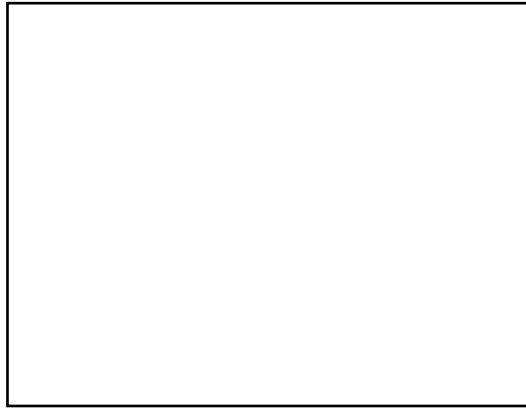


IN THE DISTRICT COURT OF _____ COUNTY,
KANSAS
JUVENILE DIVISION



IN THE MATTER OF:

_____, juvenile
Year of Birth: _____ A male female

Case No. 20__-JV-_____

CONDITIONAL RELEASE VIOLATION ORDER

Pursuant to K.S.A. 38-2369 and 38-2375

On this ____ day of _____ 20____, the Court considers the allegation that the juvenile has failed to obey the specified conditions of release for a third or subsequent time or has absconded from supervision, the Honorable _____, presiding.

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

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:

The juvenile did not violate the terms of conditional release and conditional release is reinstated.

OR

The juvenile has violated conditional release in the following ways: _____

and (check any that apply)

the conditions of release shall be modified as follows: _____

the juvenile shall be committed to detention for _____ days. *(The court must comply with all the requirements of K.S.A. 38-2361(g).)*

the juvenile's driver's license or privilege to operate a motor vehicle on the streets and highways of this state is suspended or restricted pursuant to the attached order. *(Form 356 must be completed specifying all orders of the Court pursuant to K.S.A. 38-2361(c)).*

the juvenile is discharged from the custody of the secretary and the secretary is released from further responsibilities in this case.

THE COURT FURTHER FINDS:

THE COURT FURTHER ORDERS:

THE COURT FURTHER ORDERS this matter set to review the juvenile's detention on the _____ day of _____ 20____ at ____:____ a.m. / p.m.

IT IS SO ORDERED THIS _____ DAY OF _____ 20____.

Judge of the District Court

Prepared by:

Acknowledged by:

Assistant County/District Attorney
Supreme Court Number
Address
Telephone Number
[Fax Number]
[E-mail Address]

Attorney for Juvenile Name
Supreme Court Number
Address
Telephone Number
[Fax Number]
[E-mail Address]

Authority

K.S.A. 38-2361, 38-2369 and 38-2375.

Notes on Use

Upon finding by a preponderance of evidence that the conditions of conditional release have been violated, the court may modify the conditions or impose additional conditions pursuant to K.S.A. 38-2369. The statute does not require the court to make specific findings with respect to each alleged violation, but making such specific findings would be best practice.

If the court finds the juvenile absconded from supervision or failed to obey the specified conditions of release, the court may enter one or more of the following orders: (1) recommend additional conditions be added to those of the existing conditional release; (2) order the offender to serve a period of detention pursuant to K.S.A. 38-2361(g); (3) revoke or restrict the juvenile's driving privileges as described in K.S.A. 38-2361(c); and/or (4) discharge the offender from the custody of the secretary of corrections, release the secretary of corrections from further responsibilities in the case, and enter any other appropriate orders. K.S.A. 38-2369(b). If the court orders a period of detention the court must comply with the requirements of K.S.A. 38-2361(g). If the court orders the suspension or revocation of the juvenile's driving privileges, complete Form 356 and attach it to this order.

Note: The current version of K.S.A. 38-2369(b)(2) creates an ambiguity regarding the discharge of offenders from custody. Pending clarification, this form carries forward the previous meaning of K.S.A. 38-2369(b).