 and substitute:

7           “(4) The court or jury shall make findings of fact and the court shall make  
8 conclusions of law relating to the allegations of a petition filed under s. 938.125 or  
9 938.13 (4), (6), (6m), (7) or (14). In cases alleging a”.

10          **11. Page 268, line 16:** delete that line and substitute:

11          “**938.317 Jeopardy.** Jeopardy attaches:

12          (1) In a trial to the court, when a witness is sworn.

13          (2) In a jury trial, when the jury selection is completed and the jury is sworn.”.

