

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

State of Wisconsin, Plaintiff,

-vs-

Original Adult Court Jurisdiction Order

Defendant's Name _____

Case No. _____

Date of Birth _____

THE COURT FINDS:

1. The defendant is charged in a criminal complaint with the following original adult court jurisdiction crime(s) under §938.183(1), Wis. Stats.:
 - Battery by prisoner after prior delinquency adjudication, §940.20(1), Wis. Stats.
 - Assault by prisoner after prior delinquency adjudication, §946.43, Wis. Stats.
 - Battery to probation/parole/aftercare agents, §940.20(2m), Wis. Stats.
 - 1st degree intentional homicide *at age 10 or older*, §940.01, Wis. Stats.
 - Attempted 1st degree intentional homicide *at age 10 or older*, §§939.32 and 940.01, Wis. Stats.
 - 1st degree reckless homicide *at age 10 or older*, §940.02, Wis. Stats.
 - 2nd degree intentional homicide *at age 10 or older*, §940.05, Wis. Stats.
 - Any crime if the defendant has been previously waived and has been convicted or the waived proceeding is still pending.
 - Any crime if the defendant has been previously subject to original adult court jurisdiction and has been convicted or that proceeding is still pending.

2. This is a
 - A. felony charge and a preliminary hearing was held and probable cause is found to believe that the defendant has committed the violation charged.
 - B. misdemeanor charge and a motion has been made by the defendant prior to the trial to transfer jurisdiction to the juvenile court.

IT IS ALSO FOUND AND ORDERED:

- 1. **This court retains jurisdiction** and the defendant is bound over for further proceedings.
- 2. **This court should not retain jurisdiction** and the defendant is transferred to juvenile court because:
 - A. Felony: even though there is probable cause to believe the defendant committed the violation of which he or she is charged:
 - If convicted, the defendant could not receive adequate treatment in the criminal justice system.
 - Transferring jurisdiction will not depreciate the seriousness of the offense.Retaining jurisdiction is not necessary to deter the defendant or other juveniles from committing the violation of which the defendant is accused.

B. Misdemeanor: the defendant did not commit the offense under the circumstances described in §938.183(1)(b) or (c), Wis. Stats., whichever is applicable, or that transfer of jurisdiction would be appropriate because:

- If convicted, the defendant could not receive adequate treatment in the criminal justice system.
- Transferring jurisdiction will not depreciate the seriousness of the offense.
- Retaining jurisdiction is not necessary to deter the defendant or other juveniles from committing the violation of which the defendant is accused.

DISTRIBUTION:

1. Criminal Court file
2. District Attorney
3. Defendant
4. Defendant's Attorney