

LOC.R. 5.01 USE OF RESTRAINTS ON A CHILD

- (A) Instruments of restraint, including, but not limited to handcuffs, chains or shackles shall not be used on a child in a Probate Court proceeding unless both of the following apply:
- (1) The necessity of using restraints is demonstrated to the satisfaction of the judge or magistrate by the presence of one or more of the following factors:
    - (a) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom; or
    - (b) There is a significant risk that the child will flee the courtroom; and
  - (2) The court determines that there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the presence of court personnel, law enforcement officers or bailiffs.
- (B) When used, restraints should allow the child limited movement of the hands to read and handle documents and writings necessary to the hearing unless there is a demonstrated need for more restricted movement.
- (C) In no circumstance does this rule limit the ability of law enforcement, security personnel or other court staff from restraining a child if necessary to ensure the courtroom is properly functioning and/or to maintain the safety and security of court facilities.