

610.015 Procedure when child tried as an adult -- Matters to be tried by Circuit Court -- Release of records.

- (1) A child who is charged with an offense which classifies him for trial as an adult in the Circuit Court or the adult session of the District Court shall, at the time the decision is made by the court to try the child as an adult, be subject to the arrest, post-arrest, and criminal procedures that apply to an adult, except for the place of confinement, as provided in the Kentucky Revised Statutes and the Rules of Criminal Procedure.
- (2) The Circuit Court shall try all misdemeanor, violation, traffic offense, and status offense matters included in or which arise from the act or series of acts which result in the trial of a child as an adult in the Circuit Court.
- (3) Records, limited to the records of the present case in which the child has been charged, relating to a child charged under this section shall not be made public until after the child has been indicted and arraigned on the offense for trial of the child as an adult. Release of the child's treatment, medical, mental, or psychological records is prohibited unless presented as evidence in Circuit Court. Release of any records resulting from the child's prior abuse and neglect under Title IV-E or Title IV-B of the Federal Social Security Act is also prohibited.
- (4) This section shall not be construed as permitting the release of the child's treatment, medical, mental, or psychological records unless those records are presented as evidence in open court. The release of information relative to the child's eligibility for services under Title IV-E or IV-B of the Federal Social Security Act is prohibited.

Effective: July 15, 1997

History: Created 1996 Ky. Acts ch. 358, sec. 19, effective July 15, 1997.

Legislative Research Commission Note (7/15/96). Under 1996 Ky. Acts ch. 358, sec. 67(1), this statute becomes effective July 15, 1997.