

1 **Rule 8. Rights of minor while in detention.**

2 (a) A minor shall be advised of the right to telephone the minor's parent, guardian or
3 custodian and an attorney immediately after being admitted to a detention facility.

4 (b) A minor has a right to confer in private at any time with an attorney, cleric, parent,
5 guardian or custodian. After the initial visit, the minor may visit such persons at
6 reasonably established visiting hours, or at other times when special circumstances so
7 warrant.

8 (c) No person other than a probation officer or a staff member of a detention facility
9 shall be permitted to interview a child minor under 14 years of age held in the facility
10 regarding an offense chargeable against the child minor without the child's minor's
11 parent, guardian or custodian present, unless:

12 (c)(1) the parent, guardian or custodian has given written permission for the
13 interview to be held outside the presence of the child's minor's parent, guardian, or
14 custodian;

15 (c)(2) the parent, guardian or custodian had been advised of the child's minor's
16 constitutional rights as provided in Rule 26(a) and has knowingly and voluntarily waived
17 such rights; and

18 (c)(3) the child minor had been advised of the child's minor's constitutional rights as
19 provided in Rule 26(a) and has knowingly and voluntarily waived such rights.

20 (d) No person other than a probation officer or a staff member of a detention facility
21 shall be permitted to interview a child minor 14 years of age or older in a detention
22 facility regarding an offense chargeable against the child minor without the consent of
23 the child minor and the child's minor's parent, guardian or custodian after first advising
24 said child minor of constitutional rights as described in Rule 26 and such rights having
25 been knowingly and voluntarily waived by the child minor.

26 (e) If the child's minor's parent, guardian or custodian is not available, the consent of
27 the court shall be obtained before interviewing a child minor in a detention facility.

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