

Explanation of Select Dispositions

COMMUNITY SERVICE HOURS:

Uncompensated work a youth must work to pay back the community for his/her previous actions.

ELECTRONIC MONITORING:

A non-secure alternative providing additional supervision of a youth in the home. An “ankle bracelet” is placed on the youth to monitor the youth’s whereabouts.

RESTITUTION:

Amount of money a delinquent youth must pay back to a victim for loss(es) incurred as a result of a delinquent act.

SANCTIONS:

Consequences imposed by a Judge on a youth for not complying with the dispositional order.

JUVENILE DETENTION:

A secure locked facility for holding a youth in custody.

SHELTER CARE:

A non-secure facility used for the temporary holding of a youth awaiting juvenile court action.

TEMPORARY PHYSICAL CUSTODY ORDER:

A record of the decision of the intake worker/court official concerning the custody (secure/non-secure) placement of a youth

72—HOUR CUSTODY HOLD:

A short term case-worker custody hold pending investigation of an alleged violation or as a consequence for a violation of a dispositional order. The juvenile is usually held in juvenile detention or in shelter care.

MANDATORY JUVENILE DELINQUENCY

VICTIM WITNESS SURCHARGE: When a juvenile is adjudicated delinquent, the court shall impose, in addition to any disposition imposed under 938.34, a delinquency victim and witness assistance surcharge of **\$20.00** to be paid immediately.

DISTRIBUTION OF THESE FUNDS:

100% goes to the State
Department of Justice to fund
the victim and witness services.



Juvenile Intake Division

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A Guide to the
Juvenile Intake
Process and
Juvenile Court

Introduction

Your child has been in trouble with the law, or has been truant from school, or has run away from home repeatedly. These situations, along with many others, may bring your family in contact with the Juvenile Court system.

This guide has been prepared to aid your understanding of the various Court proceedings by answering questions most often asked by parents and children. While we cannot cover every possible situation, we are sure you will find this brochure helpful.

The juvenile court system attempts to rehabilitate youth through the use of various interventions and services. Many of these services focus on the family. The court system can assist families in understanding their issues and in contacting appropriate services for help.

An intake worker has been assigned to work with your family. This worker will assist you in obtaining services for your family. The juvenile court system does not want to take responsibility away from you in making decisions that are in your child's best interests. The juvenile court system attempts to balance your child's needs, your family's needs and the needs of the community.

The Parent's Role

Parental involvement is a critical part of the Juvenile Court Process. No court order can be successful if the parents/guardian do not participate in their juvenile's supervision plan. This may involve monitoring and enforcing the rules set forth by the judge and/or intake worker, attending family meetings, going to counseling, taking parenting classes, transporting your juvenile to different service providers, working closely with the school, holding your juvenile accountable and keeping the juvenile's intake worker informed of your juvenile's status.

Juvenile Court Terms



INTAKE WORKER: Individual who has initial contact with case; decides temporary custody issues & recommends if court involvement is needed.

REFERRAL: A law enforcement or non-law enforcement referral of a juvenile who may be delinquent or in need of protection or services. The decision of the intake worker is recorded on the referral.

INTAKE INQUIRY: Notice of intake inquiry is a written notification to a juvenile/parent that a referral has been sent to intake requesting their presence at an intake inquiry/conference to discuss the referral.

INTAKE INQUIRY OPTIONS:

- 1) **Dismiss:** Case dismissed; insufficient evidence; lack jurisdiction to prosecute.
- 2) **Counsel & Release;** case closed
- 3) **Deferred Prosecution Agreement:** A written agreement outlining conditions/obligations to be met in order to defer filing of a petition with the court.
- 4) **Request** by Intake to District Attorney to file a juvenile court petition.

JUVENILE WORKER: Individual assigned to case after a juvenile court petition is filed. Worker continues case assessment, makes recommendations to the court & supervises court orders.

JIPS CASES: A juvenile alleged to be in need of protection and services who is uncontrollable, truant from school or truant from home, or, a delinquent juvenile under 10 years of age.

DELINQUENT PETITION: If a juvenile over the age of 10 and under the age of 17 violates the law, this petition initiates juvenile court action.

Court Hearing Terms

INITIAL OR PLEA: (First hearing) Youth & family advised of their legal rights & informed of reason for court involvement

PLEA: (Second Hearing) Youth, along with an attorney, admit or deny the allegations in the juvenile court petition.

(The first and second hearings may be combined)

PRE-TRIAL CONFERENCE: Meeting prior to the fact-finding/adjudication hearing attended by the district attorney, the juvenile's attorney and the juvenile's social worker/case manager to discuss dispositional alternatives and possible court recommendations. The juvenile and parent(s) will often attend the pre-trial conference also.

CONSENT DECREE: Formal court agreement consisting of conditions juvenile/family must follow. Suspends court proceedings for up to twelve months.

FACT-FINDING/ADJUDICATION: (Third hearing) Trial portion of proceedings. The Judge determines if child will be adjudicated delinquent.

DISPOSITION: (Fourth/final hearing) Judge makes decision on what happens to youth., This can include out of home placement, corrections and/or community supervision.

DISPOSITIONAL ORDER: A formal order imposed by the Judge for up to one year at the dispositional hearing. It consists of conditions the juvenile/family must comply with.

