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**IN THE DISTRICT COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, KANSAS**

IN THE MATTER OF

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Juvenile Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_

**Year of Birth \_\_\_\_\_\_\_\_ A □ male □ female**

**MOTION TO TAKE TESTIMONY OUTSIDE OF COURTROOM**

Pursuant to K.S.A. 38-2359

 Comes now □ the State of Kansas by and through the County/District Attorney or designee □ counsel for the juvenile named above and requests that the testimony of the victim be taken outside of the courtroom. In support thereof movant informs the Court that the victim is a child of less than 13 years of age and:

 Movant requests that the Court set this motion for hearing, and grant the relief requested.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Movant

 Name

 Supreme Court Number

 Address

 Telephone Number

 [Fax Number]

 [E-mail Address]

Authority

K.S.A. 38-2359.

Notes on Use

 An alleged victim’s testimony may be taken outside the courtroom, under procedures recited by the statute, if the alleged victim is a child less than 13 years of age. Any party’s attorney may move for taking the testimony out of the courtroom. An objection to the admissibility of the testimony taken out of the courtroom may be filed. K.S.A. 38-2359.

Comments

 The provisions of K.S.A. 60-460(dd) (statements by children) are inapplicable to juvenile offender proceedings. *In re Mary P.*, 237 Kan. 456, 701 P.2d 681 (1985).