

ALABAMA RULES OF JUVENILE PROCEDURE

Rule 23.

Scheduling hearings—Waiver.

(A) An adjudicatory hearing in a delinquency, dependency, or child-in-need-of-supervision case in the juvenile court shall be scheduled for the earliest practicable date, with priority given those children in detention or shelter-care facilities.

(B) An adjudicatory hearing may be held before the scheduled date if each party waives, in writing or on the record at the hearing, or by voluntary appearance at the hearing without raising an objection thereto, his or her right to notice of the hearing. In this event, each party shall be given a copy of the petition at or before the hearing.

[Amended 7-14-2011, eff. 10-1-2011.]

Comment

Hearings should be held as quickly as possible allowing for time necessary for preparation. Where a judge also exercises jurisdiction other than that of the juvenile court, priority in scheduling hearings should be given to juvenile cases, especially those cases in which a child has been detained.

Comment to Amendment to Rule 23 Effective October 1, 2011

The changes to this rule were mostly technical. The phrase "or by voluntary appearance at the hearing without an objection thereto" was inserted in subsection (B) to follow Ala. Code 1975, § 12-15-122(d), and Rule 13(A)(4) of these Rules.

Note from the reporter of decisions: The order amending effective October 1, 2011, Rule 1, Rule 2, Rule 3, Rule 5, Rule 6, Rule 8, Rule 9, Rule 12, Rule 13, Rule 14, Rule 15, Rule 15.1, Rule 17, Rule 18, Rule 20, Rule 23, Rule 24, Rule 25, Rule 26, Rule 28, and Rule 31 and adopting effective October 1, 2011, Rule 8.1 and the Comment to Amendment to Rule 1 Effective October 1, 2011; the Comment to Amendment to Rule 2 Effective October 1, 2011; the Comment to Amendment to Rule 3 Effective October 1, 2011; the Comment to Amendment to Rule 5 Effective October 1, 2011; the Comment to Amendment to Rule 6 Effective October 1, 2011; the Comment to Amendment to Rule 8 Effective October 1, 2011; the Comment to Adoption of Rule 8.1 Effective October 1, 2011; the Comment to Amendment to Rule 9 Effective October 1, 2011; the Comment to Amendment to Rule 12 Effective October 1, 2011; the

Comment to Amendment to Rule 13 Effective October 1, 2011; the Comment to Amendment to Rule 14 Effective October 1, 2011; the Comment to Amendment to Rule 15 Effective October 1, 2011; the Comment to Amendment to Rule 15.1 Effective October 1, 2011; the Comment to Amendment to Rule 17 Effective October 1, 2011; the Comment to Amendment to Rule 18 Effective October 1, 2011; the Comment to Amendment to Rule 20 Effective October 1, 2011; the Comment to Amendment to Rule 23 Effective October 1, 2011; the Comment to Amendment to Rule 24 Effective October 1, 2011; the Comment to Amendment to Rule 25 Effective October 1, 2011; the Comment to Amendment to Rule 26 Effective October 1, 2011; the Comment to Amendment to Rule 28 Effective October 1, 2011; and the Comment to Amendment to Rule 31 Effective October 1, 2011, is published in that volume of *Alabama Reporter* that contains Alabama cases from ____ So. 3d.