

House Research Act Summary

CHAPTER: 357

SESSION: 2000 Regular Session

TOPIC: Public Defense Representation of Minors

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Analyst: Deborah K. McKnight, 651-296-5056

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Overview

The act creates a uniform statewide rule on when counsel will be appointed for a minor in child protection cases and clarifies the rule in delinquency cases. Prior practice varied among judicial districts.

Section

- 1 **Appointment of counsel.** Amends the child protection juvenile court statute. Specifies that counsel may be appointed for a child in these cases who is age ten or older. Under prior law, there was no age specified for appointment of an attorney.
- 2 **Right to representation by public defender.** Amends a public defender statute to add to the list of those entitled to a public defender: a minor age ten or older in a delinquency or child protection matter. (Children are only subject to delinquency petitions of age ten or older, so regarding delinquency the language is clarification.)
- 3 **Persons defended.** Amends a public defender statute to state that the juvenile court may not order the district public defender to represent a minor under age ten; to serve as a guardian ad litem; or to represent a guardian ad litem.