

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

State of Wisconsin, Plaintiff,
-vs-

**Original Adult Court
Jurisdiction Order**

_____, Defendant
Name

Date of Birth

Case No. _____

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), Wisconsin Statutes:
 - Battery by prisoner after prior delinquency adjudication, §940.20(1), Wisconsin Statutes.
 - Assault by prisoner after prior delinquency adjudication, §946.43, Wisconsin Statutes.
 - Battery to probation/parole/aftercare agents, §940.20(2m), Wisconsin Statutes.
 - 1st degree intentional homicide *at age 10 or older*, §940.01, Wisconsin Statutes.
 - Attempted 1st degree intentional homicide *at age 10 or older*, §§939.32 and 940.01, Wisconsin Statutes.
 - 1st degree reckless homicide *at age 10 or older*, §940.02, Wisconsin Statutes.
 - 2nd degree intentional homicide *at age 10 or older*, §940.05, Wisconsin Statutes.
 - 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.

- 2a. This is a felony charge and a preliminary hearing was held and probable cause is found to believe that the defendant has committed the violation charged.
- 2b. This is a 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), 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.

BY THE COURT:

Signature of Circuit Judge

Name Printed or Typed

Date

- Distribution:
- 1. Original – Criminal Court file
 - 2. District Attorney
 - 3. Defendant
 - 4. Defendant’s Attorney