

committed by an [adult] A PERSON WHO IS NOT A CHILD, would be punishable by death or life imprisonment.

(c) In making a determination as to waiver of jurisdiction the court shall consider the following:

- (1) Age of child;
- (2) Mental and physical condition of child;
- (3) The child's amenability to treatment in any institution, facility, or program available to delinquents;
- (4) The nature of the ALLEGED offense; and
- (5) The public safety.

(e) If the jurisdiction is waived, the court may order the [child or minor] PERSON held for trial under the regular procedures of the court which would have jurisdiction over the offense if committed by [an adult] A PERSON WHO IS NOT A CHILD.

REVISOR'S NOTE: In §§3-816(b) (2) and 3-816(e) the phrase "a person who is not a child" is proposed for substitution for the word "adult" on the recommendation of the Juvenile Services Administration, in order to bring the language into conformity with §3-801(j). Also on the recommendation of the Department, the word "alleged" is inserted before the word "offense" in subsection (c). In subsection (e) the phrase "child or minor" is proposed for repeal and the word "person" substituted on the recommendation of the Juvenile Services Administration, given the definition of child in §3-801(e).

[[3-817. [Order waiving jurisdiction] WAIVER ORDER interlocutory; waiver of jurisdiction after summary review.

An order waiving jurisdiction is interlocutory. If, subsequently, any [minor] CHILD 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: The word "minor" is proposed for repeal and "child" substituted in light of the definition of "child" in §3-801(e).