STATE OF INDIANA

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

In The Matter Of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

A Child Alleged to be a Delinquent Child

 **WAIVER ORDER**

 [I.C. 31-30-3-5]

The State of Indiana appears by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Deputy/Prosecuting Attorney. The juvenile, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and juvenile’s parent(s), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, appear in person and by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, attorney. Also (Intake Officer)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, appears.

The Court having heard and considered the Prosecutor's motion for waiver of juvenile jurisdiction under the provisions of I.C. 31-30-3-5, and the Court being duly advised in the premises, the Court now makes the following findings of fact:

(1) That said juvenile (DOB XX/XX/XXXX) was sixteen (16) years of age or older, and under eighteen (18) years of age, at the time of the charged offense;

(2) Said juvenile is subject to the jurisdiction of the Juvenile Court by virtue of Petition Alleging Delinquency filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

(3) That the offense charged is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

( ) a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, except a felony defined by I.C. 35-38-4;

( ) involuntary manslaughter as a Level 5 felony under I.C. 35-42-1-4; or

( ) reckless homicide as a Level 5 felony under I.C. 35-42-1-5) *(Strike inapplicable citation)*;

(4) That there is probable cause to believe that said juvenile committed said offense; and

(5) The Court has not found from the evidence that it would be in the best interest of the juvenile and the safety and welfare of the community for the juvenile to remain within the juvenile justice system.

It is therefore adjudged and ordered that juvenile jurisdiction over this case be and the same hereby is, waived to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, a Court that would have jurisdiction over the act charged if the act were committed by an adult, said waiver being granted for the offense charged and any lesser offense included therein.

It is further ordered and adjudged that:

( ) Recognizance bond for said juvenile to answer to said Court is hereby fixed in the sum of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and said juvenile is remanded to the custody of the Sheriff of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Indiana, unless sooner released under such recognizance bond or in an amount as may be hereinafter set by order of the Court to which said juvenile is waived.

( ) Court continues the appointment of the Public Defender’s Office to represent the interests of the juvenile.

( ) That said juvenile be released upon the recognizance of said juvenile and juvenile’s parent(s), guardian or custodian to produce said juvenile in said Court to which jurisdiction is waived.

( ) That said juvenile shall appear before the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court on the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_ at \_\_\_\_\_:\_\_\_\_\_\_ a.m./p.m. for an initial hearing.

Dated:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge