Youthful Offender Flowchart Title 33, Chapter 52, Subchapter 5 **Criminal Division** If defendant is between age 10-18 at time of offense, the SA, youth, or court may file a motion for Youthful Offender treatment § 5281 (a) **Family Division** • Set hearing on motion within 35 Transfer for hearing days § 5283 (a) on motion. • Request report from DCF § 5281 Conditions of Release remain in Youth enters a conditional effect until juvenile probation is guilty plea ordered. § 5281 (b) Criminal Division enters an order deferring sentencing & transfers case to family division to determine whether YO status should be granted **DCF** files report § 5281 (b), (c) within 30 days of transfer from criminal division § 5282 **Criminal Division** Hearing Case proceeds as though the • within 35 days of transfer from motion for YO treatment had criminal division § 5283 (a) not been made. Criteria § 5284(a) & (b): Motion Public safety at risk? **Denied** • this proceeding is open to the • Return the If YES public §5283 (c)(2) case to criminal division. NO § 5284 (a) § 5281 (d) Youth amenable to treatment or Conditional rehabilitation AND If NO **Guilty Plea** Sufficient services to meet youth's may be needs withdrawn proceeding closed to the public § 5281 YES **Motion approved** VOP: if YO status is later Youthful Offender Status granted. revoked, return to criminal Conditions of probation imposed. division for sentencing. § 5285 Conditional Guilty Plea cannot be withdrawn after this point. § 5284 Review Termination or Successful completion prior to continuation of • Expunge criminal division records age 18 probation Seal family division records: § 5287(d) § 5286 §5287