

645.070 Hearing procedure.

- (1) All hearings under this chapter shall be conducted in accordance with the Kentucky Rules of Criminal Procedure unless otherwise provided.
- (2) Hearings under this chapter may be conducted in an informal manner, consistent with orderly procedures, and in a physical setting not likely to have a harmful effect on the child's physical or mental health. Hearings may be held in chambers, the hospital, or any other suitable place.
- (3) The child shall have the right to be present at any hearing under this chapter unless:
 - (a) He and his counsel have waived this right; or
 - (b) On motion of any interested party, the court determines the child's presence at all or part of the hearing is likely to have a harmful effect on the child's physical or mental health.
- (4) The child and his counsel shall have the right to cross-examine witnesses and to present testimony and evidence in opposition to certification, including the testimony of a qualified mental health professional.
- (5) The child's parents shall have a right to participate in the hearing.
- (6) The court may, on its own motion, subpoena and question relevant witnesses.

Effective: April 10, 1988

History: Amended 1988 Ky. Acts ch. 350, sec. 114, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 152, effective July 1, 1987.