

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS

IN THE MATTER OF

\_\_\_\_\_, juvenile Case No. \_\_\_\_\_  
Year of Birth: \_\_\_\_\_ A  male  female

**JOURNAL ENTRY OF ADJUDICATION and PRESENTENCE ORDER**

Pursuant to K.S.A. 38-2355, 38-2356, and 38-2360

This matter comes before the Court for adjudication, the Honorable \_\_\_\_\_, presiding.

**THE COURT FINDS** that jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.  The victim has been given notice as required.

The State appears by \_\_\_\_\_, assistant county/district attorney or designee.

The juvenile appears  in person and  not in person, but by the juvenile's attorney, \_\_\_\_\_.

The mother  is  is not present.

The father  is  is not present.

The Court Services Office (CSO) is present through \_\_\_\_\_

The Secretary is present through \_\_\_\_\_

Also present is/are: \_\_\_\_\_

The Court, having reviewed the file, received the evidence, and heard statements of counsel, makes the following findings and enters the following orders: *(Select only one option)*

A.  The juvenile entered a  no contest plea pursuant to K.S.A. 38-2345 OR  plea of **guilty** to each of the following counts of the complaint:

Upon inquiry, the Court finds the plea is knowingly and voluntarily offered, the factual basis constitutes proof beyond a reasonable doubt, and the plea is accepted and the juvenile is adjudicated a juvenile offender of the following offense(s):

A firearm was used in the commission of an offense: *(specify offense(s))*

---

Pursuant to a plea agreement the following counts are dismissed:

---

**OR**

**B.**  In a trial to  **the Court**  **a jury**, the State has proven beyond a reasonable doubt that the juvenile has committed and the juvenile is adjudicated a juvenile offender as to the following offense(s):

A firearm was used in the commission of an offense: *(specify offense(s))*\_\_\_\_\_.

**OR**

**C.**  The State has proven beyond a reasonable doubt that the juvenile has committed the following offense(s)

but the Court finds that the juvenile is not responsible because of mental disease or defect. The juvenile is not adjudicated as a juvenile offender, but is committed to the custody of the Secretary for aging and disability services of for placement in a state hospital. The matter shall be reviewed annually, unless a review is ordered prior to that time.

*(The Initial Order Removing Juvenile from Custody of Parent and Authorizing Out of Home Placement, Form 309, must be filed if this is the first order removing the juvenile from the home in the present case. This option cannot be used in conjunction with any other sentencing, probation/community orders or evaluation option on this journal entry.)*

The Court finds there is not adequate and current information available to the Court, and the Court enters the following orders:

An evaluation and written report by a mental health professional. Specific instructions:

A report of the medical condition and needs of the juvenile. Specific instructions:

An educational needs assessment from the chief administrative officer of the school the juvenile attends or attended. Specific instructions:

A presentence investigation by a court services officer. Specific instructions:

Pending sentencing the Court enters the following orders:

Pending sentencing the juvenile  **shall be**  **shall remain** placed in the custody of:

---

*(The Initial Order Removing Juvenile from Custody of Parent and Authorizing Out of Home Placement, Form 309, must be filed if this is the first order removing the juvenile from the home in the present case.)*

THE COURT FURTHER ORDERS:

THE COURT FURTHER FINDS AND ORDERS:

*(This section must be completed if the juvenile is presently or, as a result of this order, will be removed from parental custody.)*

The juvenile has been removed from the custody of a parent and the approved permanency plan goal(s) is/are \_\_\_\_\_.

A permanency plan  is on file  shall be submitted to the court within 30 days by:

the custodian /  Court Services /  other \_\_\_\_\_.

THE COURT FURTHER ORDERS this matter set for a \_\_\_\_\_ hearing before  the Court  the Citizens Review Board on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_:\_\_\_\_ a.m. / p.m.

The Clerk shall mail a copy of this order to the school district in which the juvenile is enrolled or will be enrolled.

IT IS SO ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

Prepared by:

Acknowledged by:

\_\_\_\_\_  
Assistant County/District Attorney

\_\_\_\_\_  
Attorney for Juvenile

Name \_\_\_\_\_

Name \_\_\_\_\_

Supreme Court # \_\_\_\_\_

Supreme Court # \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Telephone # \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

## Authority

K.S.A. 38-2355, 38-2356, and 38-2360.

## Notes on Use

The adjudicatory hearing is journalized in this form, and includes provision for a temporary custody order. If the temporary custody order is issued during the adjudicatory hearing and if it is the first order removing the juvenile from the home or if the juvenile is removed after having been back in the home for 6 months or longer, Supreme Court Rule 174 and ASFA apply and Form 309, or another ASFA form approved by the Supreme Court, must be completed and attached to Form 341 for filing.

K.S.A. 38-2360(c) allows for the court to waive or assess expenses for post adjudication tools pursuant to K.S.A. 38-2314(c)(2). The court may direct the parents to submit a domestic relations affidavit. K.S.A. 38-2360(a)(5).

If the juvenile is being held in detention, a dispositional hearing to sentence the juvenile must take place within 45 days after the juvenile offender has been adjudicated. K.S.A. 38-2360(f). Detention review hearings are not required for a juvenile held in detention awaiting disposition. K.S.A. 38-2343(f).

The Juvenile Justice and Delinquency Prevention Act of 2002, 42 U.S.C. 5601, prohibits detention of status offenders or non-criminal traffic or fish and game offenders in any secure facility, except for a minimal period (6 hours under K.S.A. 38-2332) for investigation or identification, but always sight and sound separate from adult prisoners if the site is an adult jail.

Any of the parenthetical instructions contained in this form may be deleted for the sake of brevity before the form is filed.