

## 19.1 Overview

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In June 2017, the General Assembly enacted the Juvenile Justice Reinvestment Act, which raised the age of criminal responsibility to 18. The Act ends the century-long practice of prosecuting 16 and 17-year-olds in criminal court. As a result of this change, there are no jurisdictions in the country that automatically prosecute juveniles as young as 16 years old in criminal court.

The Act does not completely eliminate prosecution of juveniles as adults. For example, under the Act, 16 and 17-year-olds charged with motor vehicle offenses must still be prosecuted in criminal court. Similarly, transfer to superior court is mandatory for any case involving a Class A through G felony committed by a 16 or 17-year-old in which an indictment has been filed or a juvenile court judge has found probable cause.

Some of the changes required by the Act take effect in 2017, described below. Most of the changes, however, do not take effect until December 1, 2019. Whether those changes apply to individual juveniles depends on the offense date in the case. Thus, a 16 or 17-year-old charged with a crime in 2018 could not hold the case open until December 1, 2019, in order to be prosecuted in juvenile court. If a crime was committed by a 16 or 17-year old before December 1, 2019, the juvenile would still be prosecuted in criminal court. If the offense date is on or after December 1, 2019, the new provisions apply. For a discussion of those changes, see LaToya Powell, [2017 Juvenile Justice Reinvestment Act](#).