



**SENATE AMENDMENT 4,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 130**

September 21, 1995 - Offered by Senator BURKE.

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 if the juvenile is 14 years of age or over and is alleged
9 to have committed a violation that would be a Class A felony if committed by an adult
10 or if the juvenile is 10 years of age or over and is alleged to have attempted or
11 committed a violation of s. 940.01 or to have committed a violation of s. 940.02 or
12 940.05.”.

13 **4.** Page 259, line 25: before the period insert: “, except that, if the juvenile is
14 years of age or over and is alleged to have committed a violation that would be a

Class A felony if committed by an adult or if the juvenile is 10 years of age or over and is alleged to have attempted or committed a violation of s. 940.01 or to have committed a violation of s. 940.02 or 940.05, the court shall inform the juvenile that a request for a jury trial must be made before the end of the plea hearing or be waived”.

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

2 **6.** Page 265, line 23: before the period insert: “unless the juvenile has
requested a jury trial under s. 938.30 (2). Sections 972.03 and 972.04 shall govern
the selection of jurors in cases in which the juvenile has requested a jury trial”.

3 **7.** Page 266, line 1: after “court” insert “or jury”.

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

5 **9.** Page 266, line 7: after “938.13” insert: “, except that, in cases alleging that
a juvenile 14 years of age or over has committed a violation that would be a Class A
felony if committed by an adult or that a juvenile 10 years of age or over has
attempted or committed a violation of s. 940.01 or has committed a violation of s.
940.02 or 940.05, the court or jury shall make findings of fact and the court shall
make conclusions of law relating to the allegations of the petition”.

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

7 **“938.317 Jeopardy.** Jeopardy attaches:

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

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

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(END)