

610.070 Hearings.

- (1) All cases involving children brought before the court whose cases are under the jurisdiction of the court shall be granted a speedy hearing and shall be dealt with by the court without a jury.
- (2) The hearings shall be conducted in a formal manner, unless specified to the contrary by other provisions of KRS Chapters 600 to 645.
- (3) The general public shall be excluded and only the immediate families or guardians of the parties before the court, witnesses necessary for the prosecution and defense of the case, the probation worker with direct interest in the case, a representative from the Department of Juvenile Justice, the victim, his parent or legal guardian, or if emancipated, his spouse, or a legal representative of either, such persons admitted as the judge shall find have a direct interest in the case or in the work of the court, and such other persons as agreed to by the child and his attorney may be admitted to the hearing. A parent, legal guardian, or spouse if a witness shall be admitted to the hearing only during and after his testimony at the hearing, and witnesses shall be admitted to the hearing only for the duration of their testimony. The court may order the exclusion of a parent, legal guardian, or spouse, if it is shown to the satisfaction of the court that the parent, legal guardian, or spouse may physically disrupt the proceedings or may do violence to any participant therein. The mere presence of a parent, legal guardian, or spouse shall not be deemed to be a disruption of the proceedings merely because their presence may make the defendant uncomfortable; the court shall find a potential for actual physical disruption of the proceedings before an exclusion may be granted for this reason.
- (4) The court may order the parents, guardians, or persons exercising custodial control over the child to be present at any hearing or other proceeding involving the child.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 443, sec. 15, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 358, sec. 21, effective July 15, 1997. -- Amended 1994 Ky. Acts ch. 407, sec. 1, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 350, sec. 19, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 26, effective July 1, 1987.

Legislative Research Commission Note (7/15/94). In 1994 Ky. Acts ch. 407, sec. 1, the sentence beginning "A parent, legal guardian, or spouse if a witness" in subsection (3) of this statute had instead "of a witness". The drafter advises and the context clearly establishes that "if" not "of" should appear here, and this correction has been made to remedy manifest clerical or typographical error under KRS 7.136(1)(h).