

## 裁判救濟程序

### Adjudication Relief Proceedings

#### 壹、 少年事件裁判教示條款

##### 1. Legal Notice Provisions for Adjudications of Juvenile Matters

###### 一、 地方法院少年法庭

###### (1) District Juvenile Court

###### 401 得上訴 少年刑事案件之判決

少年被告、少年之法定代理人、辯護人、被害人或其法定代理人對於本件判決如有不服，得於判決送達後 10 日內向本院提出上訴書狀，並應敘述上訴之理由。其未敘述上訴理由者，應於上訴期間屆滿後 20 日內向本院補提理由書(均須按他造當事人之人數附繕本)「切勿逕送上級法院」。

###### 401 Appealable Judgments of Juvenile Criminal Cases

If the juvenile defendant, the legal representative or defender of the juvenile, the victim or his/her legal representative does not agree with the judgement, a written appeal petition may be filed with the reasons set forth therein with the Court within 10 days calculated from the date of service of the judgement. If the reasons are not set forth in the appeal petition, an amended petition with ground of reasons shall be filed with the Court within 20 days since the appeal period lapses; (The number of the written copies thereof to be attached shall all be the same as the number of opposing parties.) [Please do not send them directly to the *Court of Appeal*.]

###### 402 得抗告 少年保護事件之裁定

少年、少年之法定代理人或現在保護少年之人、輔佐人、被害人或其法定代理人對於本件裁定如有不服，得於裁定送達後 10 日內向本院提出抗告書狀，並應敘述抗告之理由。

###### 402 Right to Interlocutory Appeal Rulings of Juvenile Protection Matters

If the juvenile, the legal representative or the person who currently in charge of protective measures to the juvenile, the defender, the victim or his/her legal representative does not agree with the ruling, a written interlocutory appeal petition with reasons set forth therein may be filed with the Court within 10 days calculated from the date of service of the ruling.

###### 402 得抗告 少年保護事件之宣示筆錄

被害人或其法定代理人對於本件裁定如有不服，得於裁定送達後 10 日內向本院提出抗告書狀，並應敘述抗告之理由。【少年、少年之法定代理人或現在保護少年之人當庭捨棄

抗告之情形】

402 Right to Interlocutory Appeal Sworn Trial Records of Juvenile Protection Matters

If the victim or his/her legal representative does not agree with the Ruling, a written interlocutory appeal petition with reasons set forth therein shall be filed with the Court within 10 days calculated from the date of service of the ruling. [For the circumstance of the juvenile, the legal representative of the juvenile or the person who currently in charge of protective measures to the juvenile to have waived the right to interlocutory appeal in open court.]

403 得抗告 (一般裁定)

如不服本裁定，應於送達後 10 日內，以書狀敘明理由向本院提出抗告狀(須附繕本)。

403 Right to Interlocutory Appeal (General Ruling)

If a party does not agree with the ruling, a written interlocutory appeal petition with reasons set forth therein shall be filed with the Court within 10 days calculated from the date of service of the ruling (a written copy thereof shall be attached).

404 得抗告 (特別裁定)

如不服本裁定，應於送達後 5 日內，以書狀敘明理由向本院提出抗告狀(須附繕本)。

404 Right to Interlocutory Appeal (Special Ruling)

If a party does not agree with the ruling, a written interlocutory appeal petition with reasons set forth therein shall be filed with the Court within 5 days calculated from the date of service of the ruling (a written copy thereof shall be attached).

405 不得抗告

本裁定不得抗告。

405 Non-appealable Interlocutory Order

The interlocutory appeal may not be taken against this ruling.

406 不得聲明不服

不得聲明不服。

406 No objection May be Raised

No objection may be raised.

## 二、 高等法院

### (2) High Court

407 得上訴 少年刑事案件之判決

如不服本判決應於收受送達後 10 日內向本院提出上訴書狀，其未敘述上訴理由者，並得於提起上訴後 10 日內向本院補提理由書（均須按他造當事人之人數附繕本）「切勿逕送上級法院」。

407 Appealable Judgments of Juvenile Criminal Cases

If a party disagrees with this judgment, a written appeal petition shall be filed with the Court within 10 days calculated from the date of service of the judgement. If the reasons are not set forth in the appeal petition, an amended petition may be filed with the Court within 10 days after filing the appeal; (The number of the written copies thereof to be attached shall all be the same as the number of opposing parties.) [Please do not send them directly to the *Court of Appeal*.]

408 不得上訴 少年刑事案件之判決

本件不得上訴

408 Non-appealable Judgments of Juvenile Criminal Cases

This case is not appealable.

409 不得抗告 少年保護事件之裁定書

本裁定不得抗告。

409 Non-appealable Interlocutory Order Rulings of Juvenile Protection Matters

The interlocutory appeal may not be taken against this ruling.

410 得抗告 少年刑事案件之裁定

如不服本裁定，應於收受送達後 5 日內向本院提出抗告書狀(須附繕本)。【例如延長羈押期間、法院名稱欄誤繕更正等情形】

410 Right to Interlocutory Appeal Rulings of Juvenile Criminal Cases

If a party disagrees with this ruling, a written interlocutory appeal petition shall be filed with the Court within 5 days calculated from the date of service of the ruling (a written copy thereof shall be attached). [For example, circumstances like filing a motion to extend detention period, to correct the mistake made in column of the court name, etc.]