

HB 42 -- CHILD'S RIGHT TO COUNSEL

SPONSOR: Burnett

This bill specifies that, if a child waives his or her right to counsel, such waiver shall be made in open court and be recorded and in writing. In determining whether a child has knowingly, intelligently, and voluntarily waived his or her right to counsel, the court shall look to the totality of the circumstances, as specified in the bill. If a child waives his or her right to counsel, the waiver shall only apply to that particular proceeding. The bill also specifies certain proceedings in which a child's right to counsel shall not be waived.

This bill is similar to HB 2627 (2018).