

334

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF

Name _____, Juvenile Case No. _____
DOB xx /xx / ___ A male female

RULING ON REQUEST FOR JURY TRIAL

Pursuant to K.S.A. 38-2357

Now, on this _____ day of _____, _____, the Court considers the juvenile's request for a jury trial.

Having reviewed the file herein and the relevant law, the Court makes the following findings and enters the following orders:

The Court finds that the request for jury trial shall be denied. The Court further finds: _____.

or

The Court finds that the request for jury trial shall be granted. The Clerk is instructed to summon a juror pool for the trial setting on the _____ day of _____, _____. The Court further finds: _____.

or

Proceedings herein have been designated as an extended jurisdiction juvenile prosecution and the juvenile's request for jury trial shall be granted. The Clerk is instructed to summon a juror pool for the trial setting on the _____ day of _____, _____. The Court further finds: _____.

IT IS SO ORDERED this _____ day of _____, _____.

Judge of the District Court

Authority

K.S.A. 38-2357.

Notes on Use

The court may grant a request for jury trial by a juvenile charged with a felony. K.S.A. 38-2357. The court must grant a request for jury trial by a juvenile in an extended jurisdiction juvenile prosecution. K.S.A. 38-2347(f)(4).

Comments

There is no appellate review of a refusal of a jury trial in juvenile offender proceeding. *Findlay v. State*, 235 Kan. 462, 681 P.2d 20 (1984).

There is no right to a jury trial under the code; the judge has discretion to order a jury trial. *In re L.A.*, 270 Kan. 879, 19 P.3d 172 (2001).

There is no appellate review of a refusal of a jury trial in juvenile offender proceeding. *Findlay v. State*, 235 Kan. 462, 681 P.2d 20 (1984).

There is no right to a jury trial under the code; the judge has discretion to order a jury trial. *In re L.A.*, 270 Kan. 879, 19 P.3d 172 (2001).