

IN EVIDENCE IN ANY HEARING PRIOR TO ADJUDICATION OR IN A CRIMINAL PROCEEDING AGAINST HIM PRIOR TO CONVICTION.

REVISOR'S NOTE: In §3-820, subsections (a) and (b) are proposed for repeal and language of the subsections is rearranged so as to affect the reversal of the two subsections. The change is proposed on the recommendation of the Juvenile Services Administration so that the section's arrangement follows the actual practice of having a preliminary hearing precede counselling and advising. In subsection (b) the phrase "adjudicatory hearing" is proposed for repeal and the phrase "hearing prior to adjudication" is substituted to more correctly state the present law.

3-822. Duties of law enforcement officers [upon] OR OTHERS ON taking child into custody; failure of parent to comply with request to bring child before court.

(a) Duties of law-enforcement officers OR OTHER AUTHORIZED PERSONS. -

If a law enforcement officer OR OTHER PERSON AUTHORIZED BY THE COURT takes a child into custody, he shall immediately notify, or cause to be notified, the child's parents, guardian, or custodian of the action. After making every reasonable effort to give notice, the law enforcement officer shall with all reasonable speed:

(1) Release the child to his parents, guardian, or custodian upon their written promise to bring the child before the court when requested by the court, unless his placement in detention or shelter care appears required by § 3-823, or

(2) Deliver the child to the court or a place of detention or shelter care designated by the court.

REVISOR'S NOTE: In §3-822(a) the phrase "or other person authorized by the court" is proposed for addition on the recommendation of the Juvenile Services Administration to bring the section's provisions into conformity with §3-822.

3-823.

(b) If a child is taken into custody, he may not be placed in detention or shelter care prior to a hearing on the petition unless:

(1) Required to protect the person and property of