

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A COURT EXERCISING JURISDICTION IN A CASE INVOLVING A CHILD MAY TRANSFER THE CASE TO THE JUVENILE COURT IF:

(1) THE ACCUSED CHILD WAS AT LEAST 14 BUT NOT 18 YEARS OF AGE WHEN THE ALLEGED CRIME WAS COMMITTED;

(2) THE ALLEGED CRIME IS EXCLUDED FROM THE JURISDICTION OF THE JUVENILE COURT UNDER § 3-804(E)(1), (4), OR (5) OF THE COURTS ARTICLE; AND

(3) THE COURT BELIEVES THAT A TRANSFER OF ITS JURISDICTION IS IN THE INTEREST OF THE CHILD OR SOCIETY.

(C) TRANSFER PROHIBITED.

THE COURT MAY NOT TRANSFER A CASE TO THE JUVENILE COURT UNDER SUBSECTION (B) OF THIS SECTION IF:

(1) THE CHILD PREVIOUSLY HAS BEEN TRANSFERRED TO JUVENILE COURT AND ADJUDICATED DELINQUENT;

(2) THE CHILD WAS CONVICTED IN AN UNRELATED CASE EXCLUDED FROM THE JURISDICTION OF THE JUVENILE COURT UNDER § 3-804(E)(1) OR (4) OF THE COURTS ARTICLE; OR

(3) THE ALLEGED CRIME IS MURDER IN THE FIRST DEGREE AND THE ACCUSED CHILD WAS 16 OR 17 YEARS OF AGE WHEN THE ALLEGED CRIME WAS COMMITTED.

(D) TRANSFER CRITERIA.

IN DETERMINING WHETHER TO TRANSFER JURISDICTION UNDER THIS SECTION, THE COURT SHALL CONSIDER:

(1) THE AGE OF THE CHILD;

(2) THE MENTAL AND PHYSICAL CONDITION OF THE CHILD;

(3) THE AMENABILITY OF THE CHILD TO TREATMENT IN AN INSTITUTION, FACILITY, OR PROGRAM AVAILABLE TO DELINQUENT CHILDREN;

(4) THE NATURE OF THE ALLEGED CRIME; AND

(5) THE PUBLIC SAFETY.

(E) STUDY CONCERNING CHILD.

IN MAKING A DETERMINATION UNDER THIS SECTION, THE COURT MAY REQUEST THAT A STUDY BE MADE CONCERNING THE CHILD, THE FAMILY OF THE CHILD, THE ENVIRONMENT OF THE CHILD, AND OTHER MATTERS CONCERNING THE DISPOSITION OF THE CASE.

(F) PROCEDURES ON TRANSFER — JUVENILE COURT.