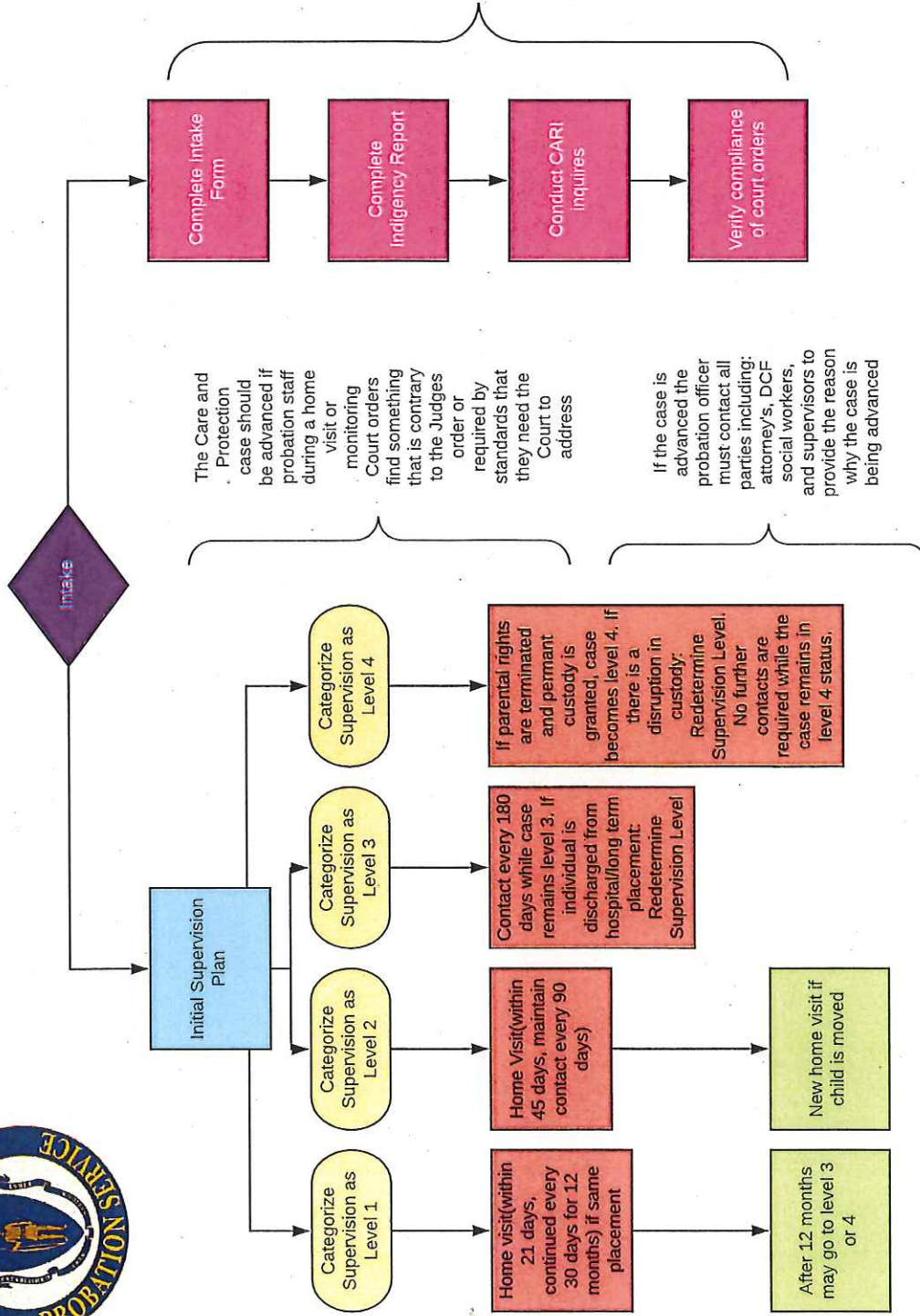
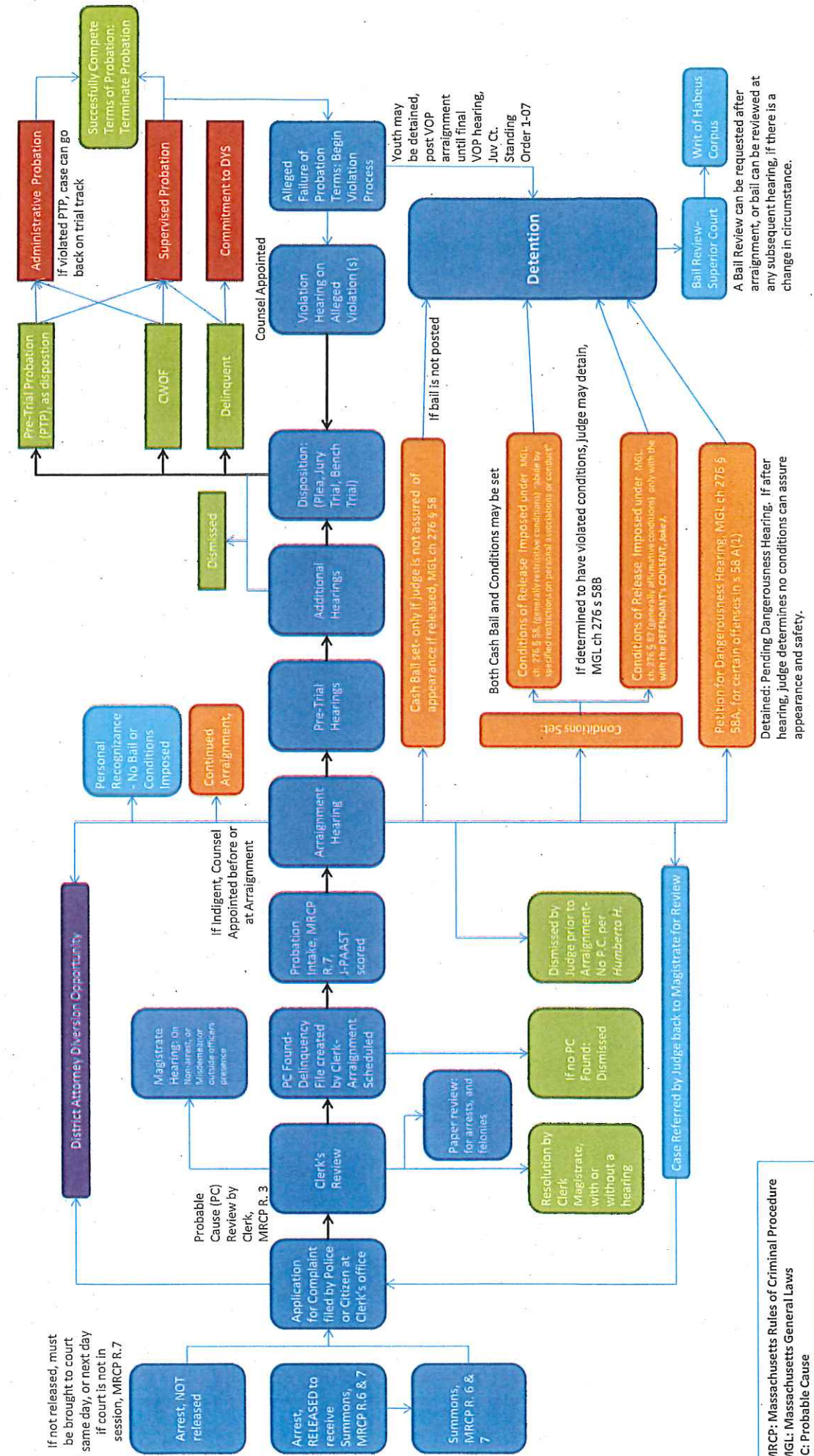




# Care and Protection Supervision Process Map



*Decision made by [unclear] [unclear]*



MRCP: Massachusetts Rules of Criminal Procedure  
 MGL: Massachusetts General Laws  
 PC: Probable Cause

• Issues of a youth's competency to stand trial can be raised at any point in the juvenile justice process by any party. A Court may order an initial evaluation by a court clinician, MGL ch 123 §15A, and further evaluation as necessary under §15B. A youth may be evaluated in detention during this time.

• The court may order a youth to undergo a diagnostic evaluation to aid the court, under MGL ch 113 §66A. This evaluation can be completed in the community or in detention, however, if the youth is detained the evaluation must be completed within 30 days.

• Counsel for a youth may request funds from the Indigent Court Costs Fund, G.L.c. 261, §§ 27A-G, to privately retain a mental health expert for needed evaluations.

Administrative Probation  
 If violated PTP, case can go back on trial track

Successfully Complete Terms of Probation: Terminate Probation

Supervised Probation

Commitment to DYS

Alleged Failure of Probation Terms: Begin Violation Process

Violation Hearing on Alleged Violation(s)

Youth may be detained, post VOP arraignment until final VOP hearing, JuV Ct. Standing Order 1-07

Detention

Bail Review - Superior Court

Writ of Habeas Corpus

A Bail Review can be requested after arraignment, or bail can be reviewed at any subsequent hearing, if there is a change in circumstance.

Cash Bail set only if judge is not assured of appearance if released, MGL ch 276 § 58

Both Cash Bail and Conditions may be set

Conditions of Release Imposed under MGL ch 276 § 58 (limited only to restrictions on conduct)

If determined to have violated conditions, judge may detain, MGL ch 276 s 58B

Conditions Set

Conditions of Release Imposed under MGL ch 276 § 57 (limited to affirmative conditions only with the written consent of the defendant)

Petition for Dangerousness Hearing, MGL ch 276 § 58A, for certain offenses in s 58A(1)

Detained: Pending Dangerousness Hearing. If after hearing, judge determines no conditions can assure appearance and safety.

## CPCS Flow Chart

