

MBA NEWS



20 West Street, Boston, MA 02111-1204 • communications@massbar.org

FOR IMMEDIATE RELEASE:

September 18, 2013

CONTACT:

Jason Scally (617) 901-7525

Massachusetts Bar Association statement on new law raising age of Juvenile Court jurisdiction to 18

BOSTON, Mass. – The Massachusetts Bar Association is thrilled that Governor Deval L. Patrick will sign into law today MBA-backed legislation that raises the age of Juvenile Court jurisdiction from 17 to 18 years old. The law, initially filed as House Bill No. 1432, received unanimous approval from both the House of Representatives and the Senate.

“The Massachusetts Bar Association commends the governor, the House of Representatives and the Senate for rectifying the inequity of treating 17-year-olds as adults, regardless of the crime or circumstances surrounding their arrests,” MBA Chief Legal Counsel and Chief Operating Officer Martin W. Healy said. “This is more than just common sense; this is an important and much-needed change that ensures 17-year-olds are placed in a more effective rehabilitative setting.”

Over the past few months the MBA pushed strongly for this change in Juvenile Court jurisdiction, because it allows the commonwealth’s youngest offenders the opportunity to become productive and successful citizens through the rehabilitative nature of the Juvenile Court. Under the previous law, 17-year-olds who were accused of a crime had been held in jail with adults and tried in adult court. Research proves juveniles are more likely to re-offend when they are exposed to that negative environment. The new law segregates young offenders from the adult criminal system, which will prevent juveniles who are sentenced from being mixed with older and hardened serious offenders.

The new law also protects 17-year-olds by bringing them under the juvenile system’s procedural safeguards, which were not available when they were treated as an adult. Previously, when a 17-year-old was arrested, police could interrogate the teen without a parent present. There was no parental notification requirement regardless of the severity of the crime. And 17-year-old arrestees could waive their Miranda rights and enter into plea bargains without parental advice or knowledge, thereby making a decision which has a lifetime of serious societal consequences for the juvenile, by producing a permanent adult record.

Once Patrick signs into law the measure raising the age of Juvenile Court jurisdiction to 18, the commonwealth’s criminal justice system will align with virtually every other area of law in Massachusetts that sets 18 as the age of adulthood. The age of 18 is required for voting, entering into legally binding contracts and jury service.

Incorporated in 1911, the Massachusetts Bar Association is a nonprofit organization that serves the legal profession and the public by promoting the administration of justice, legal education, professional excellence and respect for the law. The MBA represents a diverse group of attorneys, judges and legal professionals across the commonwealth.