

Section 1.11: Delinquency proceedings

(2) to a trial by jury? [See subsection A.3(f) of this section.]

6. Explain to the juvenile that if he or she admits the act with which he or she has been charged, the government will then tell the court what it believes the facts to be and what it could prove if the case were to go to trial. Further, explain that the court would then ask the juvenile:

- (a) if what the government says is true as far as he or she knows;
- (b) if any part of what the government says is not true;
- (c) if so, what is not true?
- (d) if he or she believes that the government can prove what it says it can prove;
- (e) if he or she committed [here go through the elements of the offense].

7. Determine the voluntariness of the admission:

The court must be satisfied that if the juvenile admits the charges against him or her, this admission is voluntary and not the result of any force or threat or inducement. Suggested questions to ask the juvenile include:

- (a) Has anyone threatened you or anyone else or forced you in any way to admit these charges? [If the answer is yes, ascertain the facts and recess if necessary to permit the juvenile and his or her counsel to confer, or postpone taking the admission.]
- (b) Do you understand that nobody can compel you to admit anything?

8. Take the admission or denial. Ask the juvenile:

Do you admit or deny that you are a juvenile delinquent as charged in the information?

- (a) If the juvenile denies, set for trial.
- (b) If the juvenile admits:
  - (1) Ask the U.S. attorney to state what he or she can prove at trial.
  - (2) Ask the juvenile the following questions: