

§3405. Scope of review on appeal; record

1. Scope of review. Review on all appeals from juvenile court to the Supreme Judicial Court is for errors of law or abuses of discretion. The Supreme Judicial Court may affirm, reverse or modify any order of the juvenile court or remand for further proceedings. The Supreme Judicial Court may enter a new order of disposition if it finds that the juvenile court's disposition was an abuse of discretion. [PL 2015, c. 100, §5 (AMD).]

2. Record on appeals. In appeals taken pursuant to section 3402, subsection 1, paragraphs A, B and H, review must be on the basis of the record of the proceedings in the Juvenile Court. In the interest of justice, the Supreme Judicial Court may order that the record consist of:

A. The untranscribed sound recording of the proceedings; or [PL 1979, c. 512, §12 (RPR).]

B. An agreed or settled statement of facts with the consent of the parties. [PL 1979, c. 512, §12 (RPR).]

[PL 2021, c. 326, §16 (AMD).]

3. Record on appeals of detention orders. In appeals taken pursuant to section 3402, subsection 1, paragraph D, the court shall order a review by the most expeditious of the following methods that is consistent with the interests of justice:

A. The untranscribed sound recording of the detention hearing; [PL 1979, c. 512, §12 (REEN).]

B. Evidence presented to the trial court, as long as the scope of review is as specified in subsection 1; [PL 2015, c. 100, §5 (AMD).]

C. A transcribed record; or [PL 1979, c. 512, §12 (REEN).]

D. A record consisting of a statement of facts as described in subsection 2, paragraph B. [PL 1979, c. 512, §12 (REEN).]

[PL 2015, c. 100, §5 (AMD).]

4. Expedited docket.

[PL 1979, c. 512, §12 (RP).]

SECTION HISTORY

PL 1977, c. 520, §1 (NEW). PL 1977, c. 664, §46 (AMD). PL 1979, c. 512, §12 (RPR). PL 1979, c. 681, §33 (AMD). PL 1997, c. 645, §14 (AMD). PL 2015, c. 100, §5 (AMD). PL 2021, c. 326, §16 (AMD).

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