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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO DELINQUENT AND DEPENDENT CHILDREN - PROCEEDINGS IN
FAMILY COURT

Introduced By: Senators Cool Rumsey, Goldin, Archambault, Satchell, and Miller

Date Introduced: March 04, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 14-1-6 of the General Laws in Chapter 14-1 entitled "Proceedings
2 in Family Court" is hereby amended to read as follows:

3 **14-1-6. Retention of jurisdiction.** -- (a) When the court shall have obtained jurisdiction
4 over any child prior to the child having attained the age of eighteen (18) years by the filing of a
5 petition alleging that the child is wayward or delinquent pursuant to section 14-1-5, the child
6 shall, except as specifically provided in this chapter, continue under the jurisdiction of the court
7 until he or she becomes nineteen (19) years of age, unless discharged prior to turning nineteen
8 (19). When the court shall have obtained jurisdiction over any child prior to the child's eighteenth
9 (18th) birthday by the filing of a petition alleging that the child is dependent, neglected and
10 abused pursuant to sections 14-1-5 and 40-11-7, including any child under the jurisdiction of the
11 family court on petitions filed and/or pending before the court prior to July 1, 2007, the child
12 shall, except as specifically provided in this chapter, continue under the jurisdiction of the court
13 until he or she becomes ~~eighteen (18)~~ twenty-one (21) years of age; provided further, that for any
14 individual between the ages of eighteen (18) and twenty-one (21), who is alleged to be dependent,
15 neglected and/or abused, the court shall require the department of children, youth, and families to
16 provide a description of the transition plan for that individual that includes specific options on the
17 youth's housing, health insurance, education, available mentors and continuing support services,
18 workforce supports, and employment services at least ninety (90) days prior to the child's

1 ~~expected discharge from foster care prior to a child turning eighteen (18) years of age, the court~~
2 ~~shall require the department of children, youth, and families to provide a description of the~~
3 ~~transition services afforded the child in placement~~ or a detailed explanation as to the reason those
4 services were not offered; provided further that any youth who comes within the jurisdiction of
5 the court by the filing of a wayward or delinquent petition based upon an offense which was
6 committed prior to July 1, 2007, including youth who are adjudicated and committed to the
7 Rhode Island Training School and who are placed in a temporary community placement as
8 authorized by the family court, may continue under the jurisdiction of the court until he or she
9 turns twenty one (21) years of age.

10 (b) In any case where the court shall not have acquired jurisdiction over any person prior
11 to the person's eighteenth (18th) birthday by the filing of a petition alleging that the person had
12 committed an offense, but a petition alleging that the person had committed an offense which
13 would be punishable as a felony if committed by an adult has been filed before that person attains
14 the age of nineteen (19) years of age, that person shall, except as specifically provided in this
15 chapter, be subject to the jurisdiction of the court until he or she becomes nineteen (19) years of
16 age, unless discharged prior to turning nineteen (19).

17 (c) In any case where the court shall not have acquired jurisdiction over any person prior
18 to the person attaining the age of nineteen (19) years by the filing of a petition alleging that the
19 person had committed an offense prior to the person attaining the age of eighteen (18) years
20 which would be punishable as a felony if committed by an adult, that person shall be referred to
21 the court which would have had jurisdiction over the offense if it had been committed by an adult.
22 The court shall have jurisdiction to try that person for the offense committed prior to the person
23 attaining the age of eighteen (18) years and, upon conviction, may impose a sentence not
24 exceeding the maximum penalty provided for the conviction of that offense.

25 (d) In any case where the court has certified and adjudicated a child in accordance with
26 the provisions of sections 14-1-7.2 and 14-1-7.3, the jurisdiction of the court shall encompass the
27 power and authority to sentence the child to a period in excess of the age of nineteen (19) years.
28 However, in no case shall the sentence be in excess of the maximum penalty provided by statute
29 for the conviction of the offense.

30 (e) Nothing in this section shall be construed to affect the jurisdiction of other courts
31 over offenses committed by any person after he or she reaches the age of eighteen (18) years.

32 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require the department of children, youth and families to provide the
2 family court with transition plans and the child would continue under the jurisdiction of the
3 family court until he or she turns twenty-one (21) years of age.

4 This act would take effect upon passage.

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