

### **610.080 Bifurcated hearings in juvenile proceedings.**

Juvenile proceedings shall consist of two (2) distinct hearings, an adjudication and a disposition, which shall be held on separate days unless the child, after consultation with an attorney, waives the right to a formal predisposition investigation report and moves that the hearings be held the same day. However, if the disposition is to be commitment, the child's waiver shall not be valid without the consent of the Department of Juvenile Justice or the cabinet.

- (1) The adjudication shall determine the truth or falsity of the allegations in the petition and shall be made on the basis of an admission or confession of the child to the court or by the taking of evidence.
- (2) Unless otherwise exempted, upon motion by any child brought before the court on a petition under KRS 610.010(1), or 610.010(2)(a), (b), or (c), the Rules of Criminal Procedure shall apply. All adjudications shall be supported by evidence beyond a reasonable doubt, unless specified to the contrary by other provisions of KRS Chapters 600 to 645. For actions under KRS 610.010(2)(d) the Kentucky Rules of Civil Procedure shall apply.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 87, sec. 18, effective July 15, 2008. -- Amended 1998 Ky. Acts ch. 538, sec. 7, effective April 13, 1998. -- Amended 1988 Ky. Acts ch. 350, sec. 20, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 27, effective July 1, 1987.