



I.J.R. 15. Evidentiary Hearing (J.C.A.)

Idaho Juvenile Rule 15. Evidentiary Hearing (J.C.A.)

If a juvenile denies the allegations of a petition at the admit/deny hearing, an evidentiary hearing must be held according to the Juvenile Corrections Act (J.C.A.) title 20, chapter 5, Idaho Code, and the following procedures:

- (a) **Timing of Hearing.** The hearing must start within 90 days from the entry of the denial, unless the hearing is continued for good cause. The evidentiary hearing for a juvenile held continuously in detention before adjudication must start within 45 days of the first appearance of the juvenile before the court unless the hearing is continued for good cause.
- (b) **Notice.** Notice of the hearing must be given by a notice or summons as provided in I.C. §§ 20-512 and 20-513, unless verbal notice of the hearing has been given to the parties in open court and on the record.
- (c) **Who may be present.** The public and persons having a direct interest in the case or who work for the court may be permitted to attend, as provided in I.J.R. 52. The juvenile's presence may be waived by the court, if the court finds good causee that:
 - (1) it is in the best interest of the juvenile, and
 - (2) the juvenile is represented by counsel who is present during the hearing.
- (d) **Witness.** When a juvenile, other than the juvenile against whom the petition has been filed, is summoned as a witness in any hearing under the J.C.A., the parent(s), a counselor, a friend, or other person having a supportive relationship with the juvenile must, if available, be permitted to remain in the courtroom at the witness stand with the juvenile during the juvenile's testimony unless, the court finds, in writing, that the juvenile's constitutional right to a fair trial will be unduly prejudiced.
- (e) **Court Record.** The hearing must be on the record.
- (f) **Rules of Evidence.** The rules of evidence and discovery in a J.C.A. evidentiary hearing (trial) are the



same as the rules that apply in a criminal proceeding

(g) **No jury trial.** All issues shall be tried before the court.

(h) **Burden of Proof** The state has the burden of proving beyond a reasonable doubt that the juvenile has committed acts bringing the juvenile within the purview of the J.C.A.

(i) **Motion to Dismiss** After the close of the prosecution's evidence or all evidence, the juvenile or the court may move for, and the court may enter an order of dismissal. The court must enter an order of dismissal if the evidence is insufficient to sustain a finding that the juvenile committed acts which bring the juvenile within the purview of the J.C.A. If the court denies a motion to dismiss after the prosecution's evidence, the juvenile may offer evidence. If the court dismisses an offense, the state may move the court to consider whether the evidence would be sufficient to sustain a finding that the juvenile has committed an included offense.

(j) **Findings.** The court must make a finding as to whether the juvenile committed acts which bring the juvenile within the purview of the J.C.A. In making this finding, the court must consider only admissible evidence introduced at the hearing and must not consider any reports, documents, or other information obtained by the judge in making an initial inquiry in the proceeding.

(Adopted April 3, 1996, effective July 1, 1996; amended June 25, 1997, effective July 1, 1997; amended November 6, 2025, effective January 1, 2026.)

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