**§3309-A. Limitation on diagnostic evaluations**

The court shall not order a juvenile to undergo a diagnostic evaluation, as defined in section 3003, subsection 4‑A, except as follows: [PL 1985, c. 213 (RPR).]

**1. Information to assist findings in bind-over.**  When the prosecutor has moved for a bind-over hearing pursuant to section 3101, subsection 4, or certifies in writing to the court that the results of such an evaluation are required in order to determine whether or not to so move;

[PL 1985, c. 213 (RPR).]

**2. Information needed to make a disposition.**  Following an order of adjudication pursuant to section 3310, subsection 5, paragraph A, for the purposes of making a disposition;

[PL 1995, c. 690, §2 (AMD); PL 1995, c. 690, §7 (AFF).]

**3. By consent of the parties.**  When the juvenile and the prosecuting attorney consent and the court finds that such an evaluation may be of assistance to it in carrying out the purposes of the Maine Juvenile Code; or

[PL 1995, c. 690, §3 (AMD); PL 1995, c. 690, §7 (AFF).]

**4. Juvenile adjudicated of gross sexual assault.**  After adjudication and before disposition when a juvenile is adjudicated of a juvenile crime that if committed by an adult would be gross sexual assault under Title 17‑A, section 253, subsection 1, the court shall order the juvenile to undergo a diagnostic evaluation and may order the evaluation to take place at a detention facility described in section 3203‑A, subsection 7, paragraph B.

[PL 1999, c. 65, §1 (AMD).]

Nothing in this section may be construed to limit court-ordered examinations pursuant to sections 3318‑A and 3318‑B. [PL 2011, c. 282, §1 (AMD).]

SECTION HISTORY

PL 1981, c. 619, §4 (NEW). PL 1983, c. 480, §A11 (AMD). PL 1985, c. 213 (RPR). PL 1995, c. 690, §§2-4 (AMD). PL 1995, c. 690, §7 (AFF). PL 1997, c. 752, §16 (AMD). PL 1999, c. 65, §1 (AMD). PL 2011, c. 282, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.