I.J.R. 8. Notice of Detention (J.C.A.)

Idaho Juvenile Rule 8. Notice of Detention (J.C.A.)

(a) When a peace officer takes a juvenile into custody, with or without a court order pursuant to I.C. Section 20-516, the officer shall notify the parent(s), guardian, or custodian of the juvenile as soon as possible by any appropriate means, including but not limited to personal contact, telephonic contact, or written notice.

(b) The officer shall notify the parent(s), guardian, or custodian of:

(1) The fact that the juvenile has been taken into custody;

(2) The nature of the charges and the reason for which the juvenile is being detained;

(3) The location of the juvenile's detention.

(c) If the peace officer releases the juvenile to the parent(s), guardian, or custodian upon written promise by the adult to appear with the juvenile in court, the provisions of I.J.R. 3, regarding issuance of summons, shall apply.

(d) If the peace officer does not release the juvenile and the juvenile is placed in detention, the court shall be informed and shall schedule a detention hearing to be held within 24 hours, excluding Saturdays, Sundays, and holidays, from the time the juvenile was placed in detention. When a juvenile is placed in a detention or shelter facility, the person in charge of the facility shall immediately notify the juvenile's parent(s), guardian, or custodian and shall also promptly give notice to the court that the juvenile is being held at the facility. When a juvenile is detained in a detention or shelter facility, the parent(s) or guardian shall be informed by the person in charge of the facility that they have the right to a prompt hearing in court to determine whether the juvenile is to be further detained or released. The court may at any time order the release of a juvenile, regardless of whether or not a detention hearing is held.

(e) Notice of the detention hearing must be given, whenever possible, by any reasonable means as directed by the court, including but not limited to telephonic, or personal contact, or written notice to the parent(s), guardian, or custodian. No specific time period shall be required for such notice. If the parent(s) are not present at the detention hearing, notice shall be given by the court pursuant to I.C. Section 20-516(7).

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