5-02/060.05 - Seeking a Criminal Complaint

When a juvenile has been declared unfit by the juvenile court, a criminal complaint must be obtained within 48 hours.

The deputy district attorney handling the fitness hearing will notify the investigating detective or his unit commander that the concerned juvenile was declared unfit and is to be prosecuted under the general law.

The investigating detective shall be directed to pick up the minute order of the fitness hearing at the issuing court and proceed with that order, along with the necessary incident and supplemental reports, to the area district attorney's office and seek a criminal complaint.

The court clerk will make a certified copy of the minute order available to the district attorney's office and the investigating detective no later than the end of the court day of the fitness hearing.

The 48-hour time limit will begin at the time when the juvenile is declared unfit.