§ 315.2. Motion to dismiss in furtherance of justice. 1. A petition or any part or count thereof may at any time be dismissed in furtherance of justice when, even though there may be no basis for dismissal as a matter of law, such dismissal is required as a matter of judicial discretion by the existence of some compelling further consideration or circumstances clearly demonstrating that a finding of delinquency or continued proceedings would constitute or result in injustice. In determining whether such compelling further consideration or circumstances exist, the court shall, to the extent applicable, examine and consider, individually and collectively, the following:

(a) the seriousness and circumstances of the crime;

(b) the extent of harm caused by the crime;

(c) any exceptionally serious misconduct of law enforcement personnel in the investigation and arrest of the respondent or in the presentment of the petition;

(d) the history, character and condition of the respondent;

(e) the needs and best interest of the respondent;

(f) the need for protection of the community; and

(g) any other relevant fact indicating that a finding would serve no useful purpose.

2. An order dismissing a petition in the interest of justice may be issued upon motion of the presentment agency, the court itself or of the respondent. Upon issuing such an order, the court must set forth its reasons therefor upon the record.

3. Such a motion brought by the presentment agency or the respondent must be in writing and may be filed at any time subsequent to the filing of the petition. Notice of the motion shall be served upon the opposing party not less than eight days prior to the return date of the motion. Answering affidavits shall be served at least two days prior to the return date of such motion.