

1 Rule 16. Transfer of delinquency case for preliminary inquiry.

2 (a) When a minor resides in a county within the state other than the county in which  
3 the alleged delinquency occurred, the intake probation officer of the county of  
4 occurrence shall make a preliminary determination in accordance with Rule 14 and  
5 shall, unless otherwise directed by court order, transfer the referral to the county of  
6 residence for a preliminary inquiry to be conducted in accordance with Rule 15. If any of  
7 the following circumstances are found to exist at the time of preliminary inquiry, the  
8 referral shall be transferred back to the county of occurrence for filing of a petition and  
9 further proceedings:

10 ~~(a)(A)~~ (a)(1) the minor or the minor's parent, guardian or custodian cannot be located  
11 or failed to appear after notice for the preliminary inquiry;

12 ~~(a)(B)~~ (a)(2) the minor or the minor's parent, guardian or custodian indicate that they  
13 plan to deny the offense alleged in the referral or request an evidentiary hearing;

14 ~~(a)(C)~~ (a)(3) there are circumstances in the case which require adjudication in the  
15 county of occurrence in the interest of justice; or

16 ~~(a)(D)~~ (a)(4) there are multiple minors involved who live in different counties.

17 (b) If the referral is not returned to the county of occurrence, a petition may be filed  
18 in the county of residence, and the arraignment and all further proceedings may be  
19 conducted in that county if the petition is admitted.