

YOUR CHILD AND THE JUVENILE COURT SYSTEM

How Your Child Is Referred To Juvenile Court:

Referrals to Juvenile Court may come from police departments, schools, parents, community agencies and private citizens. The most common source is the police.

Factors That Can Lead To Your Child's Arrest:

- a. If he/she is seen breaking the law.
- b. If the police have reason to believe that your child has broken the law.
- c. If someone has filed a complaint against your child.

How Detention Is Decided For Your Child:

If your child is taken into custody, the police will make a decision to release him/her to you or to call Juvenile Court Services (JCS). If called, JCS will make a decision on whether or not to detain your child. The decision by JCS is based on the following factors:

- a. If the police cannot locate you.
- b. If you are unwilling to accept custody of your child.
- c. If he/she has been charged with a serious offense.
- d. If his/her previous record warrants detention.

Your Child's Rights At The Time Of Detention:

- a. Your child is not required to make a statement and can refuse to answer all questions until you and your attorney are present
- b. Your child must have a detention hearing within 72 hours of his/her detention at which it will be decided whether he/she has to remain in the facility pending further court action.
- c. For the detention hearings your child will be assigned a public defender unless you choose to provide your own attorney.
- d. If your child is returned to the facility, another hearing will take place within ten days.
- e. If your child is released on House Arrest or without restriction, a formal hearing will generally take place within 3 to 4 weeks.

Your Child's Rights During The Detention Period:

- a. While your child is detained, he or she will be provided with educational, recreational, and medical services.
- b. You are permitted to visit your child during the facility's regular visiting times.
- c. You will be provided with the facility's address and phone number.

Preparation For Your Child's Court Hearing:

You will receive by mail:

- a. A copy of the petition, which contains the specific charges filed against your child.
- b. A letter from an Intake Officer stating where and when an intake meeting will take place for you and your child (during this meeting, the officer will ask for background information pertaining to your child and family. This information is needed to decide what future action is in the best interest of your child).
- C. Written notification of the hearing date, time and courtroom where it will take place.

Proper Courtroom Attire:

It is important that when you and your child come to court that you dress appropriately. All clothing should be clean and free of rips or tears. Clothing must not be too tight or revealing. Clothing should not contain any obscenities or references to drugs or alcohol.

Check-In Procedures On Your Child's Court Day:

After entering the Government Center, you will be required to pass through metal detectors. After arriving at the courtroom, you should check-in with court personnel and proceed to the waiting area. Although your case is scheduled to be heard at a particular time, there may be unanticipated delays, please be prepared and patient. Court personnel will let you know when your case is called.

Your Child's Court Hearing:

All Juvenile Court Hearings will be heard in front of either a Juvenile Court Hearing Officer or Juvenile Court Judge. The first hearing scheduled for your child will be a Pre-Adjudication Conference (PAC). At this hearing, your child will meet with his/her attorney and will either admit or deny the charges. If he/she admits, he/she could be placed on a Consent Decree or Formal Probation that day. If he/she denies, an Adjudication Hearing will be scheduled. At an Adjudication Hearing, evidence will be presented regarding the charges against your child by the Assistant District Attorney. Your child's attorney will be able to cross-examine any of the ADA's witnesses and present evidence on behalf of your child. If your child is adjudicated delinquent on the charges, the court will then decide on your child's disposition.

Glossary of Terms in Juvenile Court:

If Your Child Is Placed Under Court Supervision:

- a. He/She may be removed from your home and placed in a court ordered facility or group home, private institution, foster home or youth development center. If your child is placed outside of your home, you will be required to meet with Domestic Relations who will assess your financial status and may require you to contribute to your child's care and maintenance.
- b. If your child is placed under Court Supervision, whether at home or elsewhere, he/she will be assigned to a Probation Officer who will assist and work closely with you and your child during the entire period of probation.

Fines, Costs, Fees and Restitution:

- a. Payment of a fine, cost fee or restitution (money owed to a victim) can be ordered by the court whether or not your child is returned to your custody.
- b. Under Pennsylvania law, if your child causes damage or injury to a victim, he/she can be ordered to make restitution. Additionally, some financial liability may be assessed to the parents.
- c. At disposition, a payment plan will be set up by the court for you and your child. Monthly payments must be made to avoid further court action. No case will be closed until restitution or fines are paid in full. All receipts given for payments should be kept as proof of payment.

Juvenile Court Hearing Officer: an attorney appointed by the court to hear matters involving juveniles.

Informal Adjustment (IA): generally for minor offenses. There is no formal finding of delinquency, but the juvenile can be on probation supervision for up to six months. If the I.A. agreement is violated, the I.A. can be revoked and the original charges brought to court.

Pre-Adjudication Conference (PAC): a formal hearing in front of the Juvenile Court Hearing Officer or Juvenile Court Judge. At this hearing, the juvenile is given the opportunity to admit or deny the charges made against him/her.

Admission: the juvenile admits to the allegations made against him/her.

Denial: the juvenile denies the allegations made against him/her and requests that an adjudication hearing be scheduled in front of a Juvenile Court Hearing Officer or Juvenile Court Judge.

Consent Decree (CD): an option generally offered to first time non-violent offenders. The juvenile is on probation for six months. If the juvenile successfully completes the requirements of the CD, after one year there is no record. However, if a violation occurs, the CD can be revoked and the current and original charges will be brought before the court.

Adjudication: equivalent to a trial in the adult system. The Juvenile Court Hearing Officer or Juvenile Court Judge hears the evidence and decides to adjudicate the child delinquent or dismiss the charges.

Adjudicate Delinquent: the Juvenile Court Hearing Officer or Juvenile Court Judge essentially finds the juvenile guilty, but due to age, the juvenile cannot be held criminally responsible.

Disposition: this is the equivalent of sentencing in the adult system. After an intensive investigation by the probation department of the offender's role in the home, school, community, etc., a recommendation is made to the Juvenile Court Hearing Officer or Juvenile Court Judge as to which type of rehabilitation and/or treatment is appropriate.

Probation: a juvenile is placed under the supervision of a probation officer with specific rules so that the juvenile can remain in the community.

Placement: a juvenile is put into a placement facility when the Juvenile Court Hearing Officer or Juvenile Court Judge feels that the needs of the offender and the safety of the community would be better addressed with the offender out of the community for a period of time.

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