

PROPOSED MODEL RULE REGARDING RESTRAINTS

RULE _____ RESTRAINTS

- I. Restraints shall be removed prior to the commencement of a proceeding unless the Court determines on the record, after providing any party to be heard on the issue of physical restraint for that child at that hearing, that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because either of the following:
 - a. The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;
 - b. There is a significant risk the child will flee the courtroom.
- II. If the Court finds physical restraint to be necessary, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.