

COURT MAY REQUEST THAT A STUDY CONCERNING THE CHILD, HIS FAMILY, HIS ENVIRONMENT, AND OTHER MATTERS RELEVANT TO THE DISPOSITION OF THE CASE BE MADE.

(E) PROCEDURE WHEN JURISDICTION WAIVED.

IF THE JURISDICTION IS WAIVED, THE COURT MAY ORDER THE CHILD OR MINOR HELD FOR TRIAL UNDER THE REGULAR PROCEDURES OF THE COURT WHICH WOULD HAVE JURISDICTION OVER THE OFFENSE IF COMMITTED BY AN ADULT.

REVISOR'S NOTE: This section presently appears as Art. 26, §70-16 (a), (b), and (e).

This section does not provide for a waiver of jurisdiction as to persons charged under §70-2 (a) (7). By contrast §79 (last sentence) does explicitly provide that the juvenile court in Montgomery County may waive jurisdiction over adults and refer the case to the State's attorney for appropriate action. Somewhat similar provisions appear in §98 (Minors without proper care and guardianship). They provide that the court "may order the proceedings herein to be dismissed and direct the State's attorney for Baltimore City, or the county, as the case may be, to take any and all needful steps to prosecute such person in accordance with the laws of the State concerning the commission of crimes". Sec. 98 is proposed for repeal.

SEC. 3-817. FINALITY OF ORDER; TERMINATION OF JURISDICTION; WAIVER AFTER SUMMARY REVIEW.

AN ORDER WAIVING JURISDICTION IS INTERLOCUTORY. IF, SUBSEQUENTLY, ANY MINOR WITH RESPECT TO WHOM THE COURT HAS WAIVED JURISDICTION UNDER THIS SECTION IS ALLEGED TO BE A DELINQUENT CHILD THE COURT MAY WAIVE JURISDICTION AFTER SUMMARY REVIEW.

REVISOR'S NOTE: This section presently appears as Art. 26, §70-16 (c). The provisions of subsection (c) are separated from other provisions of §70-16 for the purpose of better organization. H.B. 409, Ch. 773, Acts of 1973 amended this subsection to provide that the order waiving jurisdiction is interlocutory.