

1 Rule 15. Preliminary inquiry; informal adjustment without petition.

2 (a) If the minor controverts the allegations in the referral or upon request by the  
3 minor, the effort at non judicial adjustment shall terminate.

4 (b) In attempting to determine whether the interests of the minor or the public require  
5 that a petition be filed, the probation intake officer may conduct one or more interviews  
6 with the minor and at least one parent, guardian or custodian and may invite the  
7 referring party and the victim, if any, to attend or otherwise seek further information from  
8 them. Attendance at any such interview shall be voluntary and the probation intake  
9 officer may not compel the disclosure of any information or the visiting of any place. A  
10 non judicial adjustment of the case shall not be attempted if the offense or condition  
11 alleged in the referral report as a basis for court jurisdiction is denied by the minor.

12 (c) In any such interview, the minor and the minor's parent, guardian or custodian  
13 must be advised that the interview is voluntary, that they have a right to have counsel  
14 present to represent the minor, that the minor has the right not to disclose any  
15 information, and that any information disclosed that could tend to incriminate the minor  
16 cannot be used against the minor in court to prove whether the minor committed the  
17 offense alleged in the referral but may be used as part of a dispositional  
18 recommendation to the court.

19 (d) If the probation intake officer concludes on the basis of the preliminary inquiry  
20 that non judicial adjustment is appropriate and is authorized in such cases by the court,  
21 such officer may seek agreement with the minor and the parent, guardian or custodian  
22 to a proposed non judicial adjustment. If such agreement is reached and the terms and  
23 conditions agreed upon are satisfactorily complied with by the minor and the minor's  
24 parent, guardian or custodian, the case shall be closed without petition. Such resolution  
25 of the case shall not be deemed an adjudication of jurisdiction of the court and shall not  
26 constitute an official record of juvenile court action or disposition. A non judicial  
27 adjustment may be considered by the probation intake officer in a subsequent  
28 preliminary inquiry and by the court for purposes of disposition only following  
29 adjudication of a subsequent delinquency involving the same minor.

30 (e) Attempts to affect non judicial adjustment of a case shall not extend beyond ~~60~~  
31 90 days without authorization by the court, and then for no more than an additional ~~60~~  
32 90 days.

33